

JOURNAL
of the
STATE SENATE



ORGANIZATIONAL SESSION
and
FIRST REGULAR SESSION

of the
SIXTY-FIFTH LEGISLATURE

of the
STATE OF IDAHO
2019

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SENATE JOURNAL

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SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

ORGANIZATIONAL SESSION
SIXTY-FIFTH LEGISLATURE

FIRST LEGISLATIVE DAY
THURSDAY, DECEMBER 6, 2018

Senate Chamber

At the hour of 9 a.m. on Thursday, December 6, 2018, the members-elect of the Senate of the Sixty-fifth Idaho Legislature convened in the Senate Chamber of the Capitol in the City of Boise for an organizational session, President Brad Little presiding.

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

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE
CERTIFICATE OF ELECTION

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

Table with 2 columns: DISTRICT and NAME. Lists 25 senators with their district numbers and names (e.g., 1 Jim Woodward (R), 2 Steve Vick (R), etc.).

Table with 2 columns: District number and Name. Lists senators 26 through 35 (e.g., 26 Michelle Stennett (D), 27 Kelly Arthur Anthon (R), etc.).

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capitol of Idaho, this 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 Secretary of the Senate.

Roll call showed all members present.

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

Prayer was offered by Chaplain Montie Ralstin, Boise Valley Christian Communion, Boise, Idaho.

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

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

Reading of Communications

June 26, 2018

Hon. C.L. "Butch" Otter
Governor, State of Idaho
PO Box 83720
Boise, ID 83720-0010

Dear Gov. Otter

I formally resign as the Senator from Legislative District 14 in the Idaho State Senate at day's end July 29th, 2018.

I have had the privilege of serving for the last 12 years in both the House and the Senate representing the constituents of Northwest Ada County, it has been an honor to have been their voice in the Idaho State Capitol. It has truly been a pleasure to work with so many great leaders in our State's Legislature, Executive and Judicial branches finding working solutions as our State and nation grow for the citizens of Idaho; I will miss working with them.

I have full faith and confidence that those who still serve and those who will serve in my stead will continue to make decisions in the best interests of all of us as we leave the legislature and continue our lives within the great State of Idaho.

With the greatest respect for the legislative process and those I have and do serve, I submit this resignation.

Sincerely yours,
/s/ Marvin F. Hagedorn

The correspondence will be filed in the Office of the Secretary.

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

Messages from the Governor

August 14, 2018

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed C. Scott Grow of Eagle, Idaho, to the office of State Senator for Legislative District 14, Ada County, State of Idaho.

This appointment is effective Tuesday, August 14, 2018, and will continue until the next general election when the term of office expires.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-904A, *Idaho Code*, the District 14 Legislative Committee of the Republican Party has submitted a list of three names for consideration in filling a vacancy in the Idaho State Senate.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint C. Scott Grow of Eagle, Idaho, to the office of State Senator, District 14, for a term commencing on August 14, 2018, and continuing until the next general election when the term of office expires.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 14th day of August in the year of our Lord two-thousand and eighteen and of the Independence of the United States of America the two hundred forty-third and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

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

Motions and Resolutions

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

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

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

The President administered the Oath of Office to Secretary of the Senate Jennifer Novak.

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

On request by Senator Winder, granted by unanimous consent, the following roster of majority and minority leadership was ordered spread upon the pages of the Journal:

- Majority Leader Senator Chuck Winder
- Assistant Majority Leader Senator Steve Vick
- Majority Caucus Chairman.....Senator Kelly Arthur Anthon
- Minority Leader Senator Michelle Stennett
- Assistant Minority Leader Senator Cherie Buckner-Webb
- Minority Caucus Chairman Senator Maryanne Jordan

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

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 9:23 a.m. until the hour of 2 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 2 p.m., pursuant to recess, President Little presiding.

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

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

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

- AGRICULTURAL AFFAIRS (9)
- Guthrie, Chairman
- Den Hartog, Vice Chairman

- Patrick
- Bayer
- Harris
- Mortimer
- Lent
- Jordan
- Nelson

COMMERCE AND HUMAN RESOURCES (9)

Patrick, Chairman
Agenbroad, Vice Chairman

Martin
Lakey
Guthrie
Thayn
Souza

Ward-Engelking
Burgoyne

STATE AFFAIRS (9)

Lodge, Chairman
Harris, Vice Chairman

Hill
Winder
Vick
Anthon
Souza

Stennett
Buckner-Webb

EDUCATION (9)
Mortimer, Chairman
Thayn, Vice Chairman

Winder
Den Hartog
Cheatham
Woodward
Lent

Buckner-Webb
Ward-Engelking

TRANSPORTATION (9)
Brackett, Chairman
Crabtree, Vice Chairman

Winder
Den Hartog
Lodge
Rice
Burtenshaw

Buckner-Webb
Nelson

FINANCE (10)
Bair, Chairman
Johnson, Vice Chairman

Lee
Agenbroad
Crabtree
Grow
Burtenshaw
Woodward

Ward-Engelking
Nye

On request by Senator Winder, granted by unanimous consent, President Little appointed a committee consisting of Senator Lodge, Chairman, and Senators Lee and Stennett to notify the Governor that the Senate is now organized and ready to conduct business.

The committee was excused.

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

Heider
Lee
Harris
Crabtree
Burtenshaw

Jordan
Nelson

On request by Senator Winder, granted by unanimous consent, President Little appointed a committee consisting of Senator Mortimer, Chairman, and Senators Harris and Buckner-Webb to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

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

Lodge
Anthon
Thayn
Grow
Cheatham

Burgoyne
Nye

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

The committee was discharged.

LOCAL GOVERNMENT AND TAXATION (9)

Rice, Chairman
Bayer, Vice Chairman

Hill
Vick
Guthrie
Anthon
Grow

Burgoyne
Nye

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

The committee was discharged.

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

Miscellaneous Business

Senator Brackett was recorded present at this order of business.

RESOURCES AND ENVIRONMENT (9)
Heider, Chairman
Brackett, Vice Chairman

Bair
Bayer
Johnson
Mortimer
Patrick

Stennett
Jordan

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Organizational Session of the Idaho Senate of the Sixty-fifth Legislature adjourned *Sine Die* in honor of Lt. Governor Little's 8 years of service as a member of the Senate, his ten years serving as the President of the Senate, and for his service to the State of Idaho at 2:45 p.m., Thursday, December 6, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

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

Senate Chamber

At the hour of 12 noon on Monday, January 7, 2019, the time established for the convening of the First Regular Session of the Sixty-fifth Idaho Legislature, the members of the Senate convened in the Senate Chamber of the Capitol in the City of Boise, President Janice McGeachin presiding.

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

Prayer was offered by Chaplain Montie Ralstin.

On request by Senator Winder, granted by unanimous consent, the Sergeant-at-Arms, Sarah Jane McDonald, escorted the Idaho State Police Honor Guard into the Senate chambers to present and post the colors for the First Regular Session of the Sixty-fifth Idaho Legislature.

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

President Pro Tempore Hill provided a brief history of the Idaho State flag flown over the domes of the House and Senate Chambers during each session of the Legislature. He explained that the flags represent the spirit of our citizens and serve as a symbol of Idaho's sovereignty. They further serve notice to the State that the Legislature, the elected representatives of all the citizens of Idaho, is in session. The flags are raised when the Legislature convenes and will be retired when the Legislature adjourns *sine die*. President McGeachin presented the Idaho State flag to the Honor Guard to be raised above the Senate Chamber to fly during the First Regular Session of the Sixty-fifth Idaho Legislature and the Honor Guard exited the Chamber.

On request by Senator Winder, granted by unanimous consent, the Senate Sergeant-at-Arms, Sarah Jane McDonald escorted Senator Buckner-Webb into the well of the Senate Chamber for the purpose of singing *America, the Beautiful*.

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

Reading of Communications

January 7, 2019

Honorable Brad Little
Governor, State of Idaho
PO Box 83720
Boise, ID 83720-0010

Dear Governor Little:

I formally resign my position as the Senator from Legislative District 21 in the Idaho State Senate at 9 a.m., January 7, 2019.

I am humbled by having had the honor and privilege of serving in the Idaho State Legislature for fifteen years, the last six having been in the State Senate. I am grateful for having been entrusted with such significant responsibilities and the opportunity to truly appreciate our noble State legislative institution. I will be forever grateful for this wonderful, life changing experience as provided for by the endeared Idahoans of Legislative District 21.

I am also grateful for all the thoughtful colleagues I have worked with over these many years, as collaborators, mentors and friends. Indeed, so many have been part of wonderful memories and are genuine lifelong friends.

In my departure, I further submit that Regina Bayer fulfill the duties of representing Legislative District 21 as State Senator, as provided for by the assumption of powers and duties of legislator by emergency interim successor in Idaho Statute 67-423a, until a qualified individual is appointed to the vacancy pursuant to Section 59-904a.

I submit this resignation, with heartfelt appreciation for the Legislative institution and process of which I have been blessed.

Sincerely yours,
/s/ Clifford R. Bayer

On request by Senator Winder, granted by unanimous consent, the Senate Sergeant-at-Arms, Sarah Jane McDonald, escorted Regina Bayer into the Senate Chambers for the purpose of receiving the Oath of Office, pursuant to Idaho Code 67-423a. Senator Bayer was recorded present at this order of business.

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

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, President McGeachin appointed a committee consisting of Senator Guthrie, Chairman, and Senator Jordan to escort the committee from the House of Representatives into the Senate Chamber. Representatives Youngblood and Harris informed the Senate that the House is now organized and ready to conduct business.

The Senate committee was discharged.

On request by Senator Winder, granted by unanimous consent, President McGeachin appointed a committee consisting of Senator Brackett, Chairman, and Senators Lee and Nye to notify the Governor that the Senate is now organized and ready to conduct business.

The committee was excused.

On request by Senator Winder, granted by unanimous consent, President McGeachin appointed a committee consisting of Senator Thayn, Chairman, and Senators Burtenshaw and Ward-Engelking to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

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

The committee was discharged.

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

The committee was discharged.

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

Messages from the House

January 7, 2019

Dear Madam President:

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

MAULIN, Chief Clerk

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

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

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

[HCR 1](#), by Moyle and Erpelding, was introduced and read at length.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [HCR 1](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [HCR 1](#) was before the Senate for final consideration.

On motion by Senator Winder, seconded by Senator Stennett, [HCR 1](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Winder, granted by unanimous consent, the Senate went at ease for the purpose of attending a joint session to hear the Governor's State of the State and Budget Address.

JOINT SESSION

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

Roll call of the House showed all members present.

Roll call of the Senate showed all members present.

Prayer and the Pledge of Allegiance was offered by Chaplain Tom Dougherty.

On request by Representative Moyle, granted by unanimous consent, the Speaker appointed three committees to wait upon the Supreme Court Justices and Appellate Court Judges, the elected officials, and the Governor and escort them to the House Chamber.

The Speaker appointed Senators Lakey and Burgoyne, and Representatives Dayley and McCrostie as the committee to wait upon and escort the Supreme Court Justices and Appellate Court Judges to the House Chamber.

The Speaker excused the committee.

The Speaker appointed Senators Vick and Buckner-Webb, and Representatives Gibbs and Wintrow as the committee to wait upon and escort the elected officials to the House Chamber.

The Speaker excused the committee.

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

The Speaker excused the committee.

The committees appointed by the Speaker returned and escorted the Supreme Court Justices, Appellate Court Judges, the elected officials, and the Governor into the House Chamber where they were presented to the Joint Session by the Speaker.

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

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 for his message.

The committees came forward and escorted the Governor, the Supreme Court Justices, Appellate Court Judges, and the elected officials to their chambers and offices respectively, and were, on their return, thanked and discharged by the Speaker.

On motion by Moyle, seconded by Erpelding, by voice vote the State of the State and Budget Address was ordered spread upon the pages of the House and Senate Journals.

On motion by Moyle, seconded by Erpelding, by voice vote the Joint Session was dissolved.

The appointed committee came forward and escorted the Senators from the House Chamber.

The members of the Senate returned to the Senate Chamber.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 2 p.m. until the hour of 11:15 a.m., Tuesday, January 8, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

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

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Drew Bingham, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of December 6, 2018, was read and approved as corrected.

LAKEY, Chairman

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

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

Messages from the Governor

January 7, 2019

Jennifer Novak
Secretary of the Senate
Idaho State Legislature

Dear Madam Secretary:

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

Balance as of July 1, 2017 **\$83,744.48**

No activity in fiscal year 2018

Balance as of June 30, 2018 **\$83,744.48**

No activity year-to-date in
fiscal year 2019

Balance as of December 31, 2018 **\$83,744.48**

As Always - Idaho, *Esto Perpetua*
/s/ Brad Little
Governor

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kyle Wills of Boise, Idaho, was appointed as the State Athletic Commissioner to serve a term commencing October 1, 2018, and expiring October 1, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Allan Schneider of Garden City, Idaho, was reappointed as a member of the Commission for the Blind and Visually Impaired to serve a term commencing July 1, 2018, and expiring July 1, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Britt Raubenheimer of Sandpoint, Idaho, was reappointed as a member of the Commission for the Blind and Visually Impaired to serve a term commencing July 1, 2018, and expiring July 1, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that B.J. Stinger of Pocatello, Idaho, was appointed as a member of the Commission for the Blind and Visually Impaired to serve a term commencing July 12, 2018, and expiring July 1, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:28 a.m. until the hour of 11:15 a.m., Wednesday, January 9, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

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

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Brigham Chelson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of January 7, 2019 and January 8, 2019, were read and approved as corrected.

LAKEY, Chairman

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

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

Messages from the Governor

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Deborah Critchfield of Oakley, Idaho, was reappointed as a member of the State Board of Education to serve a term commencing July 1, 2018, and expiring July 1, 2023.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

The Gubernatorial appointment was referred to the Education Committee.

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Daniel Kunz of Boise, Idaho, was reappointed as a member of the Idaho Energy Resources Authority to serve a term commencing June 30, 2018, and expiring June 30, 2023.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Travis "Bear" Prairie of Idaho Falls, Idaho, was appointed as a member of the Idaho Energy Resources Authority to serve a term commencing August 8, 2018, and expiring June 30, 2023.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Mark Bowen of Meridian, Idaho, was appointed as a member of the Board of Environmental Quality to serve a term commencing July 27, 2018, and expiring July 1, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Richelle Sugiyama of Boise, Idaho, was appointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing July 27, 2018, and expiring July 1, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Todd Gill of Meridian, Idaho, was appointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing July 27, 2018, and expiring July 1, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Jonathan Loschi of Boise, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 10, 2018, and expiring July 1, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Dan Dinning of Bonners Ferry, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 10, 2018, and expiring July 1, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Brian Marx of Boise, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing November 16, 2018, and expiring January 1, 2020.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Tim Murphy of Boise, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing November 28, 2018, and expiring June 30, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Louis Fatkin of Idaho Falls, Idaho, was appointed as a member of the Parks and Recreation Board to serve a term commencing March 1, 2018, and expiring June 30, 2023.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Jonathan Mark Browning of Meridian, Idaho, was appointed as a member of the Idaho State Racing Commission to serve a term commencing March 30, 2018, and expiring January 15, 2024.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Erik Olsen of Bonners Ferry, Idaho, was appointed as a member of the State Soil and Water Conservation Commission to serve a term commencing July 10, 2018, and expiring July 1, 2023.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

The Gubernatorial appointment was referred to the Agricultural Affairs Committee.

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Timothy Rarick of Rexburg, Idaho, was appointed as a member of the State Board of Health and Welfare to serve a term commencing March 8, 2018, and expiring January 1, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 8, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Senate

Dear Madam President,

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

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

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

Sincerely,
/s/ Brad Little
Governor of Idaho

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

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

Motions and Resolutions

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

AGRICULTURAL AFFAIRS (9)
Guthrie, Chairman
Den Hartog, Vice Chairman

Patrick
Harris
Mortimer
Lent
Bayer

Jordan
Nelson

COMMERCE AND HUMAN RESOURCES (9)
Patrick, Chairman
Agenbroad, Vice Chairman

Martin
Lahey
Guthrie
Thayn
Souza

Ward-Engelking
Burgoyne

EDUCATION (9)
Mortimer, Chairman
Thayn, Vice Chairman

Winder
Den Hartog
Crabtree
Woodward
Lent

Buckner-Webb
Ward-Engelking

FINANCE (10)
Bair, Chairman
Johnson, Vice Chairman

Lee
Agenbroad
Crabtree
Grow
Burtenshaw
Woodward

Ward-Engelking
Nye

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

Heider
Lee
Harris
Burtenshaw
Bayer

Jordan
Nelson

JUDICIARY AND RULES (9)
Lahey, Chairman
Lee, Vice Chairman

Lodge
Anthon
Thayn
Grow
Cheatham

Burgoyne
Nye

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

Hill
Vick
Anthon
Lahey
Cheatham

Burgoyne
Nye

RESOURCES AND ENVIRONMENT (9)
Heider, Chairman
Brackett, Vice Chairman

Bair
Johnson
Mortimer
Patrick
Guthrie

Stennett
Jordan

STATE AFFAIRS (9)
Lodge, Chairman
Harris, Vice Chairman

Hill
Winder
Vick
Anthon
Souza

Stennett
Buckner-Webb

TRANSPORTATION (9)
Brackett, Chairman
Crabtree, Vice Chairman

Winder
Den Hartog
Lodge
Rice
Burtenshaw

Buckner-Webb
Nelson

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:34 a.m. until the hour of 11:15 a.m., Thursday, January 10, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION SIXTY-FIFTH LEGISLATURE

FOURTH LEGISLATIVE DAY THURSDAY, JANUARY 10, 2019

Senate Chamber

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

Roll call showed all members present except Senators Lakey and Stennett, absent and formally excused by the Chair; and Senator Ward-Engelking, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 9, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Motions and Resolutions

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

- Assistant to the Majority Leader Cameron Cochems
Assistant to the Asst. Maj. Leader Jenny Smith
Assistant to the Maj. Caucus Chairman Peggy Moyer
Secretary to the Secretary of the Senate Tyler Leenknecht
Journal Clerk Jacob Rourk
Minutes Editor/Asst. Clerk..... Jessica Goodwin
Sergeant-at-Arms Sarah Jane McDonald
Assistant Sergeant-at-Arms Jerry Csutoras
Doorkeeper Al Henderson

Committee Secretaries:

- Agricultural Affairs Jacob Garner
Commerce and Human Resources Linda Kambeitz
Education LeAnn Mohr
Finance Elaine Leedy
Health and Welfare Margaret Major

- Judiciary and Rules Sharon Pennington
Local Government and Taxation Carol Waldrip
Resources and Environment Jamie Skrypkun
State Affairs Twyla Melton
Transportation Gaye Bennett

Majority Staff Assistants:

- Majority Staff Assistant Tyler Brock
Majority Staff Assistant Bryce Delay
Majority Staff Assistant Machele Hamilton
Majority Staff Assistant Jon von Nieda
Majority Staff Assistant Abigail Williams

Minority Staff Assistants:

- Chief of Staff Annika Galliani
Minority Staff Assistant Oliver Cowan
Minority Staff Assistant Richard Peebly
Minority Staff Assistant Lindsay Virgin

Pages:

- Drew Bingham, Nampa
Brigham Chelson, St. Anthony
Sebastian Griffin, Nampa
Chase Knott, Fruitland
Isaac Lee, Rigby
Olivia Love, Star
Joseph Price, Boise
Landen Richardson, Rigby
Mariya Ricks, Shelley
Emily White, New Plymouth

The question being, Shall the motion prevail?

Roll call resulted as follows:

AYES-Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Thayn, Vick, Winder, Woodward. Total - 32.

NAYS-None.

Absent and excused-Lakey, Stennett, Ward-Engelking. Total - 3.

Total - 35.

Whereupon the President declared the attaches duly elected to their respective positions. On request by Senator Winder, granted by unanimous consent, the Sergeant-at-Arms escorted the attaches to the well of the Senate at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

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

Messages from the Governor

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Joe McNeal of Mountain Home, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 2018, and expiring July 1, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Paul Jagosh of Boise, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 2018, and expiring July 1, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kevin Settles of Boise, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 2018, and expiring July 1, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Louise Stark of Challis, Idaho, was reappointed as a member of the Idaho Outfitters and Guides Licensing Board to serve a term commencing April 20, 2018, and expiring April 20, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Lane Clezie of Pocatello, Idaho, was reappointed as a member of the Idaho Fish and Game Commission to serve a term commencing June 30, 2018, and expiring June 30, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kermit Kiebert of Hope, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2018, and expiring July 1, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Rod Higgins of Boise, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 3, 2018, and expiring April 3, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Max Black of Boise, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 3, 2018, and expiring April 3, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Eric Fredericksen of Boise, Idaho, was reappointed as the State Appellate Public Defender to serve a term commencing August 1, 2018, and expiring August 1, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 9, 2019

Dear Madam President:

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

MAULIN, Chief Clerk

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

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 11 a.m., Friday, January 11, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

January 2, 2019

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

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

Senate Chamber

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

Roll call showed all members present except Senator Brackett, absent and formally excused by the Chair; and Senators Agenbroad, Johnson, and Lodge, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Chase Knott, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 10, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Messages from the Governor

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Jo Ann Cole-Hansen of Lewiston, Idaho, was reappointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2019, and expiring January 1, 2023.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Jeffery Raybould of St. Anthony, Idaho, was reappointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2019, and expiring January 1, 2023.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Dale Van Stone of Hope, Idaho, was reappointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2019, and expiring January 1, 2023.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Linda Mitchell of Sagle, Idaho, was reappointed as a member of the Lake Pend Oreille Basin Commission to serve a term commencing July 24, 2018, and expiring July 24, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Ford Elsaesser of Sandpoint, Idaho, was reappointed as a member of the Lake Pend Oreille Basin Commission to serve a term commencing July 24, 2018, and expiring July 24, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Dustin Miller of Boise, Idaho, was appointed as the Director of the Department of Lands to serve a term commencing October 1, 2018.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Gregory Donaca of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing October 23, 2018, and expiring April 10, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Celia Gould of Boise, Idaho, was reappointed as a member of the Public Employee Retirement System of Idaho Board to serve a term commencing July 1, 2018, and expiring July 1, 2023.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Nancy Merill of Eagle, Idaho, was appointed as a member of the Idaho Personnel Commission to serve a term commencing September 18, 2018, and expiring July 1, 2024.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Leland Heinrich of Cascade, Idaho, was reappointed as a member of the Board of Tax Appeals to serve a term commencing June 30, 2018, and expiring June 30, 2021.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Hyrum Erickson of Rexburg, Idaho, was appointed as a member of the Idaho Commission on Human Rights to serve a term commencing June 1, 2018, and expiring July 1, 2020.

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

Sincerely,
/s/ C.L. "Butch" Otter
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:13 a.m. until the hour of 11:15 a.m., Monday, January 14, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

EIGHTH LEGISLATIVE DAY
MONDAY, JANUARY 14, 2019

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Isaac Lee, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 11, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:21 a.m. until the hour of 11:15 a.m., Tuesday, January 15, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

January 1, 2019

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

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

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 14, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Messages from the Governor

January 1, 2019

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Anna Jane Dressen of Coeur d'Alene, Idaho, was reappointed as a member of the Commission on Pardons and Parole to serve a term commencing January 1, 2019, and expiring January 1, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Matthew Allen Thomas of Weiser, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2019, and expiring January 1, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 1, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Peter Van Der Meulen of Hailey, Idaho, was reappointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2019, and expiring January 1, 2023.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dustin Miller of Boise, Idaho, was appointed as a member of the Oil and Gas Conservation Commission to serve a term commencing October 1, 2018, and will serve by virtue of his position as Director of the Department of Lands.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

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

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

S 1001

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO WELLS; AMENDING SECTION 42-1607, IDAHO CODE, TO REMOVE OBSOLETE RULEMAKING PROVISIONS REGARDING A COST-SHARING PROGRAM FOR THE REPAIR OR PLUGGING OF WELLS AND TO MAKE TECHNICAL CORRECTIONS.

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

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:26 a.m. until the hour of 11 a.m., Wednesday, January 16, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

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

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Joseph Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 15, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, President McGeachin appointed a committee consisting of Senator Lakey, Chairman, and Senators Cheatham and Ward-Engelking to escort Chief Justice Roger S. Burdick into the Senate Chamber where he delivered the following **State of the Judiciary Address**:

Again, thank you for the honor of appearing in front of you to discuss Idaho's judiciary, a group made up of not only judges and state administrative staff, but also hundreds of dedicated county clerks, probation officers and other county employees without which we could never do our jobs as judges. We can never forget the debt of gratitude judges owe to county commissioners and elected county clerks.

I'd like to now welcome the new members of Idaho's legislative and executive branch officers. A hardy welcome to twenty-five new legislators as well as a dozen or so new department directors. A special welcome to our new lieutenant governor, Janice McGeachin who will grow to love these State of Judiciary speeches as much as I have!

Because of so many new faces I thought I would like to highlight a few of our past accomplishments and then quickly touch on future issues affecting the "State of the Judiciary."

A national survey conducted by the Conference of Chief Justices has found that confidence in state court systems is at the highest level since polling was started in 2012. Idaho does share in that good news as a result of your support for new ideas to solve old or new problems as well as the hard work of our judges and county partners.

In 2014 I had reported that since 2000, 43 district judges had been appointed. Now since 2014 another 7 appellate judges and justices, 16 district judges and 22 magistrate judges have retired. This has resulted in a whole new generation of judges and justices. As you can see the legislature and executive branches are not alone in change.

As I did last year, I must acknowledge and congratulate the members of Idaho Judicial Council and their executive director for a frantic schedule of judicial applicant interviews as well as their usual review of disciplinary complaints against judges. Not only have they worked hard in preparing for these interviews, they have always acted in good faith without outside influences.

We continue to monitor what is needed to recruit and retain judicial applicants by preparing and disseminating a new survey of the Idaho State Bar about barriers to judicial careers. This is an improved survey which mirrors our original groundbreaking survey of and the resulting report published in June of 2010. I think that survey directly led to greater participation of women in our judiciary. Women members of the Idaho judiciary have grown to 23% which largely reflects the 28% of women members in the Idaho Bar. We are again seeing recruiting challenges for district judges. Just last week only five applications were received for a district judge position in Canyon County. For the most recent magistrate judge vacancy in that same county, we had 17 applicants.

Our continued hope is that you believe with us, that the attraction of our best and brightest lawyers to the judiciary is vital to the continued rule of law for all in Idaho.

Also in the 2014 State of the Judiciary, I introduced you to our new request for the largest cultural change in the Idaho judiciary's history - Odyssey. Your support as well as initial financing and an ongoing fee structure has supported a herculean effort of technology change from the old ISTARs system to Odyssey.

This roll out was completed in three phases or "waves". We started with our pilot program in Twin Falls County and then the 1st wave of the 5th District and 4th District counties; the 2nd Wave of central Idaho's 14 counties, and finally southeastern Idaho's 10 counties. Our staff, with the help of county clerks, transferred old records, pre-tested and installed new software, squashed countless bugs in the system, and supported all of that in the extensive training for all clerks in every county, and we continue to support and educate every day.

Now that the base product has been installed we will be working on a great many large and small hacks, projects, or fixes to make sure this basic implementation continues to meet the needs of our citizens, lawyers, justice partners, counties, and judges. There is also a need for the usual hardware upkeep and replacement that we furnish to our counties and judges. As you can see, we have more work to accomplish. Many more features are to come.

As part of our new attorney management program we are working with prosecutors and public defenders in two counties for a truly integrated case management system. Additionally a new statewide jury system will help counties who opt-in handle

jury management. For your constituents as a part of the jury management module, a citizen would be updated and notified of their schedule to appear for jury duty by up-to-date text messaging.

Lastly, Odyssey has now converted all court filings in the trial and appellate courts to e-filing. We have heard positive feedback on this change and we will continue to upgrade as time goes on.

This entire time slot could be taken with the past work, present impact and future work to be done with Odyssey but I need to move on. Again I thank the legislature for your continued commitment to Odyssey.

I previously mentioned the generational change of the judiciary, but this demographic reality exists throughout Idaho. In 2014 I referred to it this way

By 2030 Idaho's total population is projected to increase by 52 percent while the number of individuals over the age of 65 will grow by 147 percent. There were over 1200 new guardianship or conservatorships filed [in 2013]. Once a guardian has been appointed the monitoring will often continue for years.

A 2010 study found 47% of dementia patients were mistreated in some way and developmentally disabled individuals are 4 to 10 times more likely to be abused. Again with your support and working with our counties, I can report significant improvements in modernizing our procedures and safeguards for this growing and sometimes, vulnerable group of citizens.

These strides have been accomplished with the leadership of our Guardian/Conservator Committee composed of representatives, not only from the courts, but also practicing lawyers, state agencies and many other interest groups that have driven this systemic change.

The Committee has put processes in place to monitor the well-being of the protected person and the financial health of the estate, practices to ensure the protection ordered in a case is specific to the needs of the protected person, and created training to ensure all parties are aware of guardian and conservator responsibilities and duties.

You appropriated monies so we could fulfill our statutory duties to monitor guardianships and conservatorships with monitoring coordinators in all seven judicial districts. These persons have allowed a much more robust handling of these cases and have been a marvelous help, not only to our busy magistrate judges, but also, and most importantly, the protected persons.

In the future, the courts face a daunting task of finding future guardians or conservators for increasing numbers of individuals left with no one else to step in to help. These are challenges we will undoubtedly seek your counsel in the future.

Again in 2014, I congratulated the legislature for "wisely" identifying two of the chronic problems that impact Idahoans and the judicial system - public defense and justice reinvestment.

We, as a judicial system, have and continue to have a constitutional duty to assure due process and a legal duty to help protect society.

In 1923, our Supreme Court said in *State v. Montroy*:

It is the public policy of this state, disclosed by constitutional guarantees as well as by numerous provisions of the statutes, to accord to every person accused of a crime, not only a fair and impartial trial, but every reasonable opportunity to prepare his

defense and to vindicate his innocence upon a trial. In a case of indigent persons accused of crime, the court must assign counsel to the defense at public expense.

This was a full 40 years before it became a federal requirement for public defense.

With your guidance and help, the Public Defense Commission continues to strengthen the counties' ability to meet this expensive but necessary obligation. In reviewing the accomplishments of the Idaho State Public Defense Commission, I applaud the progress they have made.

The Commission has recommended and instituted procedural improvements, as well as started data collection of workload and other deficiencies for future analysis. They have instituted a vital training schedule, helped counties with grants to fund public defenders and also helped with extraordinary litigation costs to certain counties. These improvements are as a result of 175 meetings with county commissioners and clerks to define needs, explain best practices, and monitor improvements. The Idaho judiciary supports this start, but more work is needed.

Your Justice Reinvestment Initiative was again mentioned in 2014, as the courts, the Department of Corrections, and the legislature examined ways to approach criminal sentencing and corrections more efficiently. This significant change has had mixed results, but we in the courts realize there are better ways to handle criminality than building bigger jails and prisons. During this time of change and analysis the Idaho Prosecutors Association and Department of Corrections both agree our district judges are appropriately sentencing criminals and now the question remains what is the best method to protect society while rehabilitating those in the system. We must all remember 90% or more of these individuals will return to our neighborhoods. Our judges have always felt more support is needed in terms of probation officers, rehabilitation services, and halfway houses so that defendants have a better chance at normalization before they are released by the courts or the Department of Corrections. We continue to support efforts for more local placement and resources. Our successful problem-solving courts are just one of many approaches. They are seen as an innovative body to balance risk and rehabilitation.

We applaud your bold initiative to reinvest in local support and options to incarceration. At the same time we continue to be acutely aware of our number one priority – to protect the public.

Another vital program which you have found valuable and which we believe stretches state dollars and adds vital judicial manpower is the Senior Judge program. Our first senior judge program started in 2000.

The Senior judge program pays retired judges at reduced rates to support personnel needs for sitting judges. Senior judges are only paid for the days they work. These judges are the ones who fill in when vacancies appear due to disability, sickness, or other excused absences. They are also a vital resource to cover when there is a gap or delay in replacing a retired judge. They handle overflows of cases or in areas where the caseload is too heavy, but there isn't enough need for a new judicial position to be filled. For instance in 2018 Senior judges worked 1,110 days in the courtroom, an equivalent of 11.3 additional judges. Senior judges also worked with iCourt training mentoring or in other leadership roles. Without these Senior judges there would be significant backlogs and or stoppages in case flow, which would be a disaster.

In trying to keep a cutting edge judicial system for Idaho I'd like to quickly review changes in administration over the last few years. First, I'd like to introduce our new Court of Appeal Judge and Supreme Court Justices appointed in 2018.

First, the new Court of Appeals Judge; the Honorable Amanda K. Brailsford sworn in on January 2, 2019. Next our two new Supreme Court Justices; the Honorable John Stegner sworn in on June 29, 2018 and finally the Honorable Greg Moeller sworn in January 3, 2019. I'd like all three to stand and be recognized. Thank you.

In 2014 the court completely revamped its accounting system. This came as a result of one of Cathy Holland Smith's "gentle urgings" that we needed to get better immediately. Since then we have completely reorganized and modernized our budgeting procedures and financial reports. The budgeting improvements help us to gain better insight into the real needs of your local courts. Additionally we've received comments from budget analysts and others about the increased transparency and professional presentation our improvements have produced.

In order to educate as well as help judges receive real feedback on their performance, you saw fit in 2017 to start implementing a new and vastly improved Judicial Performance program. This program includes surveys taken by clerks, lawyers and others concerning a local judge's performance. These surveys were created and vetted by national experts from the National Center for State Courts. These are shared with the individual judge and mentor judges may be assigned to help with any improvements. To date 98 judges have gone through this examination and new mentor judges are being trained by our education staff. Again this shows your support for an excellent judiciary and our commitment to continued improvement.

I have covered the most significant projects which have shaped the State of Idaho's judiciary in the near past. I'd like to project a few ideas for Idaho's judicial future.

Has anyone noticed the traffic in our hometowns or on our highways? Idaho has been discovered and we must stay vigilant to meet the needs of our new Idahoans. They bring new vitality, ideas, and expectations to Idaho. Just the sheer numbers will increase more judicial services which by constitution and statute must be met. The Courts must meet this need with new efficiencies and technology. As a result, our technology platform base is in place and we are working to make the changes or improvements to perfect it. We must look to new technologies to protect individual's private information, while making sure our court processes are transparent.

The courts are a main hub of information and data for a myriad of city, county, state, and commercial interests. One of our main customers for data is the legislature - your need for strong, fair policy must be supported by data from the courts. We take this challenge seriously. We are piloting new technology called Socrata to help take the millions of data points in the court and streamline and collate them. Then we can give you the most up-to-date comprehensive reports available.

We are experiencing exaggerated growth patterns in our major urban areas. In these areas we will be watching closely as to when new magistrate or district judge positions are needed. The judiciary has a solid history of making sure all alternatives - Senior judges and traveling judges - are used fully before we request new judgeships. This conservative approach takes into consideration the financial impact on our county partners as well as the State's financial and safety concerns. Our fastest growing

area is Ada County and we will be requesting new judges to meet this remarkable demand.

Our growth contains all age groups but a significant group will be retirees. As a result our emphasis on guardianships and conservatorships will have to continue and expand.

Some of our newest Idahoans are not welcome but they are a fact of life - criminals. Anecdotally, I hear from law enforcement and prosecutors of the increased violence and drug activities of their criminal caseload. This adds the necessity for high functioning trial judges as well as evidence based practices for pre-trial release or sentencing, as well as increased community services to meet safety and rehabilitation needs.

Another avenue to produce efficiencies is the work of the Civil Justice Reform Task Force started under Chief Justice Jim Jones and spearheaded by its chair - Court of Appeals Judge Molly Huskey. The report is due this month and includes recommendations for significant rule changes concerning discovery, fast tracking of cases as well as others. This report will be reviewed by the Supreme Court and portions or all of it will be adopted.

We as a court system will continue to struggle with access to justice issues. Translation costs continue to rise and cost of litigation may price all of us out of courts not just our working poor. Again we support the legislature's financial support of Idaho Legal Aid to help with some of these issues. We stand ready to work with the Legislature and Idaho Legal aid to craft a path going forward.

I hope I have acquainted you with our recent past and projected some issues for our near future.

I sum up with this observation. These items I've mentioned have been accomplished with just 1.3% of the general fund. The national average hovers around 3%. In closing I'd like to share a quote from the State of the Judiciary 2018:

In summary, the State of the judiciary is in large part a function of the cooperation of the Legislative and Executive branches, as well as our county partners. Although an independent co-equal branch of government, we rise or fall based upon cooperation.

The same holds true for this past year and I hope this cooperation continues so I can report a robust judiciary in 2020.

The President thanked Chief Justice Burdick for his remarks and Senator Lakey, Chairman, and Senators Cheatham and Ward-Engelking escorted Chief Justice Burdick from the Chamber, and the Committee was discharged.

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

Reports of Standing Committees

January 16, 2019

The JUDICIARY AND RULES Committee reports that [S 1001](#) has been correctly printed.

LAKEY, Chairman

[S 1001](#) was referred to the Resources and Environment Committee.

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

Messages from the Governor

January 15, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Alex Adams of Meridian, Idaho, was appointed as the Administrator of Division of Financial Management to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 15, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Thomas Kealey of Boise, Idaho, was appointed as the Director of the Department of Commerce to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

January 15, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Jani Revier of Meridian, Idaho, was appointed as the Director of the Department of Labor to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 15, 2019

Dear Madam President:

I transmit herewith [HCR 2](#), which has passed the House.

MAULIN, Chief Clerk

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

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

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

S 1002

BY FINANCE COMMITTEE

AN ACT

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

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

[HCR 2](#), by Commerce and Human Resources Committee, was introduced, read at length, and referred to the State Affairs Committee.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11:15 a.m., Thursday, January 17, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

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

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Landen Richardson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 16, 2019, was read and approved as corrected.

LAKEY, Chairman

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

The Senate advanced to the Fourth Order of Business.

Reading of Communications

January 16, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Senate

Dear Madam President:

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

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

Sincerely
/s/ Lawrence Denny
Secretary of State

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

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

Reports of Standing Committees

January 17, 2019

The JUDICIARY AND RULES Committee reports that [S 1002](#) has been correctly printed.

LAKEY, Chairman

[S 1002](#) was referred to the Finance Committee.

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

Messages from the Governor

January 16, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Chris Jensen of Blackfoot, Idaho, was reappointed as the Administrator of the Division of Building Safety to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

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

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

S 1003

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO HUMAN TRAFFICKING; AMENDING CHAPTER 86, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-8606, IDAHO CODE, TO PROVIDE FOR DIVERSION FOR A MINOR VICTIM OF HUMAN TRAFFICKING, TO PROVIDE CERTAIN CONDITIONS FOR DIVERSION, AND TO PROVIDE AN AFFIRMATIVE DEFENSE.

S 1004

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO THE IDAHO STATE POLICE; AMENDING CHAPTER 29, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2920, IDAHO CODE, TO ESTABLISH A BLUE ALERT SYSTEM, TO DEFINE TERMS, TO PROVIDE FOR WHEN THE BLUE ALERT SYSTEM MAY BE ACTIVATED, TO PROVIDE CONDITIONS FOR ACTIVATING THE BLUE ALERT SYSTEM, TO PROVIDE

FOR TERMINATION OF THE BLUE ALERT SYSTEM, AND TO PROVIDE IMMUNITY IN CERTAIN INSTANCES; AND AMENDING SECTION 5-340, IDAHO CODE, TO PROVIDE FOR THE BLUE ALERT SYSTEM.

S 1005
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO HUMAN TRAFFICKING; AMENDING SECTION 18-8601, IDAHO CODE, TO REVISE LEGISLATIVE INTENT; AMENDING SECTION 18-8602, IDAHO CODE, TO REVISE THE DEFINITION OF "HUMAN TRAFFICKING" AND TO DEFINE TERMS; AMENDING SECTION 18-8603, IDAHO CODE, TO REVISE A PENALTY; REPEALING SECTION 18-8605, IDAHO CODE, RELATING TO HUMAN TRAFFICKING VICTIM PROTECTION; AMENDING SECTION 18-8303, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 18-8304, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

[S 1003](#), [S 1004](#), and [S 1005](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Vick, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:31 a.m. until the hour of 11 a.m., Friday, January 18, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

TWELFTH LEGISLATIVE DAY
FRIDAY, JANUARY 18, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Mariya Ricks, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 17, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

January 18, 2019

The JUDICIARY AND RULES Committee reports that [S 1003](#), [S 1004](#), and [S 1005](#) have been correctly printed.

LAKEY, Chairman

[S 1003](#), [S 1004](#), and [S 1005](#) were referred to the Judiciary and Rules Committee.

January 17, 2019

The FINANCE Committee reports out [S 1002](#) with the recommendation that it do pass.

BAIR, Chairman

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

January 18, 2019

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

Daniel Kunz to the Idaho Energy Resources Authority, term to expire June 30, 2023.

LODGE, Chairman

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

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

Messages from the Governor

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mike H. Matthews of Declo, Idaho, was reappointed to the Commission on Pardons and Parole to serve a term commencing January 1, 2019, and expiring January 1, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 17, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that General Michael J. Garshak of Boise, Idaho, was appointed as the Adjutant General of the Idaho Military Division to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 17, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Kelley Packer of McCammon, Idaho, was appointed as the Bureau Chief of the Bureau of Occupational Licenses to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

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

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

**S 1006
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE UNIFORM SECURITIES ACT; AMENDING SECTION 30-14-302, IDAHO CODE, TO REVISE THE REQUIREMENTS FOR NOTICE FILINGS FOR CERTAIN FEDERAL COVERED SECURITIES AND TO MAKE A TECHNICAL CORRECTION.

**S 1007
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO COLLECTION AGENCIES; AMENDING SECTION 26-2222, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-2224, IDAHO CODE, TO PROVIDE THAT LICENSE APPLICATIONS SHOULD BE FILED THROUGH THE NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY; AMENDING SECTION 26-2228, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR SHALL PROMULGATE A CERTAIN RULE; AMENDING SECTION 26-2229A, IDAHO CODE, TO AUTHORIZE THE COLLECTION OF CERTAIN INTEREST, FEES, CHARGES, AND EXPENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-2231, IDAHO CODE, TO REVISE A PROVISION REGARDING RENEWAL OF A LICENSE, TO PROVIDE FOR EXPIRATION OF A LICENSE, AND TO PROVIDE CONDITIONS FOR REINSTATEMENT OF A LICENSE; REPEALING SECTION 26-2232, IDAHO CODE, RELATING TO COLLECTION AGENCY SURETY BONDS; REPEALING SECTION 26-2232A, IDAHO CODE, RELATING TO DEBT COUNSELORS, CREDIT COUNSELORS, CREDIT REPAIR ORGANIZATIONS, AND BONDS; AMENDING SECTION 26-2237, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING CHAPTER 22, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2252, IDAHO CODE, TO ESTABLISH THE COLLECTION AGENCY RECOVERY FUND, TO PROVIDE FOR USES OF THE FUND, AND TO PROVIDE EXCEPTIONS; AMENDING CHAPTER 22, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION

26-2253, IDAHO CODE, TO PROVIDE FOR FUNDING OF THE COLLECTION AGENCY RECOVERY FUND, TO PROVIDE FOR ADJUSTMENT OF FEES, TO PROVIDE FOR INTEREST, AND TO PROVIDE THAT MONEY IN THE FUND MAY BE APPLIED TO CERTAIN USES; AMENDING CHAPTER 22, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2254, IDAHO CODE, TO PROVIDE A STATUTE OF LIMITATIONS FOR FILING A CLAIM; AMENDING CHAPTER 22, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2255, IDAHO CODE, TO PROVIDE PROCEDURES FOR RECOVERY FROM THE COLLECTION AGENCY RECOVERY FUND; AMENDING CHAPTER 22, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2256, IDAHO CODE, TO PROVIDE FOR RECOVERY LIMITS FROM THE COLLECTION AGENCY RECOVERY FUND; AND AMENDING CHAPTER 22, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2257, IDAHO CODE, TO PROVIDE FOR REVOCATION OF A LICENSE FOR PAYMENT FROM THE COLLECTION AGENCY RECOVERY FUND IN CERTAIN INSTANCES.

**S 1008
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION 54-1007, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSE REQUIREMENTS AND RECIPROCITY; AMENDING SECTION 54-1008, IDAHO CODE, TO REVISE A PROVISION REGARDING THE DURATION OF ELECTRICAL APPRENTICE REGISTRATIONS; AMENDING SECTION 54-1013, IDAHO CODE, TO PROVIDE FOR REVIVAL OF EXPIRED REGISTRATIONS; AND AMENDING SECTION 54-1014, IDAHO CODE, TO REVISE LICENSE AND REGISTRATION FEES.

**S 1009
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION 54-1002, IDAHO CODE, TO PROVIDE FOR LICENSURE OF ELECTRICAL INSTALLERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1003, IDAHO CODE, TO PROVIDE FOR ELECTRICAL INSTALLER LICENSURE; AMENDING SECTION 54-1003A, IDAHO CODE, TO PROVIDE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1005, IDAHO CODE, TO PROVIDE FOR ELECTRICAL INSTALLERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1006, IDAHO CODE, TO PROVIDE FOR ELECTRICAL INSTALLERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1007, IDAHO CODE, TO PROVIDE REQUIREMENTS REGARDING ELECTRICAL INSTALLER LICENSURE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1008, IDAHO CODE, TO PROVIDE FOR ELECTRICAL INSTALLERS; AMENDING SECTION 54-1014, IDAHO CODE, TO PROVIDE FEES FOR ELECTRICAL INSTALLER LICENSURE; AND AMENDING SECTION 54-1017, IDAHO CODE, TO PROVIDE FOR ELECTRICAL INSTALLERS AND TO MAKE TECHNICAL CORRECTIONS.

S 1010
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO UNDERGROUND FACILITIES DAMAGE PREVENTION; AMENDING SECTION 55-2202, IDAHO CODE, TO DEFINE TERMS AND TO REVISE DEFINITIONS; AMENDING SECTION 55-2205, IDAHO CODE, TO PROVIDE FOR WHO SHALL AND SHALL NOT LOCATE AND MARK SERVICE LATERALS, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 55-2206, IDAHO CODE, TO REVISE TERMINOLOGY.

S 1011
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO UNDERGROUND FACILITIES DAMAGE PREVENTION; AMENDING SECTION 55-2202, IDAHO CODE, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 55-2205, IDAHO CODE, TO REVISE PROVISIONS REGARDING LOCATING AND MARKING UNDERGROUND FACILITIES AND TO REVISE PROVISIONS REGARDING COMPENSATION FOR FAILURE TO COMPLY; AND AMENDING SECTION 55-2208, IDAHO CODE, TO REVISE A PROVISION REGARDING THE DUTIES OF UNDERGROUND FACILITY OWNERS AND EXCAVATORS.

S 1012
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO PUBLIC WORKS CONTRACTORS; AMENDING SECTION 54-1908, IDAHO CODE, TO REVISE PROVISIONS REGARDING PUBLIC WORKS CONTRACTORS LICENSE BOARD MEETINGS.

S 1013
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO THE IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD; AMENDING SECTION 54-5004, IDAHO CODE, TO REVISE PROVISIONS REGARDING MEMBERSHIP OF THE IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD.

S 1014
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO PLUMBING AND PLUMBERS; AMENDING SECTION 54-2611, IDAHO CODE, TO CLARIFY THAT ALL PLUMBING CONTRACTORS SHALL BE QUALIFIED JOURNEYMEN AND TO MAKE TECHNICAL CORRECTIONS.

S 1015
BY JORDAN
AN ACT

RELATING TO CIVIL RIGHTS; AMENDING SECTION 67-5901, IDAHO CODE, TO PROVIDE THAT FREEDOM FROM DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY IS A CIVIL

RIGHT; AMENDING SECTION 67-5902, IDAHO CODE, TO PROVIDE ADDITIONAL DEFINITIONS; AND AMENDING SECTION 67-5909, IDAHO CODE, TO PROHIBIT DISCRIMINATION AGAINST A PERSON BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO MAKE TECHNICAL CORRECTIONS.

[S 1006](#), [S 1007](#), [S 1008](#), [S 1009](#), [S 1010](#), [S 1011](#), [S 1012](#), [S 1013](#), [S 1014](#), and [S 1015](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:16 a.m. until the hour of 11:15 a.m., Monday, January 21, 2019.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 21, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Emily White, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 18, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

January 21, 2019

The JUDICIARY AND RULES Committee reports that [S 1006](#), [S 1007](#), [S 1008](#), [S 1009](#), [S 1010](#), [S 1011](#), [S 1012](#), [S 1013](#), [S 1014](#), and [S 1015](#) have been correctly printed.

LAKEY, Chairman

[S 1006](#), [S 1007](#), [S 1008](#), [S 1009](#), [S 1010](#), [S 1011](#), [S 1012](#), [S 1013](#), and [S 1014](#) were referred to the Commerce and Human Resources Committee.

[S 1015](#) was referred to the State Affairs Committee.

January 21, 2019

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

Jonathan Mark Browning to the Idaho State Racing Commission, term to expire January 15, 2024.

Richelle Sugiyama to the Treasurer's Investment Advisory Board, term to expire July 1, 2022.

Todd Gill to the Treasurer's Investment Advisory Board, term to expire July 1, 2022.

LODGE, Chairman

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

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

Motions and Resolutions

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

On motion by Senator Winder, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Daniel Kunz as a member of the Idaho Energy Resources Authority was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1016 BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

S 1017 BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

[S 1016](#) and [S 1017](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1002](#), by Finance Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 11:39 a.m. until the hour of 11:15 a.m., Tuesday, January 22, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SIXTEENTH LEGISLATIVE DAY
TUESDAY, JANUARY 22, 2019

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Drew Bingham, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 21, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

January 22, 2019

The JUDICIARY AND RULES Committee reports that [S 1016](#) and [S 1017](#) have been correctly printed.

LAKEY, Chairman

[S 1016](#) and [S 1017](#) were referred to the Finance Committee.

January 21, 2019

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

Brian Marx to the Sexual Offender Management Board, term to expire January 1, 2020.

Dan Dinning to the State Public Defense Commission, term to expire July 1, 2021.

Eric Fredericksen as the State Appellate Public Defender, term to expire August 1, 2022.

Jonathan Loschi to the State Public Defense Commission, term to expire July 1, 2021.

LAKEY, Chairman

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

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

Messages from the Governor

January 21, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that John Chatburn of Boise, Idaho, was reappointed as the Administrator of the Office of Energy and Mineral Resources to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 21, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Monty Prow of Meridian, Idaho, was appointed as the Director of the Department of Juvenile Corrections to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

January 21, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Melinda Smyser of Parma, Idaho, was appointed as the Administrator of the Office of Drug Policy to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 21, 2019

Dear Madam President:

I transmit herewith [H 20](#), [H 13](#), [H 14](#), [H 15](#), [H 16](#), and [H 17](#), which have passed the House.

MAULIN, Chief Clerk

[H 20](#), [H 13](#), [H 14](#), [H 15](#), [H 16](#), and [H 17](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Johnathan Mark Browning retained its place on the calendar for Wednesday, January 23, 2019.

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

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

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

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

On motion by Senator Winder, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Todd Gill as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1018

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO PRISONERS; AMENDING SECTION 18-2509, IDAHO CODE, TO CLARIFY A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

S 1019

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO CIVIL ACTIONS; AMENDING SECTION 5-509, IDAHO CODE, TO PROVIDE THAT AN ORDER OF SERVICE MUST DIRECT CERTAIN ACTION IN CERTAIN INSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1020

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-2127, IDAHO CODE, TO REVISE A PROVISION REGARDING WHEN THE SUPREME COURT MUST RENDER A DECISION.

S 1021

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO BAIL; AMENDING SECTION 19-2908, IDAHO CODE, TO PROVIDE FOR AN ORDER WITHHOLDING JUDGMENT AND TO PROVIDE FOR AN INFRACTION ACTION.

S 1022

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO JURIES; REPEALING SECTION 2-217, IDAHO CODE, RELATING TO THE PENALTY FOR EVASION OF JURY SERVICE.

S 1023

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO ASSAULT AND BATTERY; AMENDING SECTION 18-915, IDAHO CODE, TO PROVIDE FOR CERTAIN EMPLOYEES OF THE DEPARTMENT OF PARKS AND RECREATION.

[S 1018](#), [S 1019](#), [S 1020](#), [S 1021](#), [S 1022](#), and [S 1023](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 20](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 13](#), [H 14](#), [H 15](#), [H 16](#), and [H 17](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

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

Third Reading of Bills

S 1002 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1002** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:52 a.m. until the hour of 11 a.m., Wednesday, January 23, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

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

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Brigham Chelson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 22, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

January 23, 2019

The JUDICIARY AND RULES Committee reports that [S 1018](#), [S 1019](#), [S 1020](#), [S 1021](#), [S 1022](#), and [S 1023](#) have been correctly printed.

LAKEY, Chairman

[S 1018](#), [S 1019](#), [S 1021](#), [S 1022](#), and [S 1023](#) were referred to the Judiciary and Rules Committee.

[S 1020](#) was referred to the State Affairs Committee.

Senator Rice was recorded present at this order of business.

January 22, 2019

The FINANCE Committee reports out [H 20](#), [S 1016](#), and [S 1017](#) with the recommendation that they do pass.

BAIR, Chairman

[H 20](#), [S 1016](#), and [S 1017](#) were filed for second reading.

January 23, 2019

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

Hyrum Erickson to the Idaho Commission on Human Rights, term to expire July 1, 2020.

Kyle Wills as the State Athletic Commissioner, term to expire October 1, 2022.

Paul Jagosh to the Idaho Commission on Human Rights, term to expire July 1, 2021.

LODGE, Chairman

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

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

Messages from the House

January 22, 2019

Dear Madam President:

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

MAULIN, Chief Clerk

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

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

On motion by Senator Souza, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Jonathan Mark Browning as a member of the Idaho State Racing Commission was confirmed by voice vote.

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

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

On motion by Senator Burgoyne, seconded by Senator Cheatham, the Gubernatorial appointment of Brian Marx as a member of the Sexual Offender Management Board was confirmed by voice vote.

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

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

On motion by Senator Cheatham, seconded by Senator Stennett, the Gubernatorial appointment of Dan Dinning as a member of the State Public Defense Commission was confirmed by voice vote.

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

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

On motion by Senator Anthon, seconded by Senator Stennett, the Gubernatorial reappointment of Eric Fredericksen as the State Appellate Public Defender was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Johnathan Loschi retained its place on the calendar for Thursday, January 24, 2019.

The Senate advanced to the Eleventh Order of Business.

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

S 1024

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO CROP RESIDUE BURNING; AMENDING SECTION 39-114, IDAHO CODE, TO REVISE PROVISIONS REGARDING PAYMENT OF A FEE; AND DECLARING AN EMERGENCY.

S 1025

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE STEM ACTION CENTER FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE STEM ACTION CENTER FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

S 1026

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO PLATS AND VACATIONS AND RECORDING OF SURVEYS; AMENDING SECTION 50-1304, IDAHO CODE, TO PROVIDE FOR A SURVEYOR'S NARRATIVE; AND AMENDING SECTION 55-1906, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECORDS OF SURVEY

AND TO PROVIDE THAT A RECORD OF SURVEY SHALL CONTAIN A SURVEYOR'S NARRATIVE.

S 1027

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO ORGAN DONORS; AMENDING SECTION 39-3413, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN NOTIFICATION.

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

[H 1](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:31 a.m. until the hour of 11:15 a.m., Thursday, January 24, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

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

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11:15 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 23, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

January 24, 2019

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

LAKEY, Chairman

[S 1024](#) was referred to the Agricultural Affairs Committee.

[S 1025](#) was referred to the Finance Committee.

[S 1026](#) was referred to the Commerce and Human Resources Committee.

[S 1027](#) was referred to the Health and Welfare Committee.

January 23, 2019

The JUDICIARY AND RULES Committee reports out [S 1004](#) and [S 1005](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1004](#) and [S 1005](#) were filed for second reading.

January 16, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 13](#) with the recommendation that it do pass.

RICE, Chairman

[H 13](#) was filed for second reading.

January 23, 2019

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

Deborah Critchfield to the State Board of Education, term to expire July 1, 2023.

MORTIMER, Chairman

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

January 24, 2019

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

Anna Jane Dressen to the Commission on Pardons and Parole, term to expire January 1, 2022.

Matthew Allen Thomas to the Sexual Offender Management Board, term to expire January 1, 2022.

LAKEY, Chairman

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

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

Messages from the House

January 23, 2019

Dear Mr. President:

I transmit herewith [H 28](#), which has passed the House.

MAULIN, Chief Clerk

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

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Lodge was recorded present at this order of business.

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

On motion by Senator Grow, seconded by Senator Burgoyne, the Gubernatorial appointment of Jonathan Loschi as a member of the State Public Defense Commission was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Hyrum Erickson retained its place on the calendar for Monday, January 28, 2019.

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

On motion by Senator Harris, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Kyle Wills as the State Athletic Commissioner was confirmed by voice vote.

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

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

On motion by Senator Buckner-Webb, seconded by Senator Souza, the Gubernatorial reappointment of Paul Jagosh as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

[H 28](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

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

[S 1016](#) and [S 1017](#), by Finance Committee, were read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11 a.m., Friday, January 25, 2019.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 25, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Drew Bingham, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 24, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

January 24, 2019

The FINANCE Committee reports out [H 28](#) and [S 1025](#) with the recommendation that they do pass.

BAIR, Chairman

[H 28](#) and [S 1025](#) were filed for second reading.

January 25, 2019

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

Alex Adams as the Administrator of Division of Financial Management, term to continue at the pleasure of the Governor.

LODGE, Chairman

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

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

Messages from the Governor

January 2, 2019

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeffrey A. Betts of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2019, and expiring January 1, 2022.

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

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

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

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

January 23, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Judy Bicknell Taylor of Boise, Idaho, was appointed as the Administrator of the Idaho Commission on Aging to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Susan Buxton of Boise, Idaho, was appointed as the Administrator of the Division of Human Resources to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

January 23, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that John Tippets of Meridian, Idaho, was reappointed as the Director of the Department of Environmental Quality to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

January 23, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Gary Spackman of Eagle, Idaho, was reappointed as the Director of the Idaho Department of Water Resources to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

January 23, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Scott Pugrud of Boise, Idaho, was appointed as the Administrator of the Office of Species Conservation to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

January 23, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Thomas Limbaugh of Fruitland, Idaho, was reappointed as a member of the Idaho Industrial Commission to serve a term commencing January 14, 2019, and expiring January 14, 2025.

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

Sincerely,
/s/ Brad Little
Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 24, 2019

Dear Mr. President:

I transmit herewith [H 19](#) and [H 27](#), which have passed the House.

MAULIN, Chief Clerk

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

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the Education Committee report relative to the Gubernatorial reappointment of Deborah Critchfield was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Anthon, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Deborah Critchfield as a member of the State Board of Education was confirmed by voice vote.

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

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Anna Jane Dressen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cheatham, seconded by Senator Nelson, the Gubernatorial reappointment of Anna Jane Dressen as a member of the Commission on Pardons and Parole was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Matthew Allen Thomas retained its place on the calendar for Monday, January 28, 2019.

The Senate advanced to the Eleventh Order of Business.

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

**S 1028
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT**

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-451, IDAHO CODE, TO PROVIDE THAT CERTAIN PSYCHOLOGICAL INJURIES AFFECTING FIRST RESPONDERS SHALL BE COMPENSABLE AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING A SUNSET DATE.

**S 1029
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO THE SCHOOL TURNAROUND 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 DEFINITIONS, TO PROVIDE FOR THE DESIGNATION OF SCHOOLS IN NEED OF INTERVENTION, TO PROVIDE FOR A CERTAIN COMMITTEE, TO ESTABLISH PROVISIONS REGARDING INDEPENDENT SCHOOL TURNAROUND EXPERTS, TO ESTABLISH PROVISIONS REGARDING SCHOOL TURNAROUND PLANS, TO PROVIDE DUTIES FOR THE GOVERNING AUTHORITIES OF CERTAIN SCHOOLS, TO ESTABLISH PROVISIONS REGARDING FAILURE OF SCHOOLS IN NEED OF INTERVENTION TO IMPROVE, TO ESTABLISH THE SCHOOL RECOGNITION AND REWARD PROGRAM, TO ESTABLISH THE SCHOOL LEADERSHIP DEVELOPMENT PROGRAM, TO PROVIDE FOR CERTAIN REPORTS, TO ESTABLISH PROVISIONS REGARDING PUBLIC CHARTER SCHOOLS, TO PROVIDE RULEMAKING AUTHORITY, AN APPEALS PROCESS, AND DUTIES OF THE STATE DEPARTMENT OF EDUCATION, AND TO PROVIDE SEVERABILITY.

**S 1030
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO SCHOOL BOARD TRUSTEES; AMENDING SECTION 33-506, IDAHO CODE, TO REVISE THE DATE OF THE MEETING AT WHICH A BOARD OF SCHOOL DISTRICT TRUSTEES SHALL PERFORM CERTAIN ORGANIZATIONAL ACTIONS AND TO MAKE TECHNICAL CORRECTIONS.

[S 1028](#), [S 1029](#), and [S 1030](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 19](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 27](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1004](#) and [S 1005](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 13](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:23 a.m. until the hour of 11 a.m., Monday, January 28, 2019.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

TWENTY-SECOND LEGISLATIVE DAY
MONDAY, JANUARY 28, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Chase Knott, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 25, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

January 28, 2019

The JUDICIARY AND RULES Committee reports that [S 1028](#), [S 1029](#), and [S 1030](#) have been correctly printed.

LAKEY, Chairman

[S 1028](#) was referred to the Commerce and Human Resources Committee.

[S 1029](#) and [S 1030](#) were referred to the Education Committee.

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

Messages from the Governor

January 22, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have appointed Troy Rohn of Boise, Idaho, to be Acting State Senator for Legislative District 19, Ada, State of Idaho.

This appointment is effective January 28, 2019, and will continue through January 30, 2019.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-917, *Idaho Code*, Cherie Buckner-Webb, State Senator, District 19, Ada County, State of Idaho, has nominated Troy Rohn of Boise, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 19, Ada County, State of Idaho.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Troy Rohn of Boise, Idaho to the office of Acting State Senator, District 19, Ada, State of Idaho, for a term commencing on January 28, 2019, 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 Twenty-second 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-nine.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Rohn, and he was recorded present at this order of business.

January 25, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have appointed Regina Bayer of Meridian, Idaho, to the office of State Senator for Legislative District 21, Ada County, State of Idaho. The appointment is effective January 25, 2019, and will continue until the next general election when the term of office expires.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, by these present, that pursuant to the provisions of Section 59-904A, *Idaho Code*, the District 21 Legislative Committee of the Republican Party has submitted a list of three names for consideration in filling a vacancy in the Idaho State Senate.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Regina M. Bayer of Meridian, Idaho, to the office of State Senator, District 21, for a term commencing Friday January 25, 2019, and continuing until the next general election when the term of office expires.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Twenty-fifth 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-nine.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Senator Bayer.

January 25, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Jeffrey R. Anderson of Boise, Idaho, was reappointed as the Director of the State Liquor Division to serve a term commencing January 28, 2019, and expiring January 7, 2022.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 25, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Jeffrey R. Anderson of Boise, Idaho, was reappointed as the Director of the Idaho Lottery Commission to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 25, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Bryan Mooney of Boise, Idaho, was appointed as the Director of the Department of Administration to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

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

Motions and Resolutions

Having previously been held, the President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Hyrum Erickson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Jordan, the Gubernatorial appointment of Hyrum Erickson as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Matthew Allen Thomas retained its place on the calendar for Tuesday, January 29, 2019.

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

On motion by President Pro Tempore Hill, seconded by Senator Stennett, the Gubernatorial appointment of Alex Adams as the Administrator of the Division of Financial Management was confirmed by voice vote.

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

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

Second Reading of Bills

[H 28](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1025](#), by Finance Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [H 13](#) was placed at the head of the Third Reading Calendar.

[H 13](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Mortimer, Nelson, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—None.

Absent and excused—Anthon, Lee, Martin. Total - 3.

Total - 35.

Whereupon the President declared [H 13](#) passed, title was approved, and the bill ordered returned to the House.

[H 20](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon, Lee. Total - 2.

Total - 35.

Whereupon the President declared [H 20](#) passed, title was approved, and the bill ordered returned to the House.

[S 1016](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon, Lee. Total - 2.

Total - 35.

Whereupon the President declared [S 1016](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1017](#) and [S 1004](#) retained their place on the Third Reading Calendar for one legislative day.

On request by Senator Winder, granted by unanimous consent, [S 1005](#) retained its place on the Third Reading Calendar for Monday, February 4, 2019.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:46 a.m. until the hour of 11 a.m., Tuesday, January 29, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, JANUARY 29, 2019

Senate Chamber

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

Roll call showed all members present except Senators Den Hartog, Lodge, and Thayn, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Isaac Lee, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 28, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

January 29, 2019

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

Dale Van Stone to the Idaho Water Resource Board, term to expire January 1, 2023.

Jeffery Raybould to the Idaho Water Resource Board, term to expire January 1, 2023.

Jo Ann Cole-Hansen to the Idaho Water Resource Board, term to expire January 1, 2023.

Lane Clezie to the Idaho Fish and Game Commission, term to expire June 30, 2022.

Peter Van Der Meulen to the Idaho Water Resource Board, term to expire January 1, 2023.

Tim Murphy to the Idaho Fish and Game Commission, term to expire June 30, 2022.

HEIDER, Chairman

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

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

Messages from the Governor

Senator Lodge was recorded present at this order of business.

January 28, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Celia Gould of Boise, Idaho, was reappointed as the Director of the Department of Agriculture to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the Agricultural Affairs Committee.

January 28, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Ashley Dowell of Meridian, Idaho, was appointed as the Executive Director of the Commission on Pardons and Parole to serve a term commencing January 22, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

January 28, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Colonel Kedrick Willis of Meridian, Idaho, was reappointed as the Director of the Idaho State Police to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 28, 2019

Dear Madam President:

I transmit herewith [H 35](#), [H 36](#), [H 2](#), [H 4](#), [H 5](#), [H 6](#), [H 30](#), [H 31](#), [H 32](#), [H 33](#), [H 7](#), [H 8](#), and [H 18](#), which have passed the House.

MAULIN, Chief Clerk

[H 35](#), [H 36](#), [H 2](#), [H 4](#), [H 5](#), [H 6](#), [H 30](#), [H 31](#), [H 32](#), [H 33](#), [H 7](#), [H 8](#), and [H 18](#) were filed for first reading.

January 28, 2019

Dear Madam President:

I return herewith [S 1002](#), which has passed the House.

MAULIN, Chief Clerk

[S 1002](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senators Thayne and Den Hartog were recorded present at this order of business.

Having been previously held, the President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Matthew Allen Thomas was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Stennett, the Gubernatorial reappointment of Matthew Allen Thomas as a member of the Sexual Offender Management Board was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1031

BY FINANCE COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS; PROVIDING AN APPROPRIATION AND A TRANSFER OF FUNDS TO THE HAZARDOUS SUBSTANCE EMERGENCY RESPONSE FUND; AND DECLARING AN EMERGENCY.

S 1032

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE PUBLIC WORKS PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE PUBLIC WORKS PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE PURCHASING PROGRAM FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE PUBLIC WORKS PROGRAM FOR FISCAL YEAR 2019; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

S 1033

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO ANATOMICAL GIFTS; AMENDING SECTION 39-3413, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN NOTIFICATION.

S 1034

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO HEALTH INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1853, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING ANTICANCER MEDICATIONS.

[S 1031](#), [S 1032](#), [S 1033](#), and [S 1034](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 35](#) and [H 36](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 2](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 4](#), [H 5](#), and [H 6](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 30](#), [H 31](#), [H 32](#), and [H 33](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 7, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 8 and **H 18**, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

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

Third Reading of Bills

Having been held, **S 1017** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1017** passed, title was approved, and the bill ordered transmitted to the House.

Having been held, **S 1004** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cheatham arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1004** passed, title was approved, and the bill ordered transmitted to the House.

H 28 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 28** passed, title was approved, and the bill ordered returned to the House.

S 1025 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1025** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:38 a.m. until the hour of 11 a.m., Wednesday, January 30, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

**TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 30, 2019**

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 29, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

Senator Thayn was recorded present at this order of business.

January 30, 2019

The JUDICIARY AND RULES Committee reports that [S 1031](#), [S 1032](#), [S 1033](#), and [S 1034](#) have been correctly printed.

LAKEY, Chairman

[S 1031](#) and [S 1032](#) were referred to the Finance Committee.

[S 1033](#) and [S 1034](#) were referred to the Health and Welfare Committee.

January 29, 2019

The JUDICIARY AND RULES Committee reports that [S 1002](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1002](#) and ordered it transmitted to the House for the signature of the Speaker.

January 29, 2019

The FINANCE Committee reports out [H 35](#) and [H 36](#) with the recommendation that they do pass.

BAIR, Chairman

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

January 29, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 14](#), [H 15](#), [H 16](#), and [H 17](#) with the recommendation that they do pass.

RICE, Chairman

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

January 30, 2019

The STATE AFFAIRS Committee reports out [HCR 2](#) with the recommendation that it do pass.

LODGE, Chairman

[HCR 2](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 30, 2019

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

General Michael J. Garshak as the Adjutant General of the Idaho Military Division, term to continue at the pleasure of the Governor.

LODGE, Chairman

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

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

Messages from the House

January 29, 2019

Dear Madam President:

I transmit herewith [H 3](#), [H 34](#), and [H 25](#), which have passed the House.

MAULIN, Chief Clerk

[H 3](#), [H 34](#), and [H 25](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Dale Van Stone was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by President Pro Tempore Hill, the Gubernatorial reappointment of Dale Van Stone as a member of the Idaho Water Resource Board was confirmed by voice vote.

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

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Jeffery Raybould was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Nelson, the Gubernatorial reappointment of Jeffery Raybould as a member of the Idaho Water Resource Board was confirmed by voice vote.

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

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Jo Ann Cole-Hansen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Stennett, the Gubernatorial appointment of Jo Ann Cole-Hansen as a member of the Idaho Water Resource Board was confirmed by voice vote.

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

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Lane Clezie was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Nye, the Gubernatorial reappointment of Lane Clezie as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

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

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Peter Van Der Meulen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Winder, the Gubernatorial reappointment of Peter Van Der Meulen as a member of the Idaho Water Resource Board was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Tim Murphy retained its place on the calendar for Thursday, January 31, 2019.

The Senate advanced to the Eleventh Order of Business.

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

S 1035

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION 54-1019, IDAHO CODE, TO PROVIDE THAT AN INSPECTOR MAY BE CERTIFIED BY THE INTERNATIONAL ASSOCIATION OF ELECTRICAL INSPECTORS OR THE INTERNATIONAL CODE COUNCIL PURSUANT TO CERTAIN REQUIREMENTS; AND DECLARING AN EMERGENCY.

S 1036

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO UNDERGROUND FACILITIES DAMAGE PREVENTION; AMENDING SECTION 55-2211, IDAHO CODE, TO REVISE PROVISIONS REGARDING VIOLATIONS, TO AUTHORIZE THE BOARD TO AFFIRM, REJECT, DECREASE, OR INCREASE TRAINING OR PENALTIES IMPOSED, AND TO PROVIDE THAT THE ADMINISTRATOR MAY IMPOSE CERTAIN PENALTIES.

S 1037

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1230, IDAHO CODE, TO CLARIFY THAT PRIVATE LAND SURVEYORS MAY ACCESS PRIVATE LANDS AND TO MAKE TECHNICAL CORRECTIONS.

S 1038

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE EMPLOYMENT OF FIREFIGHTERS; AMENDING SECTION 44-1806, IDAHO CODE, TO REVISE PROVISIONS REGARDING FACT-FINDER SELECTION; AND AMENDING SECTION 44-1807, IDAHO CODE, TO PROVIDE FOR THE COMPLETION OF THE FACT-FINDING PROCESS.

S 1039

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO THE IDAHO WOLF DEPREDATION CONTROL BOARD; REPEALING SECTION 22-5307, IDAHO CODE, RELATING TO A SUNSET DATE; AMENDING SECTION 25-131, IDAHO CODE, TO REMOVE A DATE RANGE REGARDING CERTAIN ASSESSMENTS; AMENDING SECTION 25-1145, IDAHO CODE, TO REMOVE A DATE RANGE REGARDING CERTAIN ASSESSMENTS; AND AMENDING SECTION 36-125, IDAHO CODE, TO REMOVE A DATE RANGE REGARDING THE FISH AND GAME COMMISSION'S COMPLIANCE WITH SPECIFIED PROVISIONS.

S 1040
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ALCOHOL; AMENDING SECTION 23-217, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REVISE A PROVISION REGARDING A CERTAIN DISCOUNT; AMENDING SECTION 23-603, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN ADMINISTRATIVE ACTIONS UPON CONVICTION FOR DISPENSING ALCOHOL TO PERSONS UNDER TWENTY-ONE YEARS OF AGE AND TO DEFINE A TERM; AMENDING SECTION 23-604, IDAHO CODE, TO PROHIBIT CERTAIN CONDUCT REGARDING PERSONS UNDER TWENTY-ONE YEARS OF AGE, TO PROVIDE EXCEPTIONS AND TO DEFINE A TERM; AMENDING CHAPTER 6, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-604B, IDAHO CODE, TO PROVIDE EXCEPTIONS FROM RESTRICTION ON ENTERING OR REMAINING IN CERTAIN PLACES AND TO DEFINE A TERM; AMENDING SECTION 23-605, IDAHO CODE, TO PROVIDE THAT DISPENSING ALCOHOL TO AN OBVIOUSLY INTOXICATED PERSON SHALL BE A MISDEMEANOR, TO PROVIDE PENALTIES, TO PROVIDE FOR DEPOSIT OF FINES, TO PROVIDE FOR NOTIFICATION, TO PROVIDE FOR CERTAIN ADMINISTRATIVE ACTION AND TO DEFINE A TERM; AMENDING SECTION 23-615, IDAHO CODE, TO REMOVE A PROVISION REGARDING INTOXICATION; AMENDING CHAPTER 6, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-617, IDAHO CODE, TO PROVIDE ADMINISTRATIVE PENALTIES FOR SPECIFIED VIOLATIONS, TO PROVIDE FOR THE PAYMENT AND DISTRIBUTION OF FINES AND TO DEFINE A TERM; AMENDING SECTION 23-901, IDAHO CODE, TO AUTHORIZE THE BOARDS OF COUNTY COMMISSIONERS AND CITY COUNCILS TO GRANT LICENSES FOR LIQUOR BY THE DRINK TO CERTAIN QUALIFIED PERSONS IN ACCORDANCE WITH CERTAIN LAWS, RULES AND ORDINANCES, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-902, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; REPEALING SECTIONS 23-903, 23-903a, 23-903b, 23-904, 23-905, 23-906, 23-907 AND 23-908, IDAHO CODE, RELATING TO RETAIL SALE OF LIQUOR BY THE DRINK; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-903, IDAHO CODE, TO PROVIDE CERTAIN RESTRICTIONS REGARDING ALCOHOLIC BEVERAGES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-904, IDAHO CODE, TO PROVIDE GRANDFATHER RIGHTS AND TO PROVIDE THAT CERTAIN LICENSES ARE TRANSFERABLE AND CERTAIN LICENSES ARE NOT TRANSFERABLE; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-905, IDAHO CODE, TO AUTHORIZE COUNTIES AND CITIES TO ISSUE CERTAIN MUNICIPAL LICENSES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-906, IDAHO CODE, TO PROVIDE CONDITIONS UNDER WHICH MUNICIPAL LICENSES MAY NOT BE ISSUED AND TO PROVIDE A PROCEDURE FOR A REFERENDUM REGARDING THE AUTHORITY OF A GOVERNING BODY TO ISSUE MUNICIPAL LICENSES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-907, IDAHO CODE,

TO PROVIDE FOR THE FORM OF BALLOT; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-908, IDAHO CODE, TO PROVIDE FOR THE EFFECT OF AN ELECTION AND TO PROVIDE THAT CERTAIN SALES SHALL NOT BE AFFECTED; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-909, IDAHO CODE, TO PROVIDE FOR SUBSEQUENT ELECTIONS; REPEALING SECTIONS 23-910, 23-911, 23-912, 23-913, 23-914, 23-915, 23-916, 23-917, 23-918, 23-919, 23-920 AND 23-921, IDAHO CODE, RELATING TO RETAIL SALE OF LIQUOR BY THE DRINK; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-910, IDAHO CODE, TO PROVIDE FOR APPLICATIONS FOR MUNICIPAL LICENSES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-911, IDAHO CODE, TO PROVIDE FOR THE INVESTIGATION OF APPLICATIONS, TO PROVIDE THAT FALSE STATEMENTS SHALL CONSTITUTE A FELONY AND TO PROVIDE A PENALTY; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-912, IDAHO CODE, TO PROVIDE FOR RULES AND REGULATIONS, TO PROVIDE FOR ADDITIONAL AUTHORITY AND DUTIES OF THE DIRECTOR, TO PROVIDE FOR THE POWERS OF LICENSING AUTHORITIES OF COUNTIES AND CITIES AND TO PROVIDE THAT LICENSEES SHALL ADVISE THEMSELVES OF THE RULES AND REGULATIONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-913, IDAHO CODE, TO PROVIDE FOR LICENSE FEES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-915, IDAHO CODE, TO PROHIBIT THE ISSUANCE OR TRANSFER OF CERTAIN LICENSES TO SPECIFIED PERSONS AND TO PROVIDE FOR THE REVOCATION OF CERTAIN LICENSES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-916, IDAHO CODE, TO PROVIDE LOCATION AND DISTANCE PROVISIONS REGARDING THE LOCATION OF PREMISES BEING ISSUED OR TRANSFERRED A LICENSE AND TO PROVIDE EXCEPTIONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-917, IDAHO CODE, TO PROHIBIT SPECIFIED PERSONS AND ENTITIES FROM PROVIDING EQUIPMENT, FIXTURES OR OTHERWISE FURNISHING FINANCIAL AID TO ONE ENGAGED IN THE SALE OF LIQUOR AND TO PROHIBIT LICENSEES FROM RECEIVING SUCH EQUIPMENT, FIXTURES OR FINANCIAL AID; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-918, IDAHO CODE, TO PROVIDE CERTAIN RESTRICTIONS FOR PERSONS INTERESTED IN THE PREMISES, TO PROVIDE AN EXCEPTION, TO PROVIDE FOR THE APPLICABILITY OF RULES, REGULATIONS AND LAW, TO PROVIDE THAT CERTAIN PERSONS SHALL NOT BE DISQUALIFIED FROM HOLDING CERTAIN LICENSES AND TO CLARIFY THAT LICENSES FOR THE RETAIL SALE OF LIQUOR BY THE DRINK MUST BE OBTAINED THROUGH NORMAL LAWFUL MEANS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-919, IDAHO CODE, TO PROVIDE FOR THE FORM AND DISPLAY OF MUNICIPAL LICENSES, TO PROHIBIT CERTAIN TRANSFERS, TO PROVIDE THAT MUNICIPAL AND STATE LIQUOR LICENSES ARE SEPARATE AND DISTINCT, TO RESTRICT THE EXERCISE OF PRIVILEGES UNDER

A LICENSE TO THE NAMED LICENSEE, TO PROVIDE FOR EXPIRATION AND RENEWAL, TO PROVIDE FOR TRANSFERS OF STATE LIQUOR LICENSES, TO PROVIDE FOR FEES AND TO PROVIDE EXCEPTIONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-920, IDAHO CODE, TO PROVIDE RESTRICTIONS ON THE TRANSFER OF STATE LIQUOR LICENSES AND TO PROVIDE THAT CERTAIN LICENSEES SHALL BE SUBJECT TO LEVY AND DISTRAINT; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-921, IDAHO CODE, TO PROVIDE FOR SUSPENSION, REVOCATION AND REFUSAL TO RENEW LICENSES, TO PROVIDE FOR PETITIONS REQUESTING MONETARY PAYMENT IN LIEU OF SUSPENSION, TO PROVIDE FOR GUIDELINES AND RULES REGARDING PERIODS OF SUSPENSION AND MONETARY PAYMENTS IN LIEU OF SUSPENSION, TO PROVIDE FOR ADDITIONAL SUSPENSIONS AND TO PROVIDE FOR THE RENEWAL OF CERTAIN LICENSES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-921A, IDAHO CODE, TO PROVIDE FOR LICENSE SUSPENSION OR REVOCATION UPON CONVICTION FOR VIOLATION OF OBSCENITY LAWS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-922, IDAHO CODE, TO PROVIDE THAT THE SALE OF LIQUOR WITHOUT A LICENSE IS A FELONY AND TO PROVIDE A PENALTY; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-923, IDAHO CODE, TO PROVIDE THAT CERTAIN LIQUOR SOLD BY LICENSEES SHALL BE PURCHASED FROM THE STATE LIQUOR DIVISION, TO PROVIDE FOR SALES BY THE STATE LIQUOR DIVISION TO LICENSEES AND TO DEFINE A TERM; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-924, IDAHO CODE, TO PROVIDE FOR THE EXAMINATION OF PREMISES BY CERTAIN PERSONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-925, IDAHO CODE, TO PROVIDE THAT LICENSEES HAVING ILLEGAL LIQUOR ON PREMISES SHALL BE GUILTY OF A FELONY, TO PROVIDE PENALTIES, TO PROVIDE FOR LICENSE REVOCATION, TO PROVIDE FOR A DETERMINATION OF THE AMOUNT OF LIQUOR TO BE SOLD TO LICENSEES, TO PROVIDE FOR THE SEIZURE OF ILLEGAL LIQUOR AND TO PROVIDE AN EXCEPTION; REPEALING SECTIONS 23-926, 23-927 AND 23-928, IDAHO CODE, RELATING TO RETAIL SALE OF LIQUOR BY THE DRINK; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-926, IDAHO CODE, TO PROVIDE FOR THE POSTING OF AGE RESTRICTION SIGNS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-927, IDAHO CODE, TO PROHIBIT DISPENSING LIQUOR OFF PREMISES, TO PROVIDE EXCEPTIONS, TO PROHIBIT GAMING ON PREMISES AND TO PROVIDE AN EXCEPTION; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-928, IDAHO CODE, TO PROVIDE FOR ALCOHOL BEVERAGE CATERING PERMITS AND APPLICATIONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-929, IDAHO CODE, TO PROVIDE A PROCEDURE FOR CITIES AND COUNTIES UPON THE FILING OF AN APPLICATION FOR AN ALCOHOL BEVERAGE CATERING PERMIT, TO PROVIDE FOR APPROVAL OR

DISAPPROVAL, TO PROVIDE THAT COPIES SHALL BE SENT OR RETAINED BY SPECIFIED PERSONS AND TO PROVIDE THAT CERTAIN DOCUMENTS SHALL CONSTITUTE PERMITS; REPEALING SECTIONS 23-930, 23-931, 23-932, 23-933, 23-933A, 23-933B, 23-934, 23-934A, 23-934B, 23-934C, 23-935, 23-936, 23-937, 23-938, 23-939, 23-941, 23-942, 23-943, 23-943A, 23-944, 23-945, 23-946, 23-947, 23-948, 23-949, 23-950, 23-951, 23-952, 23-953, 23-954, 23-955, 23-956 AND 23-957, IDAHO CODE, RELATING TO THE RETAIL SALE OF LIQUOR BY THE DRINK; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-930, IDAHO CODE, TO PROVIDE FOR THE APPLICABILITY OF CERTAIN REGULATORY AND PENALTY PROVISIONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-931, IDAHO CODE, TO PROVIDE FOR THE DESTRUCTION OF STAMPS, TO PROVIDE SANITARY REQUIREMENTS AND TO PROVIDE THAT A VIOLATION SHALL CONSTITUTE A MISDEMEANOR; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-932, IDAHO CODE, TO PROHIBIT THE SALE OF LIQUOR ON CERTAIN DAYS AND AT CERTAIN TIMES, TO PROVIDE EXCEPTIONS, TO PROVIDE FOR THE CONSUMPTION OF LIQUOR ALREADY SERVED, TO PROVIDE THAT SPECIFIED CONDUCT REGARDING ALCOHOLIC BEVERAGE CONSUMPTION SHALL CONSTITUTE A MISDEMEANOR, TO PROVIDE FOR DUTIES REGARDING LOCKING UNSEALED CONTAINERS OF LIQUOR AND TO PROVIDE THAT A VIOLATION SHALL CONSTITUTE A MISDEMEANOR; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-933, IDAHO CODE, TO PROVIDE FOR THE DUTY OF PUBLIC OFFICERS; REPEALING SECTIONS 23-1020 AND 23-1022, IDAHO CODE, RELATING TO PROVISIONS GOVERNING THE SALE OF BEER; AMENDING TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 12, TITLE 23, IDAHO CODE, TO PROVIDE FOR CLERK AND SERVER TRAINING, TO DEFINE TERMS, TO PROVIDE FOR APPROVED TRAINING, TO PROVIDE FOR MANDATORY TRAINING FOR ON-PREMISES SALES, TO PROVIDE FOR VOLUNTARY TRAINING FOR OFF-PREMISES SALES AND TO PROVIDE FOR ENFORCEMENT; AMENDING CHAPTER 13, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-1304A, IDAHO CODE, TO PROVIDE FOR CERTIFICATION OF CERTAIN RESOLUTIONS AND ELECTIONS AND TO CLARIFY EFFECTIVENESS OF CERTAIN RESOLUTIONS AND ELECTION RESULTS; AMENDING SECTION 23-1331, IDAHO CODE, TO PROVIDE FOR GUIDELINES AND RULES REGARDING PERIODS OF SUSPENSION AND MONETARY PAYMENT IN LIEU OF SUSPENSION; REPEALING SECTION 23-1335, IDAHO CODE, RELATING TO PROVISIONS GOVERNING THE COUNTY OPTION KITCHEN AND TABLE WINE ACT; AMENDING SECTION 18-7803, IDAHO CODE, TO REMOVE AND TO REVISE CODE REFERENCES; AMENDING SECTIONS 23-1312, 23-1406, AND 39-5502, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 49-307, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7446, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 18-1502, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 23-604A, IDAHO

CODE, TO REMOVE CODE REFERENCES; AMENDING SECTION 31-3201, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 31-3201A, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 31-3201H, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 31-3204, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 32-1410, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 72-1025, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 72-1105, IDAHO CODE, TO REMOVE A CODE REFERENCE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

[S 1035](#), [S 1036](#), [S 1037](#), [S 1038](#), [S 1039](#), and [S 1040](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 3](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 34](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 25](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:38 a.m. until the hour of 11 a.m., Thursday, January 31, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, JANUARY 31, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Joseph Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 30, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

January 31, 2019

The JUDICIARY AND RULES Committee reports that [S 1035](#), [S 1036](#), [S 1037](#), [S 1038](#), [S 1039](#), and [S 1040](#) have been correctly printed.

LAKEY, Chairman

[S 1035](#), [S 1036](#), [S 1037](#), and [S 1038](#) were referred to the Commerce and Human Resources Committee.

[S 1039](#) was referred to the Resources and Environment Committee.

[S 1040](#) was referred to the State Affairs Committee.

January 30, 2019

The FINANCE Committee reports out [S 1031](#) and [S 1032](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1031](#) and [S 1032](#) were filed for second reading.

January 30, 2019

The RESOURCES AND ENVIRONMENT Committee reports out [H 1](#) with the recommendation that it do pass.

HEIDER, Chairman

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

January 30, 2019

The JUDICIARY AND RULES Committee reports out [S 1019](#), [S 1021](#), [S 1022](#), and [S 1023](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1019](#), [S 1021](#), [S 1022](#), and [S 1023](#) were filed for second reading.

January 30, 2019

The JUDICIARY AND RULES Committee reports out [S 1018](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [S 1018](#) was referred to the Fourteenth Order of Business, General Calendar.

January 30, 2019

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

Leland Heinrich to the Board of Tax Appeals, term to expire June 30, 2021.

RICE, Chairman

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

January 31, 2019

The AGRICULTURAL AFFAIRS Committee reports out [S 1024](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[S 1024](#) was filed for second reading.

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

Messages from the House

January 30, 2019

Dear Madam President:

I transmit herewith [H 9](#), [H 10](#), [H 11](#), [H 12](#), and [H 42](#), which have passed the House.

MAULIN, Chief Clerk

[H 9](#), [H 10](#), [H 11](#), [H 12](#), and [H 42](#) were filed for first reading.

January 30, 2019

Dear Madam President:

I transmit herewith Enrolled [H 13](#) and [H 20](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 13](#) and [H 20](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having been held, the President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Tim Murphy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Johnson, the Gubernatorial appointment of Tim Murphy as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

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

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

On motion by Senator Winder, seconded by Senator Stennett, the Gubernatorial reappointment of General Michael J. Garshak as the Adjutant General of the Idaho Military Division was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, [HCR 2](#) retained its place on the calendar for Friday, February 1, 2019.

The Senate advanced to the Eleventh Order of Business.

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

S 1041

BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5232, IDAHO CODE, 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 REVISE PROVISIONS REGARDING THE APPORTIONMENT OF AMOUNTS TO BE ASSESSED; AND AMENDING SECTION 42-5241, IDAHO CODE, TO PROVIDE CODE REFERENCES, TO PROVIDE A PROCEDURE ASSOCIATED WITH CERTAIN

DISTRICT ASSESSMENTS, AND TO MAKE TECHNICAL CORRECTIONS.

S 1042

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO MAGISTRATES; AMENDING SECTION 1-2206, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN REQUIREMENT FOR A MAGISTRATE AND TO MAKE A TECHNICAL CORRECTION.

S 1043

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO JUDGES; AMENDING SECTION 1-805, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE NUMBER OF DISTRICT JUDGES OF THE FOURTH JUDICIAL DISTRICT.

S 1044

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO SPECIAL PROCEEDINGS; AMENDING SECTION 7-1509, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN AMOUNT IN DAMAGES.

S 1045

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO CORRECTIONAL INDUSTRIES; AMENDING SECTION 20-412, IDAHO CODE, TO PROVIDE FOR INMATE TRAINEE PARTICIPATION IN IDAHO CORRECTIONAL INDUSTRIES TRAINING PROGRAMS, TO PROVIDE FOR TRAINING STIPENDS, AND TO PROVIDE THAT INMATE TRAINEES ARE NOT EMPLOYEES AND ARE NOT ENTITLED TO WORKER'S COMPENSATION OR UNEMPLOYMENT COMPENSATION; AND AMENDING SECTION 20-413A, IDAHO CODE, TO PROVIDE FOR CONTRACTS FOR AGRICULTURAL TRAINING PROGRAMS FOR INMATE TRAINEES, TO PROVIDE CONDITIONS, TO PROVIDE FOR RULES REGARDING INMATE TRAINEE SAFETY, TO PROVIDE FOR TRAINING STIPENDS, AND TO MAKE TECHNICAL CORRECTIONS.

[S 1041](#), [S 1042](#), [S 1043](#), [S 1044](#), and [S 1045](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 9](#), [H 10](#), [H 11](#), and [H 12](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 42](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 35](#) and [H 36](#), by Appropriations Committee, were read the second time at length and filed for third reading.

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

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:38 a.m. until the hour of 11 a.m., Friday, February 1, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

—————

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 1, 2019

Senate Chamber

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

Roll call showed all members present except Senators Grow, Lent, and Nelson, absent and formally excused by the Chair; and Senators Lodge and Thayn, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Landen Richardson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 31, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

SJR 101

BY STATE AFFAIRS COMMITTEE

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 22, ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO RIGHTS OF CRIME VICTIMS; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

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

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 1, 2019

The JUDICIARY AND RULES Committee reports that S 1041, S 1042, S 1043, S 1044, and S 1045 have been correctly printed.

LAKEY, Chairman

S 1041 was referred to the Resources and Environment Committee.

S 1042, S 1043, S 1044, and S 1045 were referred to the Judiciary and Rules Committee.

January 31, 2019

The TRANSPORTATION Committee reports out H 2 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, H 2 was referred to the Fourteenth Order of Business, General Calendar.

January 31, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 19 with the recommendation that it do pass.

RICE, Chairman

H 19 was filed for second reading.

February 1, 2019

The EDUCATION Committee reports out S 1029 and S 1030 with the recommendation that they do pass.

MORTIMER, Chairman

S 1029 and S 1030 were filed for second reading.

February 1, 2019

The STATE AFFAIRS Committee reports out S 1020 with the recommendation that it do pass.

LODGE, Chairman

S 1020 was filed for second reading.

February 1, 2019

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

John Chatburn as the Administrator of the Office of Energy and Mineral Resources, term to continue at the pleasure of the Governor.

Judy Bicknell Taylor as the Administrator of the Office on Aging, term to continue at the pleasure of the Governor.

LODGE, Chairman

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

Senator Thayn was recorded present at this order of business.

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

Messages from the House

January 31, 2019

Dear Madam President:

I transmit herewith [HJM 3](#), [H 56](#), [H 57](#), [H 38](#), and [H 26](#), which have passed the House.

MAULIN, Chief Clerk

[HJM 3](#), [H 56](#), [H 57](#), [H 38](#), and [H 26](#) were filed for first reading.

January 31, 2019

Dear Madam President:

I return herewith [S 1016](#), which has passed the House.

MAULIN, Chief Clerk

[S 1016](#) was referred to the Judiciary and Rules Committee for enrolling.

January 31, 2019

Dear Madam President:

I transmit herewith Enrolled [H 28](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 28](#) and ordered it returned to the House.

January 31, 2019

Dear Madam President:

I return herewith Enrolled [S 1002](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1002](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

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

S 1046

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO HIGHWAY DISTRICTS; AMENDING SECTION 40-1309, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SALE OR DISPOSAL OF PERSONAL OR REAL PROPERTY.

S 1047

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO PURCHASING BY POLITICAL SUBDIVISIONS; REPEALING SECTION 67-2807,

IDAHO CODE, RELATING TO JOINT PURCHASING AGREEMENTS; AND AMENDING CHAPTER 28, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2807, IDAHO CODE, TO PROVIDE FOR COOPERATIVE PURCHASING.

S 1048

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO CREDIT UNIONS; AMENDING SECTION 26-2113A, IDAHO CODE, TO REVISE PROVISIONS REGARDING ANNUAL MEMBERSHIP MEETINGS; AMENDING SECTION 26-2114, IDAHO CODE, TO REVISE PROVISIONS REGARDING A CERTAIN RATING AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-2121A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SUPERVISORY COMMITTEE OF A CREDIT UNION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 26-2156, IDAHO CODE, TO REVISE PROVISIONS REGARDING BOND COVERAGE.

S 1049

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ABORTION; AMENDING SECTION 18-613, IDAHO CODE, TO REVISE A PROVISION REGARDING PROHIBITED ACTS, TO DEFINE A TERM, TO REVISE DEFINITIONS, TO REMOVE A DEFINITION, TO REVISE PROVISIONS REGARDING CIVIL ACTIONS, AND TO REVISE PROVISIONS REGARDING A CERTAIN HEARING.

[S 1046](#), [S 1047](#), [S 1048](#), and [S 1049](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HJM 3](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 56](#) and [H 57](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 38](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 26](#), by Environment, Energy and Technology Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1031](#) and [S 1032](#), by Finance Committee, were read the second time at length and filed for third reading.

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

[S 1019](#), [S 1021](#), [S 1022](#), and [S 1023](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1024](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

Senator Lodge was recorded present at this order of business.

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:22 a.m. until the hour of 11 a.m., Monday, February 4, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 4, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Mariya Ricks, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 1, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 4, 2019

The JUDICIARY AND RULES Committee reports that [SJR 101](#), [S 1046](#), [S 1047](#), [S 1048](#), and [S 1049](#) have been correctly printed.

LAKEY, Chairman

[SJR 101](#) was referred to the State Affairs Committee.

[S 1046](#) was referred to the Transportation Committee.

[S 1047](#) was referred to the Local Government and Taxation Committee.

[S 1048](#) was referred to the Commerce and Human Resources Committee.

[S 1049](#) was referred to the State Affairs Committee.

February 1, 2019

The JUDICIARY AND RULES Committee reports that [S 1016](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1016](#) and ordered it transmitted to the House for the signature of the Speaker.

February 1, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1002](#) was delivered to the Office of the Governor at 1:44 p.m., February 1, 2019.

LAKEY, Chairman

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

February 4, 2019

The FINANCE Committee reports out [H 56](#) and [H 57](#) with the recommendation that they do pass.

BAIR, Chairman

[H 56](#) and [H 57](#) were filed for second reading.

Senator Lodge was recorded present at this order of business.

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

Messages from the House

February 1, 2019

Dear Madam President:

I transmit herewith [H 43](#), which has passed the House.

MAULIN, Chief Clerk

[H 43](#) was filed for first reading.

February 1, 2019

Dear Madam President:

I return herewith [S 1017](#), which has passed the House.

MAULIN, Chief Clerk

[S 1017](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having been previously held, the President announced that [HCR 2](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Stennett, seconded by President Pro Tempore Hill, [HCR 2](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial reappointment of Leland Heinrich was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Burgoyne, the Gubernatorial reappointment of Leland Heinrich as a member of the Board of Tax Appeals was confirmed by voice vote.

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

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

On motion by Senator Anthon, seconded by Senator Jordan, the Gubernatorial reappointment of John Chatburn as the Administrator of the Office of Energy and Mineral Resources was confirmed by voice vote.

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

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

On motion by Senator Souza, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Judy Bicknell Taylor as the Administrator of the Office on Aging was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

[H 43](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 19](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1029](#) and [S 1030](#), by Education Committee, were read the second time at length and filed for third reading.

[S 1020](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Lakey, granted by unanimous consent, [S 1005](#) was referred to the Fourteenth Order of Business, General Calendar.

[H 35](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 35](#) passed, title was approved, and the bill ordered returned to the House.

[H 36](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 36](#) passed, title was approved, and the bill ordered returned to the House.

[H 14](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 14](#) passed, title was approved, and the bill ordered returned to the House.

[H 15](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cheatham arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 15](#) passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:58 a.m. until the hour of 11 a.m., Tuesday, February 5, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 5, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Emily White, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 4, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

Senator Rice was recorded present at this order of business.

February 4, 2019

The JUDICIARY AND RULES Committee reports that [S 1017](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1017](#) and ordered it transmitted to the House for the signature of the Speaker.

February 4, 2019

The RESOURCES AND ENVIRONMENT Committee reports out [S 1039](#) and [S 1041](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1039](#) and [S 1041](#) were filed for second reading.

February 4, 2019

The JUDICIARY AND RULES Committee reports out [S 1003](#) with the recommendation that it do pass.

LAKEY, Chairman

[S 1003](#) was filed for second reading.

February 4, 2019

The HEALTH AND WELFARE Committee reports out [S 1033](#) with the recommendation that it do pass.

MARTIN, Chairman

[S 1033](#) was filed for second reading.

February 5, 2019

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

Louise Stark to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 2021.

HEIDER, Chairman

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

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

Messages from the Governor

February 4, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that John D. Hayden Jr. of Boise, Idaho, was appointed as a member of the State Board of Correction to serve a term commencing January 30, 2019, and expiring January 30, 2025.

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

Sincerely,
/s/ Brad Little
Governor

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

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

February 4, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that David Jeppesen of Eagle, Idaho, was appointed as the Director of the Idaho Department of Health and Welfare to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

February 4, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Janet Gallimore of Boise, Idaho, was reappointed as the State Historic Preservation Officer to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

February 4, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1002

Sincerely,
/s/ Brad Little
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 4, 2019

Dear Madam President:

I transmit herewith **HCR 7**, **H 66**, **H 72**, **H 24**, **H 22**, **H 37**, **HCR 3**, and **HJM 1**, which have passed the House.

MAULIN, Chief Clerk

HCR 7, **H 66**, **H 72**, **H 24**, **H 22**, **H 37**, **HCR 3**, and **HJM 1** were filed for first reading.

February 4, 2019

Dear Madam President:

I return herewith **S 1025**, which has passed the House.

MAULIN, Chief Clerk

S 1025 was referred to the Judiciary and Rules Committee for enrolling.

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

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

S 1050

**BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT**

RELATING TO WATER; AMENDING SECTION 42-201, IDAHO CODE, TO REVISE A PROVISION REGARDING THE DIVERSION AND USE OF WATER WITH OR WITHOUT A WATER RIGHT AND TO MAKE TECHNICAL CORRECTIONS.

S 1050 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 7, by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 66, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 72, by Business Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 24, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 22 and **H 37**, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

HCR 3, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

HJM 1, by Health and Welfare Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 56 and **H 57**, by Appropriations Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 16 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 16** passed, title was approved, and the bill ordered returned to the House.

H 17 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 17** passed, title was approved, and the bill ordered returned to the House.

S 1031 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1031** passed, title was approved, and the bill ordered transmitted to the House.

S 1032 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1032** passed, title was approved, and the bill ordered transmitted to the House.

H 1 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 1** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:57 a.m. until the hour of 10:45 a.m., Wednesday, February 6, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

**THIRTY-FIRST LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 6, 2019**

Senate Chamber

President McGeachin called the Senate to order at 10:45 a.m.

Roll call showed all members present except President Pro Tempore Hill and Senator Lee, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Drew Bingham, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 5, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 101

BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND HONORING THE AMERICAN LEGION IN ITS CENTENNIAL YEAR.

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

WHEREAS, the American Legion, a patriotic veterans service organization, was founded on March 15, 1919, by American servicemen in France and was chartered by Congress on September 16 of that year; and

WHEREAS, the American Legion Department of Idaho was granted its temporary charter in 1919 and its permanent charter on August 1, 1920; and

WHEREAS, since its establishment, the American Legion has been dedicated to serving the interests of veterans and the nation; and

WHEREAS, the United States Veterans Bureau, which later became the Veterans Administration and the Department of Veterans Affairs, was created on August 9, 1921, as a result of efforts led by the American Legion; and

WHEREAS, in 1942, Congress adopted the Flag Code, originally drafted at an American Legion conference, regarding the proper care and display of the United States flag; and

WHEREAS, in 1944, after being promoted by the American Legion, the Servicemen's Readjustment Act, more commonly known as the G.I. Bill, was signed into law by President Franklin D. Roosevelt, enabling millions of veterans to attain higher education; and

WHEREAS, the American Legion donated \$1 million to the Vietnam Veterans Memorial Fund for construction of the Vietnam Veterans Memorial Wall in Washington, D.C., the American Legion being responsible for the largest single contribution to the project; and

WHEREAS, the American Legion's efforts to serve veterans included sponsoring an independent study on the effects of exposure to Agent Orange. The study results were presented to Congress in 1989; and

WHEREAS, in 2010, the American Legion's Operation Comfort Warriors, a program to assist wounded, injured, or ill service personnel by providing items not usually furnished by the government, including leisure wear, books, games, and other entertainment, earned first place and a \$250,000 grant in the Pepsi Refresh Project; and

WHEREAS, today, the American Legion is the largest wartime veterans service organization, with nearly 2 million members, including about 10,000 members in Idaho; and

WHEREAS, the American Legion has more than 12,000 posts in communities throughout the United States, including 99 posts in Idaho, with additional posts in France, Mexico, and the Philippines; and

WHEREAS, the American Legion is also dedicated to serving our country's youth through such programs as: American Legion Baseball, which fields more than 5,600 amateur baseball teams throughout the United States and Canada, and which has been supported by the American Legion Department of Idaho since 1926; Boys State, a leadership development program serving approximately 20,000 young men annually; and the American Legion National High School Oratorical Program, a speech contest intended to teach leadership skills, American history, and an understanding of the rights, privileges, and obligations of American citizenship; and

WHEREAS, the American Legion Department of Idaho purchased its department headquarters in 1988 and has maintained consistently high membership numbers over many years; and

WHEREAS, the American Legion is celebrating the hundredth anniversary of its creation this year.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we honor and recognize the American Legion on the event of its centennial.

BE IT FURTHER RESOLVED that we commend the American Legion for its exemplary service and its dedication to veterans and for upholding and celebrating American values and ideals.

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

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

President Pro Tempore Hill was recorded present at this order of business.

February 6, 2019

The JUDICIARY AND RULES Committee reports that [S 1050](#) has been correctly printed.

LAKEY, Chairman

[S 1050](#) was referred to the Resources and Environment Committee.

February 5, 2019

The JUDICIARY AND RULES Committee reports that [S 1025](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1025](#) and ordered it transmitted to the House for the signature of the Speaker.

February 5, 2019

The FINANCE Committee reports out [H 66](#) with the recommendation that it do pass.

BAIR, Chairman

[H 66](#) was filed for second reading.

February 5, 2019

The TRANSPORTATION Committee reports out [S 1046](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1046](#) was filed for second reading.

February 5, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 25](#) with the recommendation that it do pass.

RICE, Chairman

[H 25](#) was filed for second reading.

February 5, 2019

The HEALTH AND WELFARE Committee reports out [H 10](#), [H 11](#), and [H 12](#) with the recommendation that they do pass.

MARTIN, Chairman

[H 10](#), [H 11](#), and [H 12](#) were filed for second reading.

February 6, 2019

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

Jeffrey R. Anderson as the Director of the Idaho Lottery Commission, term to continue at the pleasure of the Governor.

Jeffrey R. Anderson as the Director of the State Liquor Division, term to expire January 7, 2022.

LODGE, Chairman

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

February 6, 2019

The STATE AFFAIRS Committee reports out [H 42](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [H 42](#) was referred to the Fourteenth Order of Business, General Calendar.

February 6, 2019

The STATE AFFAIRS Committee reports out [H 72](#) with the recommendation that it do pass.

LODGE, Chairman

[H 72](#) was filed for second reading.

February 6, 2019

The STATE AFFAIRS Committee reports out [HJM 3](#) with the recommendation that it do pass.

LODGE, Chairman

[HJM 3](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

Messages from the House

February 5, 2019

Dear Madam President:

I transmit herewith [H 44](#), [H 64](#), and [H 62](#), which have passed the House.

MAULIN, Chief Clerk

[H 44](#), [H 64](#), and [H 62](#) were filed for first reading.

February 5, 2019

Dear Madam President:

I return herewith Enrolled [S 1016](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1016](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Lee was recorded present at this order of business.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Louise Stark was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Stennett, the Gubernatorial reappointment of Louise Stark as a member of the Idaho Outfitters and Guides Licensing Board was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1051

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-432, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE FOR CERTAIN REGISTRATION AND MILEAGE USE FEES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-436, IDAHO CODE, TO SPECIFY CERTAIN REQUIREMENTS REGARDING QUARTERLY REPORTS AND RECORDKEEPING AND TO PROVIDE PENALTIES; AMENDING SECTION 49-439, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

S 1052

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-432, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE FOR CERTAIN REGISTRATION AND MILEAGE USE FEES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-436, IDAHO CODE, TO SPECIFY CERTAIN REQUIREMENTS REGARDING QUARTERLY REPORTS AND RECORDKEEPING, AND TO PROVIDE PENALTIES; AMENDING SECTION 49-439, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

S 1053

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE BARBER AND COSMETOLOGY SERVICES ACT; AMENDING SECTION 54-5802, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 54-5810, IDAHO CODE, TO PROVIDE FOR BARBER AND BARBER-STYLIST APPRENTICESHIP AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-5817, IDAHO CODE, TO PROVIDE FOR BARBER AND BARBER-STYLIST APPRENTICESHIP.

S 1054

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO REGIONAL BEHAVIORAL HEALTH BOARDS; AMENDING SECTION 39-3134, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE APPOINTING AUTHORITY FOR REGIONAL BEHAVIORAL HEALTH BOARDS.

S 1055

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO MARRIAGE LICENSES; REPEALING SECTION 32-412A, IDAHO CODE, RELATING TO AN EDUCATIONAL PAMPHLET REGARDING AIDS.

[S 1051](#), [S 1052](#), [S 1053](#), [S 1054](#), and [S 1055](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 44](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 64](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 62](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1039](#) and [S 1041](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[S 1003](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1033](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1019](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1019](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1021](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1021](#) passed, title was approved, and the bill ordered transmitted to the House.

S 1022 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1022** passed, title was approved, and the bill ordered transmitted to the House.

S 1023 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Buckner-Webb, Burgoyne, Cheatham, Grow, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 22.

NAYS—Agenbroad, Bair, Bayer, Brackett, Burtenshaw, Crabtree, Den Hartog, Guthrie, Harris, Mortimer, Rice, Souza, Vick. Total - 13.

Total - 35.

Whereupon the President declared **S 1023** passed, title was approved, and the bill ordered transmitted to the House.

S 1024 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1024** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, **H 19** retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Winder, granted by unanimous consent, **S 1029** retained its place on the Third Reading Calendar for Friday, February 15, 2019.

S 1030 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1030** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, **S 1020** retained its place on the Third Reading Calendar for Wednesday, February 13, 2019.

H 56 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 56** passed, title was approved, and the bill ordered returned to the House.

H 57 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 57** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:04 p.m. until the hour of 11 a.m., Thursday, February 7, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

**THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 7, 2019**

Senate Chamber

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

Roll call showed all members present except Senators Den Hartog and Patrick, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Brigham Chelson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 6, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 7, 2019

The JUDICIARY AND RULES Committee reports that [SCR 101](#), [S 1051](#), [S 1052](#), [S 1053](#), [S 1054](#), and [S 1055](#) have been correctly printed.

LAKEY, Chairman

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

[S 1051](#) and [S 1052](#) were referred to the Transportation Committee.

[S 1053](#) was referred to the Commerce and Human Resources Committee.

[S 1054](#) and [S 1055](#) were referred to the Health and Welfare Committee.

February 6, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1016](#) was delivered to the Office of the Governor at 2:10 p.m., February 6, 2019.

LAKEY, Chairman

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

Senators Den Hartog and Patrick were recorded present at this order of business.

February 6, 2019

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

Ashley Dowell as the Executive Director of the Commission on Pardons and Parole, term to continue at the pleasure of the Governor.

Colonel Kedrick Wills as the Director of the Idaho State Police, term to continue at the pleasure of the Governor.

Jeffrey A. Betts to the Sexual Offender Management Board, term to expire January 1, 2022.

Mike H. Matthews to the Commission on Pardons and Parole, term to expire January 1, 2022.

LAKEY, Chairman

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

February 6, 2019

The JUDICIARY AND RULES Committee reports out [S 1042](#) with the recommendation that it do pass.

LAKEY, Chairman

[S 1042](#) was filed for second reading.

February 6, 2019

The HEALTH AND WELFARE Committee reports out [H 9](#) with the recommendation that it do pass.

MARTIN, Chairman

[H 9](#) was filed for second reading.

February 7, 2019

The AGRICULTURAL AFFAIRS Committee reports out [H 38](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[H 38](#) was filed for second reading.

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

Messages from the Governor

February 5, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Eric Anderson of Boise, Idaho, was reappointed as a member of the Public Utilities Commission to serve a term commencing January 14, 2019, and expiring January 14, 2025.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

February 6, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1016

Sincerely,
/s/ Brad Little
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 6, 2019

Dear Madam President:

I transmit herewith Enrolled **HCR 2**, **H 35**, **H 36**, **H 14**, and **H 15** for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled **HCR 2**, **H 35**, **H 36**, **H 14**, and **H 15** and ordered them returned to the House.

February 6, 2019

Dear Madam President:

I return herewith Enrolled **S 1017**, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled **S 1017** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

On motion by Senator Cheatham, seconded by Senator Jordan, the Gubernatorial reappointment of Jeffrey R. Anderson as the Director of the Idaho Lottery Commission was confirmed by voice vote.

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

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

On motion by Senator Stennett, seconded by Senator Anthon, the Gubernatorial reappointment of Jeffrey R. Anderson as the Director of the State Liquor Division was confirmed by voice vote.

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

The President announced that **HJM 3** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Cheatham, seconded by Senator Buckner-Webb, **HJM 3** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1056

**BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT**

RELATING TO GROUND WATER DISTRICTS; REPEALING SECTION 42-5244, IDAHO CODE, RELATING TO DELINQUENT ASSESSMENTS AND NONPAYMENT OF MITIGATION COSTS; AMENDING CHAPTER 52, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-5244A, IDAHO CODE, TO PROVIDE FOR THE APPORTIONMENT OF MITIGATION PLAN OBLIGATIONS AND TO PROVIDE FOR SEPARATE MITIGATION PLANS BY NONIRRIGATORS; AND AMENDING CHAPTER 52, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-5244B, IDAHO CODE, 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.

S 1057

**BY EDUCATION COMMITTEE
AN ACT**

RELATING TO EDUCATION; AMENDING SECTION 33-320, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTINUOUS IMPROVEMENT PLANS FOR SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS.

S 1058
BY EDUCATION COMMITTEE
AN ACT

RELATING TO CHARTER SCHOOLS; AMENDING SECTION 33-5206, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING CERTIFICATES FOR CHARTER SCHOOL ADMINISTRATORS AND TO MAKE TECHNICAL CORRECTIONS.

S 1059
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1632, IDAHO CODE, TO REVISE PROVISIONS REGARDING MASTERY-BASED EDUCATION AND TO ESTABLISH THE IDAHO MASTERY EDUCATION NETWORK.

S 1060
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 61, TITLE 33, IDAHO CODE, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING FLEXIBLE SCHEDULES FOR CERTAIN STUDENTS, TO PROVIDE FOR CERTAIN FUNDING AVAILABLE TO STUDENTS WITH FLEXIBLE SCHEDULES, TO ESTABLISH PROVISIONS REGARDING EARLY GRADUATION, TO PROVIDE FOR CERTAIN FUNDING AVAILABLE TO EARLY GRADUATES AND THEIR HIGH SCHOOLS, AND TO PROVIDE DUTIES OF THE STATE BOARD OF EDUCATION.

S 1061
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-802, IDAHO CODE, TO REVISE PROVISIONS REGARDING SCHOOL LEVIES; AMENDING SECTION 33-808, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 34-439A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 50-2908, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

S 1062
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO DENTISTS; AMENDING SECTION 54-900, IDAHO CODE, TO PROVIDE FOR DENTAL THERAPISTS; AMENDING CHAPTER 9, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-902A, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 54-903, IDAHO CODE, TO DEFINE A TERM AND TO REVISE DEFINITIONS; AMENDING CHAPTER 9, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-906A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE UNLAWFUL PRACTICE OF DENTAL THERAPY; AMENDING SECTION 54-912, IDAHO CODE, TO PROVIDE FOR DENTAL THERAPY; AMENDING SECTION 54-913, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTIFICATES OF QUALIFICATION AND LICENSES; AMENDING SECTION 54-915, IDAHO CODE, TO PROVIDE FOR THE QUALIFICATIONS REQUIRED OF DENTAL THERAPISTS; AMENDING SECTION 54-916, IDAHO CODE, TO PROVIDE FOR DENTAL THERAPISTS;

AMENDING CHAPTER 9, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-916C, IDAHO CODE, TO PROVIDE FOR DENTAL THERAPY LICENSURE BY CREDENTIALS; AMENDING SECTION 54-918, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXAMINATIONS; AMENDING SECTION 54-920, IDAHO CODE, TO PROVIDE FOR LICENSING AND LICENSE FEES FOR DENTAL THERAPISTS; AMENDING SECTION 54-922, IDAHO CODE, TO REQUIRE DISPLAY OF A DENTAL THERAPY LICENSE; AMENDING SECTION 54-923, IDAHO CODE, TO PROVIDE FOR REVOCATION OF A DENTAL THERAPY LICENSE; AMENDING SECTION 54-924, IDAHO CODE, TO REVISE PROVISIONS REGARDING GROUNDS OF REFUSAL, REVOCATION, OR SUSPENSION OF DENTISTS; AMENDING CHAPTER 9, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-926, IDAHO CODE, TO PROVIDE GROUNDS FOR REVOCATION OR SUSPENSION OF DENTAL THERAPISTS; AMENDING SECTION 54-930, IDAHO CODE, TO PROVIDE EXCEPTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-932, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR LOST OR DESTROYED DENTAL THERAPIST CERTIFICATES OR LICENSES; AND AMENDING SECTION 54-935, IDAHO CODE, TO PROVIDE FOR DENTAL THERAPISTS AND TO MAKE TECHNICAL CORRECTIONS.

[S 1056](#), [S 1057](#), [S 1058](#), [S 1059](#), [S 1060](#), [S 1061](#), and [S 1062](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 66](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1046](#), by Transportation Committee, was read the second time at length and filed for third reading.

[H 25](#), by Local Government Committee, was read the second time at length and filed for third reading.

[H 10](#), [H 11](#), and [H 12](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 72](#), by Business Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 19](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cheatham arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 19](#) passed, title was approved, and the bill ordered returned to the House.

[S 1039](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Patrick, Rice, Souza, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 30.

NAYS—Buckner-Webb, Burgoyne, Jordan, Nye, Stennett. Total - 5.

Total - 35.

Whereupon the President declared [S 1039](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1041](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1041](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lee, granted by unanimous consent, [S 1003](#) was referred to the Fourteenth Order of Business, General Calendar.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:59 a.m. until the hour of 10:30 a.m., Friday, February 8, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 8, 2019

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Joseph Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 7, 2019, was read and approved as corrected.

LAKEY, Chairman

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

The Senate advanced to the Fourth Order of Business.

Reading of Communications

February 7, 2019

Senator Brent Hill, President Pro Tempore
Idaho State Senate
PO Box 83720
Boise, ID 83720-0081

Dear Senator Hill:

On behalf of the Board of Commissioners of the Idaho State Bar, I am pleased to inform you that the Commission voted to reappoint Hon. Jeff Brudie of Lewiston to the Judicial Council to serve a six-year term, commencing July 1, 2019, and expiring June 30, 2025.

Pursuant to Idaho Code Section 1-2101, the replacement requires the consent of the Idaho Senate.

If you have any questions, or need additional information, please let me know.

Sincerely,
/s/ Diane K. Minnich

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

The Idaho Judicial Council appointment was referred to the Judiciary and Rules Committee.

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

Reports of Standing Committees

February 8, 2019

The JUDICIARY AND RULES Committee reports that [S 1056](#), [S 1057](#), [S 1058](#), [S 1059](#), [S 1060](#), [S 1061](#), and [S 1062](#) have been correctly printed.

LAKEY, Chairman

[S 1056](#) was referred to the Resources and Environment Committee.

[S 1057](#), [S 1058](#), [S 1059](#), [S 1060](#), and [S 1061](#) were referred to the Education Committee.

[S 1062](#) was referred to the Health and Welfare Committee.

February 7, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1017](#) was delivered to the Office of the Governor at 11:55 a.m., February 7, 2019.

LAKEY, Chairman

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

February 7, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1008](#), [S 1026](#), and [S 1028](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1008](#), [S 1026](#), and [S 1028](#) were filed for second reading.

February 7, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1047](#) and [H 62](#) with the recommendation that they do pass.

RICE, Chairman

[S 1047](#) and [H 62](#) were filed for second reading.

February 8, 2019

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

Melinda Smyser as the Administrator of the Office of Drug Policy, term to continue at the pleasure of the Governor.

Monty Prow as the Director of the Department of Juvenile Corrections, term to continue at the pleasure of the Governor.

LAKEY, Chairman

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

Senator Lakey was recorded present at this order of business.

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

Messages from the Governor

February 7, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1017

Sincerely,
/s/ Brad Little
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 7, 2019

Dear Madam President:

I transmit herewith Enrolled **H 16**, **H 17**, and **H 1** for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled **H 16**, **H 17**, and **H 1** and ordered them returned to the House.

February 7, 2019

Dear Madam President:

I return herewith Enrolled **S 1025**, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled **S 1025** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **SCR 101** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Cheatham, seconded by Senator Stennett, **SCR 101** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

Senator Lodge was recorded present at this order of business.

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

On motion by Senator Burgoyne, seconded by Senator Lee, the Gubernatorial appointment of Ashley Dowell as the Executive Director of the Commission on Pardons and Parole was confirmed by voice vote.

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

On request by Senator Anthon, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Colonel Kedrick Wills retained its place on the calendar for Monday, February 11, 2019.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Jeffrey A. Betts was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Jeffrey A. Betts as a member of the Sexual Offender Management Board was confirmed by voice vote.

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

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

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**S 1063****BY TRANSPORTATION COMMITTEE**
AN ACT

RELATING TO PROVIDING MONEYS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE; AMENDING SECTION 40-719, IDAHO CODE, TO EXTEND AN EFFECTIVE DATE; AMENDING SECTION 13, CHAPTER 322, LAWS OF 2017, TO EXTEND A SUNSET DATE; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1064**BY TRANSPORTATION COMMITTEE**
AN ACT

RELATING TO MOTOR VEHICLES; REPEALING SECTION 49-1401A, IDAHO CODE, RELATING TO TEXTING WHILE DRIVING; AND AMENDING CHAPTER 14, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1401A, IDAHO CODE, TO DEFINE TERMS, TO PROHIBIT PERSONS FROM OPERATING A MOTOR VEHICLE WHILE USING A MOBILE ELECTRONIC DEVICE, TO PROVIDE EXCEPTIONS, TO PROHIBIT PERSONS FROM OPERATING A MOTOR VEHICLE WHILE WEARING EARPHONES, TO PROVIDE PENALTIES, AND TO PROVIDE THAT THE STATE PREEMPTS THE FIELD OF REGULATING THE USE OF PERSONAL ELECTRONIC DEVICES IN MOTOR VEHICLES WHILE DRIVING.

S 1065**BY TRANSPORTATION COMMITTEE
AN ACT**

RELATING TO TRANSPORTATION; AMENDING SECTION 40-720, IDAHO CODE, TO PROVIDE FOR THE ISSUANCE OF CERTAIN BONDS; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-721, IDAHO CODE, TO ESTABLISH THE TRANSPORTATION EXPANSION AND CONGESTION MITIGATION PROGRAM CAPITAL PROJECT FUND AND THE TRANSPORTATION EXPANSION AND CONGESTION MITIGATION PROGRAM DEBT SERVICE FUND; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE PROVISIONS REGARDING DISTRIBUTION OF SALES TAX AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-6210, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE POWER OF THE IDAHO HOUSING AND FINANCE ASSOCIATION TO ISSUE BONDS.

S 1066**BY TRANSPORTATION COMMITTEE
AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-432, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE FOR CERTAIN REGISTRATION AND MILEAGE USE FEES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-436, IDAHO CODE, TO SPECIFY CERTAIN REQUIREMENTS REGARDING QUARTERLY REPORTS AND RECORDKEEPING AND TO PROVIDE PENALTIES; AMENDING SECTION 49-439, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

S 1067**BY TRANSPORTATION COMMITTEE
AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-432, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE FOR CERTAIN REGISTRATION AND MILEAGE USE FEES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-436, IDAHO CODE, TO SPECIFY CERTAIN REQUIREMENTS REGARDING QUARTERLY REPORTS AND RECORDKEEPING, AND TO PROVIDE PENALTIES; AMENDING SECTION 49-439, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

S 1068**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT**

RELATING TO INSURANCE; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 65, TITLE 41, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR CERTAIN REQUIREMENTS FOR PHARMACY BENEFIT MANAGERS, TO PROHIBIT CERTAIN ACTIONS, TO PROVIDE APPLICABILITY, AND TO PROVIDE RULEMAKING AUTHORITY; AMENDING SECTION 41-348, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROHIBITED ACTS AND TO DEFINE TERMS; AND PROVIDING SEVERABILITY.

S 1069**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT**

RELATING TO INSURANCE; AMENDING SECTION 41-1849, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTRACTS WITH PROVIDERS OF DENTAL SERVICES; AND AMENDING SECTION 41-3444, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTRACTS WITH PROVIDERS OF DENTAL SERVICES.

S 1070**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT**

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1302, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 59-1353, IDAHO CODE, TO PROVIDE THAT WAGES EARNED WHILE RECEIVING DISABILITY RETIREMENT BENEFITS SHALL BE DEDUCTED FROM A MEMBER'S BENEFIT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 59-1354A, IDAHO CODE, TO PROVIDE THAT A MEMBER RECEIVING A DISABILITY RETIREMENT MAY RETURN TO WORK UNDER CERTAIN CONDITIONS.

S 1071**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT**

RELATING TO FEES AND EXPENSES; AMENDING SECTION 12-117, IDAHO CODE, TO REVISE THE DEFINITION OF "LICENSING AUTHORITY" AND TO MAKE TECHNICAL CORRECTIONS.

S 1072**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT**

RELATING TO THE IDAHO ADMINISTRATIVE PROCEDURE ACT; AMENDING SECTION 67-5205, IDAHO CODE, TO REVISE PROVISIONS REGARDING FEES ASSOCIATED WITH PUBLISHING CERTAIN RULES AND TO MAKE TECHNICAL CORRECTIONS.

S 1073**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT**

RELATING TO UNDERGROUND FACILITIES DAMAGE PREVENTION; AMENDING SECTION 55-2202, IDAHO CODE, TO DEFINE TERMS AND TO REVISE DEFINITIONS; AMENDING SECTION 55-2205, IDAHO CODE, TO PROVIDE FOR WHO SHALL AND SHALL NOT LOCATE AND MARK SERVICE LATERALS, TO PROVIDE THAT PUBLIC AGENCIES SHALL NOT INCUR CERTAIN OBLIGATIONS OR LIABILITY, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 55-2206, IDAHO CODE, TO REVISE TERMINOLOGY.

S 1074**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO COUNTY JAILS; AMENDING SECTION 20-612, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECEPTION AND BOARD OF PRISONERS.

S 1075**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO INDIVIDUALS WITH DISABILITIES; AMENDING SECTION 18-5811, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-5811A, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 18-5812, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-5812A, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-5812B, IDAHO CODE, TO REVISE PROVISIONS REGARDING SERVICE DOGS-IN-TRAINING; AMENDING SECTION 49-109, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 49-706, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING THE HEADING FOR CHAPTER 7, TITLE 56, IDAHO CODE; AMENDING SECTION 56-701, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 56-701A, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 56-702, IDAHO CODE, TO REVISE PROVISIONS REGARDING FREE USE OF PLACES OF PUBLIC ACCOMMODATIONS BY INDIVIDUALS WITH DISABILITIES; AMENDING SECTION 56-703, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-704, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 7, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-704A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING RIGHTS OF INDIVIDUALS WITH SERVICE DOGS; AMENDING SECTION 56-704A, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS REGARDING RIGHTS OF INDIVIDUALS WITH DOGS-IN-TRAINING; AMENDING SECTION 56-705, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 56-706, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 56-707, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION.

[S 1063](#), [S 1064](#), [S 1065](#), [S 1066](#), [S 1067](#), [S 1068](#), [S 1069](#), [S 1070](#), [S 1071](#), [S 1072](#), [S 1073](#), [S 1074](#), and [S 1075](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1042](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 9](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 38](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:31 a.m. until the hour of 11 a.m., Monday, February 11, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 11, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 8, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 11, 2019

The JUDICIARY AND RULES Committee reports that [S 1063](#), [S 1064](#), [S 1065](#), [S 1066](#), [S 1067](#), [S 1068](#), [S 1069](#), [S 1070](#), [S 1071](#), [S 1072](#), [S 1073](#), [S 1074](#), and [S 1075](#) have been correctly printed.

LAKEY, Chairman

[S 1063](#), [S 1064](#), [S 1065](#), [S 1066](#), and [S 1067](#) were referred to the Transportation Committee.

[S 1068](#), [S 1069](#), and [S 1070](#) were referred to the Commerce and Human Resources Committee.

[S 1071](#) and [S 1072](#) were referred to the Judiciary and Rules Committee.

[S 1073](#) was referred to the Commerce and Human Resources Committee.

[S 1074](#) was referred to the Judiciary and Rules Committee.

[S 1075](#) was referred to the Health and Welfare Committee.

February 8, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1025](#) was delivered to the Office of the Governor at 2:55 p.m., February 8, 2019.

LAKEY, Chairman

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

February 8, 2019

The STATE AFFAIRS Committee reports out [S 1049](#) and [SJR 101](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1049](#) and [SJR 101](#) were filed for second reading.

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

Messages from the Governor

February 7, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Dean Cameron of Meridian, Idaho, was reappointed as the Director of the Department of Insurance to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 8, 2019

Dear Madam President:

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

MAULIN, Chief Clerk

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

February 8, 2019

Dear Madam President:

I return herewith [S 1031](#) and [S 1032](#), which have passed the House.

MAULIN, Chief Clerk

[S 1031](#) and [S 1032](#) were referred to the Judiciary and Rules Committee for enrolling.

February 8, 2019

Dear Madam President:

I transmit herewith Enrolled [H 56](#) and [H 57](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 56](#) and [H 57](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having been held, the President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Colonel Kedrick Wills was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Nye, the Gubernatorial reappointment of Colonel Kedrick Wills as the Director of the Idaho State Police was confirmed by voice vote.

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

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Mike H. Matthews was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Anthon, seconded by Senator Nelson, the Gubernatorial reappointment of Mike H. Matthews as a member of the Commission on Pardons and Parole was confirmed by voice vote.

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

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

On motion by Senator Lodge, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Melinda Smyser as the Administrator of the Office of Drug Policy was confirmed by voice vote.

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

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

On motion by Senator Cheatham, seconded by Senator Jordan, the Gubernatorial appointment of Monty Prow as the Director of the Department of Juvenile Corrections was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1076

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO LIQUOR STORES; AMENDING SECTION 23-313, IDAHO CODE, TO REVISE A PROVISION REGARDING LIQUOR CONSUMED ON CERTAIN PREMISES; AND AMENDING CHAPTER 3, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-314, IDAHO CODE, TO DEFINE TERMS, TO AUTHORIZE SAMPLE TASTINGS OF LIQUOR IN CERTAIN INSTANCES, TO PROVIDE CERTAIN REQUIREMENTS FOR SAMPLE TASTINGS, AND TO PROVIDE THAT A RETAIL STORE SHALL NOT INCUR LIABILITY.

[S 1076](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 6](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1008](#), [S 1026](#), [S 1028](#), and [S 1047](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 62](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1033](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared [S 1033](#) passed, title was approved, and the bill ordered transmitted to the House.

H 66 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared **H 66** passed, title was approved, and the bill ordered returned to the House.

S 1046 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared **S 1046** passed, title was approved, and the bill ordered transmitted to the House.

H 25 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared **H 25** passed, title was approved, and the bill ordered returned to the House.

H 10 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared **H 10** passed, title was approved, and the bill ordered returned to the House.

H 11 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared **H 11** passed, title was approved, and the bill ordered returned to the House.

H 12 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared **H 12** passed, title was approved, and the bill ordered returned to the House.

H 72 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared **H 72** passed, title was approved, and the bill ordered returned to the House.

S 1042 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared **S 1042** passed, title was approved, and the bill ordered transmitted to the House.

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

Reading of Communications

The Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Jordan, by voice vote the Senate recessed at 12:06 p.m. until the hour of 4:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Lee, absent and formally excused by the Chair; and Senators Heider and Thayne, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

SCR 102 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

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 DEVELOPMENT OF SPECIFIED FACILITIES.

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

WHEREAS, the First Regular Session of the Fifty-seventh Idaho Legislature passed House Concurrent Resolution 30, authorizing eight state bodies and community college districts, including North Idaho College located in Coeur d'Alene, to enter into agreements with the Idaho State Building Authority to develop or renovate specified facilities located throughout Idaho; and

WHEREAS, North Idaho College wishes to help the north Idaho communities it serves and ensure modern and appropriate facilities exist for students pursuing careers in health and natural sciences, as well as appropriate athletic facilities for all students; and

WHEREAS, the Legislature recognizes the significant immediate economic stimulus that would be provided by proceeding with these projects; and

WHEREAS, such projects will be of public use and provide a benefit to the public at large; and

WHEREAS, the college has demonstrated sufficient funding to cover the costs associated with bonding for a new facility; however, the college does not have sufficient funding to cover the estimated design and construction costs of up to \$25,000,000 associated with this project up front; and

WHEREAS, it is in the best interest of the state and North Idaho College for this authorization to be provided for the development of new and expanded facilities for use by North Idaho College.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature hereby authorizes and provides approval for North Idaho College to enter into an agreement with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary, to use the authority and power of the Idaho State Building Authority to assist North Idaho College with the development of an expansion to the Meyer Health and Science Building and an athletic complex to be located in Coeur d'Alene, Idaho.

BE IT FURTHER RESOLVED that this resolution constitutes authorization to enter into an agreement for purposes of Section 67-6410, Idaho Code.

SJM 101 BY RESOURCES AND ENVIRONMENT COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, 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 THE SECRETARY OF AGRICULTURE, AND TO THE SECRETARY OF THE INTERIOR.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, approximately 63% of land in the State of Idaho is public land controlled by the United States, primarily by the Bureau of Land Management and the Forest Service, which makes the right to cross federal land for delivery of water rights to Idaho water users extremely important; and

WHEREAS, the law of the United States, since the 1866 Mining Act, has recognized that a water user in the arid West has the right to divert water from the rivers and streams across federal land for use on private property for, among other purposes, mining and agriculture. When the water user has a water right appropriated under state law, the law provides that a water user needs no approval from the federal government for the diversion and beneficial use of the water on the user's private property; and

WHEREAS, the United States Congress passed the Federal Land Policy and Management Act (FLPMA), as amended, in 1976, which explicitly recognizes and protects easements and rights existing on federal lands and recognizes under previous

laws, such as the 1866 Mining Act, to deliver water appropriated under state law across federal land to private property; and

WHEREAS, Congress passed an amendment to FLPMA in 1986 known as the Colorado Ditch Bill Act, which explicitly directs the Secretary of Agriculture to issue a permanent easement for a water system involving reservoirs, canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other facilities and systems, for the impoundment, storage, transportation, and distribution of water traversing federal lands within the National Forest System when: (1) the water system is used for agricultural irrigation or livestock purposes; (2) the system that existed in 1976 has remained in operation; (3) any enlargement of the system after 1976 requires separate authorization; (4) the user has a valid state water right; and (5) the use involves some private land. The water users were to supply the Forest Service with evidence of the location of easements; and

WHEREAS, the state of Idaho has had a comprehensive method for recognizing the appropriation of waters of the state for beneficial use under the priority doctrine since before statehood; and

WHEREAS, the State of Idaho recognized in 1984 the need to adjudicate the water rights of this state and the Legislature directed the Department of Water Resources to initiate the Snake River Basin Adjudication (SRBA), as provided by Idaho law, to facilitate the effective management of the waters of the Snake River Basin and to engage in a comprehensive adjudication of all surface and ground water use in the basin; and

WHEREAS, the United States was a party to the SRBA, is bound by the decrees of the SRBA court, and must recognize the water rights of the Idaho water users as decreed by the SRBA court; and

WHEREAS, the SRBA issued more than 167,000 water rights and issued its final unified decree in 2014, in which the SRBA court decreed water rights with priority rights dating back, in some instances, to the 1860s; and

WHEREAS, Congress further directed that applications under the Colorado Ditch Bill Act by easement holders be submitted by the end of 1996 to assist the Secretary of Agriculture in issuing permanent easements; and

WHEREAS, the Secretary of Agriculture has not issued or recognized many of these permanent easements, even though the water rights have been decreed by the SRBA court and the applications have been submitted as required by Congress more than 20 years ago; and

WHEREAS, certain interest groups are arguing that the secretary must take actions harmful to the pre-FLPMA easement holders because the secretary has not issued the mandated easements; and

WHEREAS, the Secretary of Agriculture could not have harmed such potential easement holders' rights had the secretary lawfully complied with the law passed by Congress in 1986 and issued the permanent easements as mandated by Congress; and

WHEREAS, the vast majority of surface water rights in this state were decreed with priority dates that preceded the enactment of FLPMA in 1976, and those water uses are entitled to the right to cross federal lands to deliver their state water rights; and

WHEREAS, there are many Idaho water users, such as the members of the Salmon Headwaters Conservation Association, that properly complied with the easement requirements specified by the Colorado Ditch Bill Act to have their permanent easement recognized by the United States, but are now required to further expend resources on legal and administrative processes to defend and protect their valid existing Idaho water rights and associated rights-of-way across federal land.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature,

the Senate and the House of Representatives concurring therein, that we urge the President of the United States 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 lands under their respective administrations without requiring citizens of the United States to sue the government in order to enjoy the benefits of such validly existing easement rights.

BE IT FURTHER RESOLVED that the President and Congress take such action as necessary to require the Secretary of Agriculture to recognize valid easements existing prior to FLPMA on lands within the National Forest System without requiring citizens of the United States to sue the government in order to enjoy the benefits of such validly existing rights.

BE IT FURTHER RESOLVED that in recognition that the Secretary of Agriculture has not acted on applications submitted more than 20 years ago, the President and Congress are urged to take such action as necessary to extend the deadline for filing applications under FLPMA for an additional two years.

BE IT FURTHER RESOLVED that the President and Congress are urged to take such action as necessary to require the Secretary of Agriculture to refrain from interfering with the use of any decreed water right by attempting under any federal law to attach conditions on any 1866 Mining Act or FLPMA easements crossing federal lands, especially in a manner that restricts or conditions in any way the use of water on private land as authorized by state law.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, 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 the Secretary of Agriculture, and to the Secretary of the Interior.

[SCR 102](#) and [SJM 101](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 11, 2019

The JUDICIARY AND RULES Committee reports that [S 1031](#) and [S 1032](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1031](#) and [S 1032](#) and ordered them transmitted to the House for the signature of the Speaker.

February 11, 2019

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

Joe McNeal to the Idaho Commission on Human Rights, term to expire July 1, 2021.

Kevin Settles to the Idaho Commission on Human Rights, term to expire July 1, 2021.

LODGE, Chairman

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

February 8, 2019

The JUDICIARY AND RULES Committee reports out [H 31](#), [H 32](#), [H 34](#), and [S 1043](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 31](#), [H 32](#), [H 34](#), and [S 1043](#) were filed for second reading.

February 11, 2019

The JUDICIARY AND RULES Committee reports out [H 43](#) and [S 1044](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 43](#) and [S 1044](#) were filed for second reading.

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

Messages from the House

February 11, 2019

Dear Madam President:

I transmit herewith Enrolled [HJM 3](#) and [H 19](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HJM 3](#) and [H 19](#) and ordered them returned to the House.

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

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

S 1077

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

S 1078

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO BEER; AMENDING SECTION 23-1001, IDAHO CODE, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 10, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-1057, IDAHO CODE, TO AUTHORIZE CONTRACT BREWING IN CERTAIN INSTANCES, TO PROVIDE CERTAIN REQUIREMENTS FOR A CONTRACTEE BREWER AND A CONTRACTOR BREWER, AND TO PROVIDE FOR HOW CERTAIN BEER IS COUNTED.

S 1079

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO VETERANS; AMENDING SECTION 65-202, IDAHO CODE, TO REVISE FINANCIAL RELIEF AND ASSISTANCE PROVISIONS.

S 1080

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO VETERANS; AMENDING SECTION 65-704, IDAHO CODE, TO PROVIDE THAT INTEREST GENERATED BY MONEYS IN THE IDAHO VETERANS RECOGNITION INCOME FUND SHALL BE MAINTAINED BY THE DIVISION OF VETERANS SERVICES.

S 1081

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO VETERANS; REPEALING SECTION 65-208, IDAHO CODE, RELATING TO TRANSPORTATION OF WHEELCHAIR-BOUND VETERANS.

S 1082

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE STATE BRAND BOARD; AMENDING SECTION 25-1122, IDAHO CODE, TO REVISE CERTAIN FEES REGARDING OWNERSHIP AND TRANSPORTATION CERTIFICATES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 25-1160, IDAHO CODE, TO REVISE PROVISIONS REGARDING BRAND INSPECTION FEES FOR HORSES, MULES, AND ASSES, TO PROVIDE FOR EQUINE FARM SERVICE FEES, AND TO MAKE TECHNICAL CORRECTIONS.

S 1083

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IRRIGATION AND DRAINAGE; AMENDING SECTION 42-1102, IDAHO CODE, TO REVISE PROVISIONS REGARDING ENCROACHMENTS ON CERTAIN RIGHTS-OF-WAY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-1203, IDAHO CODE, TO REVISE PROVISIONS REGARDING MAINTENANCE OF EMBANKMENTS; AMENDING SECTION 42-1204, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PREVENTION OF DAMAGE TO OTHERS ASSOCIATED WITH DITCHES, CANALS, WORKS, OR OTHER AQUEDUCTS; AMENDING SECTION 42-1207, IDAHO CODE, TO REVISE PROVISIONS REGARDING BURIED IRRIGATION CONDUIT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 42-1209, IDAHO CODE, TO REVISE PROVISIONS REGARDING ENCROACHMENTS ON CERTAIN EASEMENTS AND RIGHTS-OF-WAY.

S 1084

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IRRIGATION; REPEALING CHAPTER 21, TITLE 42, IDAHO CODE, RELATING TO CAREY ACT CONSTRUCTION COMPANIES ACTING AS OPERATING COMPANIES; REPEALING SECTION 42-2202, IDAHO CODE, RELATING TO CERTAIN STATEMENTS FILED WITH COUNTY RECORDERS; REPEALING SECTION

42-2204, IDAHO CODE, RELATING TO DUTIES OF COUNTY RECORDERS; REPEALING SECTION 42-2504, IDAHO CODE, RELATING TO THE TRANSFER OF CERTAIN WATER RIGHTS; REPEALING SECTION 42-2505, IDAHO CODE, RELATING TO CERTAIN APPEALS; REPEALING SECTION 42-2506, IDAHO CODE, RELATING TO FEES FOR DECISIONS ON APPLICATIONS FOR TRANSFERS OF WATER RIGHTS; REPEALING CHAPTER 26, TITLE 42, IDAHO CODE, RELATING TO THE SALE OF WATER RIGHTS; AMENDING SECTION 43-323, IDAHO CODE, TO REMOVE PROVISIONS ASSOCIATED WITH CERTAIN REPORTS TO THE DEPARTMENT OF WATER RESOURCES AND TO PROVIDE FOR PLACE OF USE; AND REPEALING SECTION 30-806, IDAHO CODE, RELATING TO CERTAIN REPORTS OF IRRIGATION COMPANIES.

S 1085

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-303, IDAHO CODE, TO REVISE PROVISIONS REGARDING MEETINGS OF IRRIGATION DISTRICT BOARDS OF DIRECTORS.

S 1086

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO IRRIGATION AND DRAINAGE; AMENDING SECTION 42-1102, IDAHO CODE, TO REVISE PROVISIONS REGARDING RIGHTS ASSOCIATED WITH RIGHTS-OF-WAY; AMENDING SECTION 42-1204, IDAHO CODE, TO REVISE PROVISIONS REGARDING RIGHTS ASSOCIATED WITH RIGHTS-OF-WAY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 42-1209, IDAHO CODE, TO REVISE PROVISIONS REGARDING ENCROACHMENTS ONTO EASEMENTS AND RIGHTS-OF-WAY.

S 1087

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO ARTESIAN WELLS; AMENDING SECTION 42-1607, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES MAY PROMULGATE CERTAIN RULES AND TO PROVIDE LIMITATIONS ON COST-SHARING BY THE DEPARTMENT OF WATER RESOURCES ASSISTING OWNERS OF WELLS THAT NEED TO BE REPAIRED OR PLUGGED.

S 1088

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-408, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ISSUANCE OF FREE PERMITS AND TAGS TO MILITARY VETERANS WITH DISABILITIES AND TO MAKE A TECHNICAL CORRECTION.

S 1089

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1510, IDAHO CODE, TO PROHIBIT INTERFERENCE WITH CERTAIN LANDS, HIGHWAYS, AND NAVIGABLE STREAMS AND TO MAKE TECHNICAL CORRECTIONS.

S 1090

BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO CRITICAL INFRASTRUCTURE; AMENDING CHAPTER 70, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7045, IDAHO CODE, TO PROVIDE FOR THE CRIME OF IMPEDING CRITICAL INFRASTRUCTURE, TO PROVIDE PENALTIES, TO PROVIDE THAT AGGREGATE DAMAGE MAY BE A VIOLATION, TO PROVIDE THAT AN ORGANIZATION MAY IMPEDE CRITICAL INFRASTRUCTURE IN CERTAIN INSTANCES, TO PROVIDE EXCEPTIONS, AND TO DEFINE TERMS; AND AMENDING CHAPTER 70, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7046, IDAHO CODE, TO PROVIDE FOR THE CRIME OF CRITICAL INFRASTRUCTURE TRESPASS, TO PROVIDE A PENALTY, TO PROVIDE EXCEPTIONS, AND TO DEFINE A TERM.

S 1091

BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO HOSPITALIZATION OF THE MENTALLY ILL; AMENDING SECTION 66-329, IDAHO CODE, TO REVISE A PROVISION REGARDING A CONTINUANCE FOR A CERTAIN HEARING AND TO MAKE TECHNICAL CORRECTIONS.

S 1092

BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1615, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 16-1619, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 16-1620, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 16-1621, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 16-1622, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION.

S 1093

BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO PRETRIAL SUPERVISION; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-880, IDAHO CODE, TO PROVIDE FOR CERTAIN PRETRIAL RELEASE SUPERVISION SERVICES AND TO PROVIDE THAT COUNTIES SHALL NOT HAVE CERTAIN OBLIGATIONS; AMENDING SECTION 31-3201I, IDAHO CODE, TO PROVIDE FOR PRETRIAL RELEASE SUPERVISION FEES; AND AMENDING CHAPTER 32, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3201J, IDAHO CODE, TO PROVIDE FOR A PRETRIAL SUPERVISION FEE, TO PROVIDE FOR CERTAIN REQUIREMENTS AND PROCEDURES FOR A PRETRIAL SUPERVISION FEE, TO PROVIDE FOR CERTAIN ADDITIONAL FEES, AND TO PROVIDE AN EXEMPTION IN CERTAIN INSTANCES.

S 1094**BY JUDICIARY AND RULES COMMITTEE**
AN ACT

RELATING TO THE CHILDREN AND FAMILIES LEGAL SERVICES FUND; AMENDING CHAPTER 16, TITLE 1, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 1-1626, IDAHO CODE, TO CREATE THE CHILDREN AND FAMILIES LEGAL SERVICES FUND IN THE STATE TREASURY, TO PROVIDE FOR WHAT MONEYS SHALL BE IN THE FUND, TO PROVIDE FOR HOW MONEYS IN THE FUND MAY BE EXPENDED, AND TO PROVIDE CERTAIN CONDITIONS; AND AMENDING CHAPTER 16, TITLE 1, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 1-1627, IDAHO CODE, TO PROVIDE FOR CHILDREN AND FAMILIES LEGAL SERVICES FUND GRANTS BY THE SUPREME COURT AND TO PROVIDE CONDITIONS.

S 1095**BY HEALTH AND WELFARE COMMITTEE**
AN ACT

RELATING TO HEALTH AND WELFARE; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-268, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING AN EMPLOYMENT AND TRAINING PROGRAM.

S 1096**BY HEALTH AND WELFARE COMMITTEE**
AN ACT

RELATING TO RESIDENTIAL CARE AND ASSISTED LIVING FACILITIES; AMENDING SECTION 39-3302, IDAHO CODE, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3355, IDAHO CODE, TO PROVIDE FOR AN ALTERNATIVE TO REGULAR COMPLIANCE INSPECTIONS; AND AMENDING SECTION 63-701, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

S 1097**BY HEALTH AND WELFARE COMMITTEE**
AN ACT

RELATING TO HEALTH BENEFIT PLANS; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 65, TITLE 41, IDAHO CODE, TO DEFINE A TERM, TO REQUIRE CERTAIN COVERAGE FOR PERSONS ENROLLED IN APPROVED CLINICAL TRIALS, TO ESTABLISH PROVISIONS REGARDING RESEARCH INSTITUTIONS, TO PROVIDE LIMITATIONS ON COVERAGE, TO ESTABLISH PROVISIONS REGARDING INSURER LIABILITY, TO PROVIDE FOR DEDUCTIBLE, COINSURANCE, AND COPAYMENT REQUIREMENTS, AND TO PROHIBIT CANCELLATION OR NONRENEWAL OF A HEALTH BENEFIT PLAN UNDER CERTAIN CIRCUMSTANCES.

S 1098**BY HEALTH AND WELFARE COMMITTEE**
AN ACT

RELATING TO BONE MARROW DONATIONS; AMENDING THE HEADING FOR CHAPTER 37, TITLE 39, IDAHO CODE, TO PROVIDE FOR BONE MARROW DONATIONS; AMENDING CHAPTER 37, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3704,

IDAHO CODE, TO AUTHORIZE CERTAIN PRIMARY CARE PROVIDERS AND URGENT CARE PHYSICIANS TO PROVIDE INFORMATION TO PATIENTS ABOUT BONE MARROW DONATION, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE SHALL DEVELOP CERTAIN INFORMATION, AND TO AUTHORIZE RULEMAKING.

S 1099**BY HEALTH AND WELFARE COMMITTEE**
AN ACT

RELATING TO CHILD CARE LICENSING; AMENDING SECTION 39-1213, IDAHO CODE, TO PROVIDE FOR A CERTAIN WAIVER FROM LICENSING AND TO MAKE TECHNICAL CORRECTIONS.

S 1100**BY HEALTH AND WELFARE COMMITTEE**
AN ACT

RELATING TO MEDICAID ELIGIBILITY EXPANSION; AMENDING SECTION 56-267, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE SHALL INFORM CERTAIN MEDICAID PARTICIPANTS OF THE DEPARTMENT'S EMPLOYMENT AND TRAINING PROGRAM AND OFFER THE OPPORTUNITY TO ENROLL IN SUCH PROGRAM, TO ESTABLISH PROVISIONS REGARDING PREMIUM ASSISTANCE FOR A QUALIFIED HEALTH PLAN, TO PROVIDE FOR RESEARCH ON WAIVER OPPORTUNITIES FOR SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES, TO PROVIDE FOR A REVIEW OF AND A RECOMMENDATION REGARDING MEDICAID ELIGIBILITY EXPANSION, TO PROVIDE THAT THE PROVISIONS OF THIS SECTION SHALL BE NULL, VOID, AND OF NO FORCE AND EFFECT UNDER CERTAIN CIRCUMSTANCES, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1101**BY EDUCATION COMMITTEE**
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1614, IDAHO CODE, TO REVISE PROVISIONS REGARDING READING INSTRUCTION AND INTERVENTION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1614A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A CERTAIN PERFORMANCE METRIC; AMENDING SECTION 33-1615, IDAHO CODE, TO REVISE PROVISIONS REGARDING READING ASSESSMENTS; AMENDING SECTION 33-1616, IDAHO CODE, TO REVISE PROVISIONS REGARDING LITERACY INTERVENTION; AND PROVIDING AN EFFECTIVE DATE.

S 1102**BY EDUCATION COMMITTEE**
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS REGARDING FACILITIES FUNDS FOR PUBLIC CHARTER SCHOOLS.

S 1103
BY EDUCATION COMMITTEE
AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING CHAPTER 52, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5218, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A PUBLIC CHARTER SCHOOL FACILITIES PROGRAM.

S 1104
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1204, IDAHO CODE, TO PROVIDE THAT THE STATE BOARD OF EDUCATION MAY REQUIRE PROFESSIONAL DEVELOPMENT AS A CONDITION OF CERTIFICATE RENEWAL, TO PROVIDE AN OPTION FOR COMPLETING PROFESSIONAL DEVELOPMENT CREDITS, AND TO MAKE TECHNICAL CORRECTIONS.

S 1105
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-4602, IDAHO CODE, TO PROVIDE ADVANCED OPPORTUNITIES FUNDING FOR CAREER TECHNICAL EDUCATION WORKFORCE TRAINING AND TO REVISE PROVISIONS REGARDING ADVANCED OPPORTUNITIES.

S 1106
BY EDUCATION COMMITTEE
AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-1002G, IDAHO CODE, TO PROVIDE THAT PUBLIC CHARTER SCHOOLS MAY BE ELIGIBLE FOR CERTAIN FUNDING; AMENDING SECTION 33-2202, IDAHO CODE, TO REVISE PROVISIONS REGARDING POWERS AND DUTIES OF THE STATE BOARD FOR CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2205, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DIVISION OF CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-5202, IDAHO CODE, TO REVISE PROVISIONS REGARDING LEGISLATIVE INTENT IN RELATION TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5202A, IDAHO CODE, TO REVISE DEFINITIONS; AND AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS REGARDING FINANCIAL SUPPORT FOR PUBLIC CHARTER SCHOOLS.

S 1107
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; REPEALING SECTION 2, CHAPTER 348, LAWS OF 2016, RELATING TO THE REPEAL OF SECTION 33-1004, IDAHO CODE; REPEALING SECTION 3, CHAPTER 348, LAWS OF 2016, RELATING TO THE ENACTMENT OF A NEW SECTION 33-1004, IDAHO CODE; AND REPEALING SECTION 4, CHAPTER 348, LAWS OF 2016, RELATING TO AN EFFECTIVE DATE.

S 1108
BY EDUCATION COMMITTEE
AN ACT

RELATING TO DRIVER TRAINING; AMENDING SECTION 33-1707, IDAHO CODE, TO REVISE PROVISIONS REGARDING REIMBURSEMENT TO SCHOOL DISTRICTS FROM THE DRIVER TRAINING ACCOUNT, TO PROVIDE FOR CERTAIN SCHOLARSHIPS AND GRANTS, AND TO MAKE TECHNICAL CORRECTIONS.

[S 1077](#), [S 1078](#), [S 1079](#), [S 1080](#), [S 1081](#), [S 1082](#), [S 1083](#), [S 1084](#), [S 1085](#), [S 1086](#), [S 1087](#), [S 1088](#), [S 1089](#), [S 1090](#), [S 1091](#), [S 1092](#), [S 1093](#), [S 1094](#), [S 1095](#), [S 1096](#), [S 1097](#), [S 1098](#), [S 1099](#), [S 1100](#), [S 1101](#), [S 1102](#), [S 1103](#), [S 1104](#), [S 1105](#), [S 1106](#), [S 1107](#), and [S 1108](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Heider was recorded present at this order of business.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:29 p.m. until the hour of 10:45 a.m., Tuesday, February 12, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 12, 2019

Senate Chamber

President McGeachin called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senators Agenbroad, Bair, Burtenshaw, Crabtree, Grow, Johnson, Lee, Nye, Ward-Engelking, and Woodward, absent and excused.

Prayer was offered by Senator Patti Anne Lodge.

The Pledge of Allegiance was led by Chase Knott, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 11, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 12, 2019

The JUDICIARY AND RULES Committee reports that [SCR 102](#), [SJM 101](#), [S 1076](#), [S 1077](#), [S 1078](#), [S 1079](#), [S 1080](#), [S 1081](#), [S 1082](#), [S 1083](#), [S 1084](#), [S 1085](#), [S 1086](#), [S 1087](#), [S 1088](#), [S 1089](#), [S 1090](#), [S 1091](#), [S 1092](#), [S 1093](#), [S 1094](#), [S 1095](#), [S 1096](#), [S 1097](#), [S 1098](#), [S 1099](#), [S 1100](#), [S 1101](#), [S 1102](#), [S 1103](#), [S 1104](#), [S 1105](#), [S 1106](#), [S 1107](#), and [S 1108](#) have been correctly printed.

LAKEY, Chairman

[SCR 102](#) and [SJM 101](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1076](#), [S 1078](#), [S 1079](#), [S 1080](#), and [S 1081](#) were referred to the State Affairs Committee.

[S 1077](#) was referred to the Finance Committee.

[S 1082](#) was referred to the Agricultural Affairs Committee.

[S 1083](#), [S 1084](#), [S 1085](#), [S 1086](#), [S 1087](#), [S 1088](#), and [S 1089](#) were referred to the Resources and Environment Committee.

[S 1090](#), [S 1091](#), [S 1092](#), [S 1093](#), and [S 1094](#) were referred to the Judiciary and Rules Committee.

[S 1095](#), [S 1096](#), [S 1098](#), [S 1099](#), and [S 1100](#) were referred to the Health and Welfare Committee.

[S 1097](#) was referred to the Commerce and Human Resources Committee.

[S 1101](#), [S 1102](#), [S 1103](#), [S 1104](#), [S 1105](#), [S 1106](#), [S 1107](#), and [S 1108](#) were referred to the Education Committee.

Senators Agenbroad, Burtenshaw, Crabtree, Grow, Johnson, Nye, Ward-Engelking, and Woodward were recorded present at this order of business.

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

Messages from the Governor

Senators Bair and Lee were recorded present at this order of business.

February 11, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1025](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 11, 2019

Dear Madam President:

I transmit herewith [H 86](#), [H 87](#), and [H 60](#), which have passed the House.

MAULIN, Chief Clerk

[H 86](#), [H 87](#), and [H 60](#) were filed for first reading.

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

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

[H 86](#) and [H 87](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 60](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1049](#) and [SJR 101](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 31](#), [H 32](#), and [H 34](#), by Judiciary Rules & Administration Committee, were read the second time at length and filed for third reading.

[S 1043](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 43](#), by Judiciary Rules & Administration Committee, was read the second time at length and filed for third reading.

[S 1044](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 9](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 9](#) passed, title was approved, and the bill ordered returned to the House.

[H 38](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 38](#) passed, title was approved, and the bill ordered returned to the House.

[S 1008](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1008](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1026](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—Anthon, Brackett, Cheatham, Crabtree. Total - 4.

Total - 35.

Whereupon the President declared [S 1026](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1028](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—Anthon, Bair, Crabtree, Johnson. Total - 4.

Total - 35.

Whereupon the President declared [S 1028](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Messages from the House

February 12, 2019

Dear Madam President:

I transmit herewith Enrolled [H 66](#), [H 25](#), [H 10](#), [H 11](#), [H 12](#), and [H 72](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 66](#), [H 25](#), [H 10](#), [H 11](#), [H 12](#), and [H 72](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Lincoln Day Service.

The Lincoln Day Program was presented to the members of the Senate with Co-chairman Senator Bayer providing opening remarks. The prayer was offered by Pastor Jeff Estes, Fellowship Baptist Church, Nampa, Idaho.

"Battle Hymn of the Republic" was performed by Faith Sterling, accompanied by Lydia Estes on Flute, Jonathon Estes on Cello, Bethany Estes on Viola, and Heather Estes on Violin. Remarks were provided by Co-chairman Senator Woodward. "The Star Spangled Banner" was performed by Bethany Sondergaard.

Closing remarks were provided by Co-chairman Senator Bayer. She extended gratitude to all who helped with the program and the Lincoln Day Service was dissolved.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Jordan, by voice vote, the Senate adjourned at 11:57 a.m. until the hour of 11 a.m., Wednesday, February 13, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

THIRTY-EIGHTH LEGISLATIVE DAY WEDNESDAY, FEBRUARY 13, 2019

Senate Chamber

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

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

Prayer was offered by Senator Dan Johnson.

The Pledge of Allegiance was led by Emily White, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 12, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 12, 2019

The FINANCE Committee reports out [S 1077](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1077](#) was filed for second reading.

February 12, 2019

The TRANSPORTATION Committee reports out [S 1064](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1064](#) was filed for second reading.

February 12, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1013](#) with the recommendation that it do pass.

PATRICK, Chairman

[S 1013](#) was filed for second reading.

February 12, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1007](#) and [S 1037](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1007](#) and [S 1037](#) were referred to the Fourteenth Order of Business, General Calendar.

February 12, 2019

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

Gary Spackman as the Director of the Idaho Department of Water Resources, term to continue at the pleasure of the Governor.

HEIDER, Chairman

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

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

Messages from the House

February 12, 2019

Dear Madam President:

I transmit herewith [H 108](#), which has passed the House.

MAULIN, Chief Clerk

[H 108](#) was filed for first reading.

February 12, 2019

Dear Madam President:

I return herewith Enrolled [S 1031](#) and [S 1032](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1031](#) and [S 1032](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

On motion by Senator Buckner-Webb, seconded by Senator Martin, the Gubernatorial appointment of Joe McNeal as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

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

On motion by Senator Winder, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Kevin Settles as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

The President announced that [SCR 102](#) was before the Senate for final consideration.

Moved by Senator Souza, seconded by Senator Ward-Engelking, that [SCR 102](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward.
Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [SCR 102](#) adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [SJM 101](#) retained its place on the calendar for Thursday, February 14, 2019.

The Senate advanced to the Eleventh Order of Business.

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

S 1109

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO MOTORCYCLES; AMENDING CHAPTER 14, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1431, IDAHO CODE, TO PROVIDE THAT LAW ENFORCEMENT SHALL NOT ENGAGE IN MOTORCYCLE PROFILING AND TO DEFINE A TERM.

S 1110

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO BAIL ENFORCEMENT AGENTS; AMENDING SECTION 19-2914, IDAHO CODE, TO PROVIDE THAT BAIL ENFORCEMENT AGENTS MAY ARREST A DEFENDANT IN CERTAIN INSTANCES; AND AMENDING CHAPTER 29, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2914A, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE REQUIREMENTS FOR BAIL ENFORCEMENT AGENTS, TO PROVIDE FOR IDENTIFICATION REQUIREMENTS, TO PROVIDE FOR NOTIFICATION TO THE SHERIFF, TO PROHIBIT CERTAIN ACTS, TO PROVIDE PENALTIES, TO PROVIDE REQUIREMENTS FOR PROSECUTION, AND TO PROVIDE THAT A BAIL AGENT SHALL KEEP CERTAIN RECORDS.

S 1111

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE REVISED UNIFORM LAW ON NOTARIAL ACTS; AMENDING THE HEADING FOR CHAPTER 1, TITLE 51, IDAHO CODE; AMENDING SECTION 51-101, IDAHO CODE, TO REVISE THE SHORT TITLE; AMENDING SECTION 51-104, IDAHO CODE, TO PROVIDE THAT A NOTARIAL OFFICER MAY CERTIFY THAT A TANGIBLE COPY OF AN ELECTRONIC RECORD IS AN ACCURATE COPY; AMENDING CHAPTER 1, TITLE 51, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 51-114A, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR COMPLIANCE BY A REMOTELY LOCATED INDIVIDUAL, TO AUTHORIZE A NOTARY PUBLIC TO PERFORM A NOTARIAL ACT FOR A REMOTELY LOCATED INDIVIDUAL IN CERTAIN INSTANCES, TO PROVIDE FOR CERTIFICATION FOR A NOTARIAL ACT FOR A REMOTELY LOCATED INDIVIDUAL, TO PROVIDE FOR A SHORT FORM CERTIFICATE, TO PROVIDE THAT CERTAIN RECORDS SHALL BE RETAINED, TO PROVIDE FOR NOTIFICATION TO THE SECRETARY OF STATE, AND TO PROVIDE RULEMAKING AUTHORITY WITH CERTAIN CONSIDERATIONS; AMENDING SECTION 51-116, IDAHO CODE, TO PROVIDE FOR A CERTAIN STATEMENT REGARDING COMMUNICATION TECHNOLOGY; AMENDING SECTION 51-120, IDAHO CODE, TO PROVIDE THAT A RECORDER MAY ACCEPT A TANGIBLE COPY OF AN ELECTRONIC RECORD IN CERTAIN INSTANCES; AND PROVIDING AN EFFECTIVE DATE.

S 1112

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO CODIFIER'S CORRECTIONS; AMENDING SECTION 18-8315, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-521, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 33-1634, IDAHO CODE, AS ENACTED BY SECTION 3, CHAPTER 16, LAWS OF 2018, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-3728, IDAHO CODE, AS ENACTED BY SECTION 3, CHAPTER 96, LAWS OF 2018, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 36-106, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 36-1107, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE;

AMENDING SECTION 41-232, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-117, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-3112, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1705, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 63-3004, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE; AND AMENDING SECTION 67-823, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION.

S 1113
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO CAMPAIGN FINANCE REPORTS; AMENDING SECTION 67-6601, IDAHO CODE, TO REVISE THE PURPOSE OF THE ACT; AMENDING SECTION 67-6602, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE A TERM; AMENDING SECTION 67-6604, IDAHO CODE, TO PROVIDE FOR THE INSPECTION OF CERTAIN POLITICAL ACCOUNTS BY A COUNTY CLERK, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6606, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-6607, IDAHO CODE, TO REVISE PROVISIONS REGARDING REPORTS OF CONTRIBUTIONS AND EXPENDITURES BY CANDIDATES AND POLITICAL COMMITTEES; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6607A, IDAHO CODE, TO PROVIDE FOR LIMITED APPLICATION OF CAMPAIGN FINANCE REPORTING LAWS TO CERTAIN ELECTIONS; AMENDING SECTION 67-6608, IDAHO CODE, TO REVISE PROVISIONS REGARDING REPORTS OF UNEXPENDED BALANCES OR CAMPAIGN DEBT; AMENDING SECTION 67-6610A, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTRIBUTION LIMITS AND TO PROVIDE FOR APPLICABILITY TO SPECIAL ELECTIONS; AMENDING SECTION 67-6610B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6615, IDAHO CODE, TO PROVIDE FOR THE RESPECTIVE DUTIES OF THE SECRETARY OF STATE AND OF COUNTY CLERKS REGARDING THE INSPECTION OF STATEMENTS PURSUANT TO THIS CHAPTER, TO PROVIDE LEGISLATIVE INTENT, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6616, IDAHO CODE, TO PROVIDE FOR THE RESPECTIVE DUTIES OF THE SECRETARY OF STATE AND OF COUNTY CLERKS REGARDING THE EXAMINATION OF STATEMENTS FILED PURSUANT TO THIS CHAPTER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6621, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6623, IDAHO CODE, TO PROVIDE FOR THE RESPECTIVE DUTIES OF THE SECRETARY OF STATE AND OF COUNTY CLERKS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6625A, IDAHO CODE, TO PROVIDE THAT THE SECRETARY OF STATE OR COUNTY CLERK SHALL PROVIDE NOTIFICATION

TO PERSONS WHO HAVE FAILED TO FILE A REQUIRED STATEMENT OR REPORT; AMENDING SECTION 67-6626, IDAHO CODE, TO PROVIDE FOR THE ROLE OF A COUNTY CLERK IN AN INJUNCTION TO ENFORCE THE CHAPTER AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 1-2220A, IDAHO CODE, RELATING TO CAMPAIGN FINANCE REPORTING FOR MAGISTRATE RETENTION ELECTIONS; REPEALING SECTION 31-2012, IDAHO CODE, RELATING TO THE APPLICATION OF CAMPAIGN REPORTING LAW TO CERTAIN COUNTY ELECTIONS; AMENDING SECTION 33-503, IDAHO CODE, TO REMOVE A PROVISION REGARDING CAMPAIGN FINANCE REPORTING FOR CERTAIN SCHOOL TRUSTEE ELECTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-2106, IDAHO CODE, TO REMOVE A PROVISION REGARDING CAMPAIGN FINANCE REPORTING FOR COMMUNITY COLLEGE TRUSTEE ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 40-1417, IDAHO CODE, RELATING TO CAMPAIGN FINANCE REPORTING FOR COUNTY-WIDE HIGHWAY DISTRICT ELECTIONS; REPEALING SECTION 50-420, IDAHO CODE, RELATING TO CAMPAIGN FINANCE REPORTING IN CERTAIN CITY ELECTIONS; AMENDING SECTION 50-2006, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTION 67-4931, IDAHO CODE, RELATING TO CAMPAIGN FINANCE REPORTING FOR AUDITORIUM DISTRICT ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

S 1114
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO CAMPAIGN FINANCE; AMENDING SECTION 67-6602, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 67-6611, IDAHO CODE, TO REVISE THE FILING DEADLINES FOR REPORTING INDEPENDENT EXPENDITURES AND TO REQUIRE CERTAIN DISCLOSURES; AMENDING SECTION 67-6628, IDAHO CODE, TO REVISE THE FILING DEADLINES FOR REPORTING ELECTIONEERING COMMUNICATIONS, TO REQUIRE CERTAIN DISCLOSURES, AND TO REQUIRE A LEGIBLE AUTHORITY LINE IN ELECTIONEERING COMMUNICATIONS; AMENDING SECTION 67-6606, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 67-6621, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

[S 1109](#), [S 1110](#), [S 1111](#), [S 1112](#), [S 1113](#), and [S 1114](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 108](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

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

General Calendar

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

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

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [H 2](#) and [S 1005](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 2 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 37 and 38, and insert:

"(3) The administrator shall also have".

On page 2, in line 3, delete "work or" and insert: "work, or"; also in line 3, following "site" insert: ", or detain the vehicle"; in line 8, following "located" insert: "or the vehicle is detained"; delete lines 13 through 15, and insert: "training."; and following line 15, insert:

"(e) The director of the Idaho state police and the Idaho transportation board shall have authority on public highways to stop and inspect vehicles and enforce rules promulgated by the administrator pursuant to this section.".

AMENDMENT TO SECTION 2

On page 4, delete line 40, and insert: "on Idaho's public highways by the director of the Idaho state police and the Idaho transportation".

CORRECTION TO TITLE

On page 1, delete lines 3 through 6 and insert: "THE DIRECTOR OF THE IDAHO STATE POLICE AND THE IDAHO TRANSPORTATION BOARD MAY ISSUE SPECIFIED ORDERS UNDER CERTAIN CONDITIONS AND TO PROVIDE FOR DETAINMENT OF VEHICLES; AND AMENDING SECTION".

SENATE AMENDMENT TO S 1005 AMENDMENT TO SECTION 2

On page 1 of the printed bill, in line 33, delete ", including" and insert: "."; and delete lines 34 and 35.

On page 2, in line 1, following "removing," insert: "or"; also in line 1, delete "or pos-"; in line 2, delete "sessing"; in line 13, following "cause a" insert: "reasonable"; and in line 29, delete "." and insert: ".".

The Committee also has [S 1018](#), [H 42](#), and [S 1003](#) under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

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

[S 1005](#), as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 2](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:59 a.m. until the hour of 10:30 a.m., Thursday, February 14, 2019.

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

**THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 14, 2019**

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

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

Prayer was offered by Senator Cherie Buckner-Webb.

The Pledge of Allegiance was led by Isaac Lee, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 13, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 14, 2019

The JUDICIARY AND RULES Committee reports that [S 1109](#), [S 1110](#), [S 1111](#), [S 1112](#), [S 1113](#), and [S 1114](#) have been correctly printed.

LAKEY, Chairman

[S 1109](#) and [S 1110](#) were referred to the Judiciary and Rules Committee.

[S 1111](#), [S 1112](#), [S 1113](#), and [S 1114](#) were referred to the State Affairs Committee.

February 14, 2019

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 2](#) and [S 1005](#) have been correctly printed.

LAKEY, Chairman

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

February 14, 2019

The JUDICIARY AND RULES Committee reports that [S 1005](#), as amended, has been correctly engrossed.

LAKEY, Chairman

[S 1005](#), as amended, was filed for first reading.

February 13, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1031](#) and [S 1032](#) were delivered to the Office of the Governor at 1:20 p.m., February 13, 2019.

LAKEY, Chairman

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

February 13, 2019

The RESOURCES AND ENVIRONMENT Committee reports out [H 26](#), [H 44](#), and [HCR 7](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 26](#) and [H 44](#) were filed for second reading.

[HCR 7](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 13, 2019

The JUDICIARY AND RULES Committee reports out [S 1045](#) with the recommendation that it do pass.

LAKEY, Chairman

[S 1045](#) was filed for second reading.

February 13, 2019

The HEALTH AND WELFARE Committee reports out [H 8](#), [H 18](#), and [H 37](#) with the recommendation that they do pass.

MARTIN, Chairman

[H 8](#), [H 18](#), and [H 37](#) were filed for second reading.

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

Messages from the Governor

February 13, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Darrell Kerby of Bonners Ferry, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing February 12, 2019, and expiring February 12, 2023.

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

Sincerely,
/s/ Brad Little
Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 13, 2019

Dear Madam President:

I transmit herewith [H 67](#), [H 80](#), and [H 68](#), which have passed the House.

MAULIN, Chief Clerk

[H 67](#), [H 80](#), and [H 68](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senators Crabtree and Nelson were recorded present at this order of business.

Having been held, the President announced that [SJM 101](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Brackett, seconded by Senator Bair, [SJM 101](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Gary Spackman retained its place on the calendar for Monday, February 18, 2019.

The Senate advanced to the Eleventh Order of Business.

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

S 1115

BY FINANCE COMMITTEE AN ACT

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

S 1116

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO THE LIQUOR ACCOUNT; AMENDING SECTION 23-404, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPROPRIATIONS FOR CERTAIN FISCAL YEARS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1117

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO MALICIOUS HARASSMENT; AMENDING SECTION 18-7907, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONDUCT FOR A PETITION FOR A PROTECTION ORDER, TO PROVIDE FOR A VERIFIED PETITION, TO PROVIDE THAT CERTAIN EVIDENCE MAY BE ADMISSIBLE, TO REVISE A PROVISION REGARDING HEARINGS FOR A PROTECTION ORDER, TO REVISE PROVISIONS REGARDING ISSUANCE OF A PROTECTION ORDER, TO PROVIDE FOR THE IDAHO PUBLIC SAFETY AND SECURITY INFORMATION SYSTEM, TO REVISE A PROVISION REGARDING THE DURATION OF A PROTECTION ORDER, TO REMOVE A DEFINITION, TO REMOVE A PROVISION REGARDING HOW CERTAIN HEARINGS ARE CONDUCTED, AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 18-7908, IDAHO CODE, TO PROVIDE FOR A VERIFIED PETITION, TO REVISE PROVISIONS REGARDING GRANTING OF AN EX PARTE TEMPORARY PROTECTION ORDER, AND TO REVISE A PROVISION REGARDING THE DURATION OF AN EX PARTE TEMPORARY PROTECTION ORDER.

S 1118

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO SENTENCING; AMENDING SECTION 19-2521, IDAHO CODE, TO PROVIDE FOR A POLICY OF SENTENCING FOR PERSONS CONVICTED OF A CRIME, TO PROVIDE FOR CERTAIN FACTORS THAT SHALL BE ACCORDED WEIGHT IN FAVOR OF AVOIDING A SENTENCE OF IMPRISONMENT, TO PROVIDE FOR CERTAIN FACTORS THAT SHALL BE ACCORDED WEIGHT IN FAVOR OF A SENTENCE OF IMPRISONMENT, AND TO DEFINE A TERM.

S 1119

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO CIVIL ACTIONS; AMENDING SECTION 11-101, IDAHO CODE, TO PROVIDE FOR AN ORDER OF RENEWAL FOR AN EXECUTION ON CERTAIN JUDGMENTS.

S 1120

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO BAIL; AMENDING SECTION 19-2915, IDAHO CODE, TO PROVIDE FOR A SURETY INSURANCE COMPANY; AND AMENDING SECTION 19-2922, IDAHO CODE, TO PROVIDE FOR A SURETY INSURANCE COMPANY, TO PROVIDE THAT BAIL SHALL BE EXONERATED IN CERTAIN INSTANCES, AND TO MAKE A TECHNICAL CORRECTION.

S 1121

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO HOSPITALIZATION OF THE MENTALLY ILL; AMENDING SECTION 66-329, IDAHO CODE, TO PROVIDE THAT CERTAIN PATIENTS MAY BE COMMITTED WHEN DETERMINED TO BE DANGEROUS AND MENTALLY ILL.

S 1122
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO JUVENILES; AMENDING SECTION 19-4708, IDAHO CODE, TO PROVIDE FOR JUVENILE OFFENDERS, TO REVISE A DEFINITION, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 20-520, IDAHO CODE, TO PROVIDE FOR A CERTAIN MONTHLY PROBATION SUPERVISION FEE, TO PROVIDE THAT THE CLERK OF THE COURT MAY USE CERTAIN PROCEDURES REGARDING DEBTS, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 20-529, IDAHO CODE, TO PROVIDE THAT COUNTY JUVENILE PROBATION SERVICES MAY BE PAID FOR FROM CERTAIN FUNDS; AND AMENDING SECTION 20-532, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

S 1123
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO COURTS; AMENDING SECTION 1-1624, IDAHO CODE, TO REVISE A DEFINITION AND TO REMOVE A PROVISION REGARDING DEBTS LESS THAN FIFTY DOLLARS.

S 1124
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO DOMESTIC RELATIONS; REPEALING SECTION 32-719, IDAHO CODE, RELATING TO VISITATION RIGHTS OF GRANDPARENTS AND GREAT-GRANDPARENTS; AND AMENDING TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 18, TITLE 32, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT AND PURPOSE, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING A PETITION FOR VISITATION RIGHTS BY A GRANDPARENT OR GREAT-GRANDPARENT, TO ESTABLISH PROVISIONS REGARDING BEST INTERESTS OF A CHILD, TO PROVIDE THAT A PETITION MAY NOT BE FILED AND A CERTAIN ACTION OR ORDER MUST BE SUSPENDED IF A CHILD IS THE SUBJECT OF A PENDING CHILD PROTECTION CASE, AND TO PROVIDE THAT AN ACTION OR ORDER MAY RESUME AT THE CLOSE OF THE CHILD PROTECTION CASE UNDER CERTAIN CIRCUMSTANCES.

[S 1115](#), [S 1116](#), [S 1117](#), [S 1118](#), [S 1119](#), [S 1120](#), [S 1121](#), [S 1122](#), [S 1123](#), and [S 1124](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 2](#), as amended in the Senate, by Transportation and Defense Committee, was read the first time at length and filed for second reading.

[S 1005](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[H 67](#) and [H 80](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 68](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1077](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1064](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1013](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [S 1020](#) was recommitted to the State Affairs Committee.

[S 1047](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the President declared [S 1047](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 62](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 62](#) passed, title was approved, and the bill ordered returned to the House.

[S 1049](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Patrick, Rice, Souza, Thayn, Vick, Winder, Woodward. Total - 29.

NAYS--Buckner-Webb, Burgoyne, Jordan, Nye, Stennett, Ward-Engelking. Total - 6.

Total - 35.

Whereupon the President declared **S 1049** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, **SJR 101** retained its place on the Third Reading Calendar for Monday, February 18, 2019.

H 31 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 31** passed, title was approved, and the bill ordered returned to the House.

H 32 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 32** passed, title was approved, and the bill ordered returned to the House.

H 34 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cheatham arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 34** passed, title was approved, and the bill ordered returned to the House.

S 1043 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1043** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Jordan, by voice vote, the Senate adjourned at 12:01 p.m. until the hour of 10:45 a.m., Friday, February 15, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FORTIETH LEGISLATIVE DAY
FRIDAY, FEBRUARY 15, 2019

Senate Chamber

President McGeachin called the Senate to order at 10:45 a.m.

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

Prayer was offered by Senator Michelle Stennett.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 14, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

SJM 102 **BY STATE AFFAIRS COMMITTEE** A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the growth and abuse of federal regulatory authority threatens our constitutional liberties, including those guaranteed by the Bill of Rights in the First, Second, Fourth, and Fifth Amendments of our Constitution; and

WHEREAS, federal regulators must be more accountable to elected representatives of the people and not immune from such accountability; and

WHEREAS, the United States House of Representatives has passed the Regulations from the Executive in Need of Scrutiny (REINS) Act to require that Congress approve major new federal regulations before they can take effect; and

WHEREAS, even if enacted, a law may be repealed or waived by a future Congress and President; and

WHEREAS, an amendment to the United States Constitution does not require the President's approval and cannot be waived by a future Congress and President.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we hereby urge the United States Congress to vote to propose the Regulation Freedom Amendment to the United States Constitution as follows:

Whenever one quarter of the members of the United States House of Representatives or the United States Senate transmits to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House of Representatives and the Senate to adopt that regulation.

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

[SJM 102](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 15, 2019

The JUDICIARY AND RULES Committee reports that [S 1115](#), [S 1116](#), [S 1117](#), [S 1118](#), [S 1119](#), [S 1120](#), [S 1121](#), [S 1122](#), [S 1123](#), and [S 1124](#) have been correctly printed.

LAKEY, Chairman

[S 1115](#) was referred to the Finance Committee.

[S 1116](#), [S 1117](#), [S 1118](#), [S 1119](#), [S 1120](#), [S 1121](#), [S 1122](#), [S 1123](#), and [S 1124](#) were referred to the Judiciary and Rules Committee.

February 14, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1006](#), [S 1012](#), and [S 1053](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1006](#), [S 1012](#), and [S 1053](#) were filed for second reading.

February 14, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1070](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1070](#) was referred to the Fourteenth Order of Business, General Calendar.

February 14, 2019

The HEALTH AND WELFARE Committee reports out [H 22](#), [S 1054](#), [S 1055](#), and [S 1098](#) with the recommendation that they do pass.

MARTIN, Chairman

[H 22](#), [S 1054](#), [S 1055](#), and [S 1098](#) were filed for second reading.

February 14, 2019

The EDUCATION Committee reports out [S 1058](#), [S 1105](#), and [S 1107](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1058](#), [S 1105](#), and [S 1107](#) were filed for second reading.

February 14, 2019

The EDUCATION Committee reports out [S 1060](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1060](#) was referred to the Fourteenth Order of Business, General Calendar.

February 15, 2019

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

Allan Schneider to the Commission for the Blind and Visually Impaired, term to expire July 1, 2021.

MARTIN, Chairman

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

February 15, 2019

The STATE AFFAIRS Committee reports out [H 64](#) and [HJM 1](#) with the recommendation that they do pass.

LODGE, Chairman

[H 64](#) was filed for second reading.

[HJM 1](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

Messages from the House

February 14, 2019

Dear Madam President:

I transmit herewith [H 45](#), [H 46](#), [H 58](#), [H 59](#), [HCR 11](#), and [H 132](#), which have passed the House.

MAULIN, Chief Clerk

[H 45](#), [H 46](#), [H 58](#), [H 59](#), [HCR 11](#), and [H 132](#) were filed for first reading.

February 14, 2019

Dear Madam President:

I transmit herewith Enrolled [H 9](#) and [H 38](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 9](#) and [H 38](#) and ordered them returned to the House.

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

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

S 1125

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO WAREHOUSES; AMENDING SECTION 69-223, IDAHO CODE, TO PROVIDE FOR ELECTRONIC NEGOTIABLE WAREHOUSE RECEIPTS AND TO MAKE TECHNICAL CORRECTIONS.

S 1126

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PROVIDING MONEYS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE; AMENDING SECTION 40-719, IDAHO CODE, TO EXTEND AN EFFECTIVE DATE AND TO PROVIDE A FUNDING LIMITATION; AMENDING SECTION 57-814, IDAHO CODE, TO PROVIDE A FUNDING LIMITATION; AMENDING SECTION 13, CHAPTER 322, LAWS OF 2017, TO EXTEND A SUNSET DATE; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1127

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE INTERSTATE AGREEMENT ON DETAINERS; AMENDING SECTION 19-5007, IDAHO CODE, TO REVISE A PROVISION REGARDING THE ADMINISTRATOR OF THE AGREEMENT ON DETAINERS.

[S 1125](#), [S 1126](#), and [S 1127](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 45](#), by Business Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 46](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 58](#) and [H 59](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 11](#), by Agricultural Affairs Committee, was introduced, read at length, and referred to the Agricultural Affairs Committee.

[H 132](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 26](#), by Environment, Energy and Technology Committee, was read the second time at length and filed for third reading.

[H 44](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[S 1045](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 8](#), [H 18](#), and [H 37](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 2](#), as amended in the Senate, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1005](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1029](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Buckner-Webb, Burgoyne, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Stennett, Thayne, Winder. Total - 22.

NAYS—Agenbroad, Bayer, Brackett, Cheatham, Crabtree, Den Hartog, Lee, Rice, Souza, Vick, Woodward. Total - 11.

Absent and excused—Burtenshaw, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [S 1029](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Vick, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:29 a.m. until the hour of 10:45 a.m., Monday, February 18, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FORTY-THIRD LEGISLATIVE DAY
MONDAY, FEBRUARY 18, 2019

Senate Chamber

President McGeachin called the Senate to order at 10:45 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Jakob Alt, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 15, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

Senator Lodge was recorded present at this order of business.

February 18, 2019

The JUDICIARY AND RULES Committee reports that [SJM 102](#), [S 1125](#), [S 1126](#), and [S 1127](#) have been correctly printed.

LAKEY, Chairman

[SJM 102](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1125](#) was referred to the Agricultural Affairs Committee.

[S 1126](#) was referred to the Transportation Committee.

[S 1127](#) was referred to the Judiciary and Rules Committee.

February 15, 2019

The FINANCE Committee reports out [H 132](#) and [S 1115](#) with the recommendation that they do pass.

BAIR, Chairman

[H 132](#) and [S 1115](#) were filed for second reading.

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

Messages from the House

February 15, 2019

Dear Madam President:

I transmit herewith [H 103](#), [H 63](#), [H 100](#), and [H 105](#), which have passed the House.

MAULIN, Chief Clerk

[H 103](#), [H 63](#), [H 100](#), and [H 105](#) were filed for first reading.

February 15, 2019

Dear Madam President:

I return herewith [SCR 101](#), which has passed the House.

MAULIN, Chief Clerk

[SCR 101](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having been held, the President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Gary Spackman was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Stennett, the Gubernatorial reappointment of Gary Spackman as the Director of the Idaho Department of Water Resources was confirmed by voice vote.

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

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

On motion by Senator Jordan, seconded by Senator Heider, the Gubernatorial reappointment of Allan Schneider as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

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

The President announced that [HCR 7](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Brackett, seconded by Senator Ward-Engelking, [HCR 7](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HJM 1](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Martin, seconded by Senator Jordan, [HJM 1](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

**S 1128
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2019; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

[S 1128](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 103](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 63](#) and [H 100](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 105](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1006](#), [S 1012](#), and [S 1053](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 22](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1054](#), [S 1055](#), and [S 1098](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1058](#), [S 1105](#), and [S 1107](#), by Education Committee, were read the second time at length and filed for third reading.

[H 64](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[SJR 101](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lent, Martin, Mortimer, Nelson, Nye, Patrick, Souza, Stennett, Ward-Engelking, Winder. Total - 25.

NAYS—Bayer, Den Hartog, Johnson, Lee, Lodge, Rice, Thayne, Vick, Woodward. Total - 9.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared [SJR 101](#) adopted, title was approved, and the resolution ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:14 p.m. until the hour of 10:45 a.m., Tuesday, February 19, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FORTY-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 19, 2019

Senate Chamber

President McGeachin called the Senate to order at 10:45 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Katie Angell, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 18, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 19, 2019

The JUDICIARY AND RULES Committee reports that [S 1128](#) has been correctly printed.

LAKEY, Chairman

[S 1128](#) was referred to the Finance Committee.

February 18, 2019

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

LAKEY, Chairman

The President signed Enrolled [SCR 101](#) and ordered it transmitted to the House for the signature of the Speaker.

February 18, 2019

The JUDICIARY AND RULES Committee reports out [S 1119](#), [S 1123](#), [S 1091](#), [S 1122](#), [S 1116](#), [S 1117](#), and [S 1093](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1119](#), [S 1123](#), [S 1091](#), [S 1122](#), [S 1116](#), [S 1117](#), and [S 1093](#) were filed for second reading.

February 18, 2019

The RESOURCES AND ENVIRONMENT Committee reports out [S 1083](#), [S 1084](#), [S 1085](#), and [S 1086](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1083](#), [S 1084](#), [S 1085](#), and [S 1086](#) were filed for second reading.

February 18, 2019

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

Ford Elsaesser to the Lake Pend Oreille Basin Commission, term to expire July 24, 2021.

Louis Fatkin to the Parks and Recreation Board, term to expire June 30, 2023.

HEIDER, Chairman

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

Senator Lodge was recorded present at this order of business.

February 18, 2019

The EDUCATION Committee reports out [HCR 6](#) and [S 1057](#) with the recommendation that they do pass.

MORTIMER, Chairman

[HCR 6](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1057](#) was filed for second reading.

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

Messages from the House

February 18, 2019

Dear Madam President:

I transmit herewith [H 88](#), [HCR 10](#), and [HJM 4](#), which have passed the House.

MAULIN, Chief Clerk

[H 88](#), [HCR 10](#), and [HJM 4](#) were filed for first reading.

February 18, 2019

Dear Madam President:

I return herewith [S 1024](#) and [S 1039](#), which have passed the House.

MAULIN, Chief Clerk

[S 1024](#) and [S 1039](#) were referred to the Judiciary and Rules Committee for enrolling.

February 18, 2019

Dear Madam President:

I transmit herewith Enrolled [H 62](#), [H 31](#), [H 32](#), and [H 34](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 62](#), [H 31](#), [H 32](#), and [H 34](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [SJM 102](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Vick, seconded by Senator Harris, [SJM 102](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1129 BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO DENTISTS; AMENDING SECTION 54-900, IDAHO CODE, TO PROVIDE FOR DENTAL THERAPISTS; AMENDING CHAPTER 9, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-902A, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 54-903, IDAHO CODE, TO DEFINE A TERM AND TO REVISE DEFINITIONS; AMENDING CHAPTER 9, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-906A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE UNLAWFUL PRACTICE OF DENTAL THERAPY; AMENDING SECTION 54-912, IDAHO CODE, TO PROVIDE FOR DENTAL THERAPY; AMENDING SECTION 54-913, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTIFICATES OF QUALIFICATION AND LICENSES; AMENDING SECTION 54-915, IDAHO CODE, TO PROVIDE FOR THE QUALIFICATIONS REQUIRED OF DENTAL THERAPISTS; AMENDING SECTION 54-916, IDAHO CODE, TO PROVIDE FOR DENTAL THERAPISTS; AMENDING CHAPTER 9, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-916C, IDAHO CODE, TO PROVIDE FOR DENTAL THERAPY LICENSURE BY CREDENTIALS; AMENDING SECTION 54-918, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXAMINATIONS; AMENDING SECTION 54-920, IDAHO CODE, TO PROVIDE FOR LICENSING AND LICENSE FEES FOR DENTAL THERAPISTS; AMENDING SECTION 54-922, IDAHO CODE, TO REQUIRE DISPLAY OF A DENTAL THERAPY LICENSE; AMENDING SECTION 54-923, IDAHO CODE, TO PROVIDE FOR REVOCATION OF A DENTAL THERAPY LICENSE; AMENDING SECTION 54-924, IDAHO CODE, TO REVISE PROVISIONS REGARDING GROUNDS OF REFUSAL, REVOCATION, OR SUSPENSION OF DENTISTS; AMENDING CHAPTER 9, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-926, IDAHO CODE, TO PROVIDE

FOUNDATIONS FOR REVOCATION OR SUSPENSION OF DENTAL THERAPISTS; AMENDING SECTION 54-930, IDAHO CODE, TO PROVIDE EXCEPTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-932, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR LOST OR DESTROYED DENTAL THERAPIST CERTIFICATES OR LICENSES; AND AMENDING SECTION 54-935, IDAHO CODE, TO PROVIDE FOR DENTAL THERAPISTS AND TO MAKE TECHNICAL CORRECTIONS.

[S 1129](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 88](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[HCR 10](#) and [HJM 4](#), by Resources and Conservation Committee, were introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 132](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1115](#), by Finance Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 43](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [H 43](#) passed, title was approved, and the bill ordered returned to the House.

[S 1044](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1044](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1077](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1077](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1064](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Johnson that [S 1064](#) be referred to the Fourteenth Order of Business. Senator Rice objected.

Moved by Senator Johnson, seconded by Senator Den Hartog, that [S 1064](#) be referred to the Fourteenth Order of Business for amendment. The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES—Buckner-Webb, Den Hartog, Harris, Johnson, Nye, Patrick, Ward-Engelking. Total - 7.

NAYS—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Cheatham, Crabtree, Grow, Guthrie, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Rice, Stennett, Thayn, Vick, Winder, Woodward. Total - 26.

Absent and excused—Burtenshaw, Souza. Total - 2.

Total - 35.

Whereupon the President declared that the motion to refer [S 1064](#) to the Fourteenth Order of Business for amendment did not prevail. The question being, "Shall [S 1064](#) pass?"

Roll call resulted as follows:

AYES—Agenbroad, Brackett, Buckner-Webb, Burgoyne, Grow, Hill, Jordan, Lent, Lodge, Martin, Nelson, Nye, Rice, Stennett, Winder. Total - 15.

NAYS—Anthon, Bair, Bayer, Cheatham, Crabtree, Den Hartog, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Mortimer, Patrick, Thayn, Vick, Ward-Engelking, Woodward. Total - 18.

Absent and excused—Burtenshaw, Souza. Total - 2.

Total - 35.

Whereupon the President declared that [S 1064](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1013](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1013](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:03 p.m. until the hour of 10:30 a.m., Wednesday, February 20, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

**FORTY-FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 20, 2019**

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Lodge, Souza, and Thayn, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Bret Bagley, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 19, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 20, 2019

The JUDICIARY AND RULES Committee reports that [S 1129](#) has been correctly printed.

LAKEY, Chairman

[S 1129](#) was referred to the Health and Welfare Committee.

February 19, 2019

The JUDICIARY AND RULES Committee reports that [S 1024](#) and [S 1039](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1024](#) and [S 1039](#) and ordered them transmitted to the House for the signature of the Speaker.

February 19, 2019

The AGRICULTURAL AFFAIRS Committee reports out [H 60](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[H 60](#) was filed for second reading.

February 19, 2019

The FINANCE Committee reports out [S 1128](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1128](#) was filed for second reading.

February 19, 2019

The TRANSPORTATION Committee reports out [S 1065](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1065](#) was filed for second reading.

February 19, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 3](#), [H 4](#), [S 1011](#), [S 1048](#), and [S 1073](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 3](#), [H 4](#), [S 1011](#), [S 1048](#), and [S 1073](#) were filed for second reading.

February 19, 2019

The HEALTH AND WELFARE Committee reports out [HCR 3](#), [S 1075](#), and [S 1096](#) with the recommendation that they do pass.

MARTIN, Chairman

[HCR 3](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1075](#) and [S 1096](#) were filed for second reading.

Senators Souza and Thayn were recorded present at this order of business.

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

Messages from the House

February 19, 2019

Dear Madam President:

I transmit herewith [H 71](#), [H 73](#), [H 94](#), [H 114](#), [H 116](#), [H 134](#), [HCR 15](#), and [HJM 9](#), which have passed the House.

MAULIN, Chief Clerk

[H 71](#), [H 73](#), [H 94](#), [H 114](#), [H 116](#), [H 134](#), [HCR 15](#), and [HJM 9](#) were filed for first reading.

February 19, 2019

Dear Madam President:

I return herewith [S 1041](#), which has passed the House.

MAULIN, Chief Clerk

[S 1041](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Lodge was recorded present at this order of business.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Ford Elsaesser was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Patrick, seconded by Senator Jordan, the Gubernatorial reappointment of Ford Elsaesser as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

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

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

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

S 1130

BY FINANCE 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; AND DECLARING AN EMERGENCY.

S 1130 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 71, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 73, by Business Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 94, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 114 and **H 116**, by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 134, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 15 and **HJM 9**, by Ways and Means Committee, were introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1119, **S 1123**, **S 1091**, **S 1122**, **S 1116**, **S 1117**, and **S 1093**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1083, **S 1084**, **S 1085**, and **S 1086**, by Resources and Environment Committee, were read the second time at length and filed for third reading.

S 1057, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 26 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 26** passed, title was approved, and the bill ordered returned to the House.

H 44 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burtenshaw, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 28.

NAYS—Anthon, Burgoyne, Cheatham, Crabtree, Den Hartog, Lent, Rice. Total - 7.

Total - 35.

Whereupon the President declared **H 44** passed, title was approved, and the bill ordered returned to the House.

S 1045 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1045** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:27 a.m. until the hour of 10:30 a.m., Thursday, February 21, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

**FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 21, 2019**

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Paige Evans, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 20, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

SJM 103

BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the United States and Canada have one of the largest trading relationships in the world. Canada is the United States' largest export market, valued at \$320 billion in goods and services, and the United States is Canada's largest export market, valued at \$308 billion in goods and services; and

WHEREAS, free, fair, open, and mutually beneficial trade between our two countries will continue to strengthen the economies of both countries; and

WHEREAS, in 2016, trade between the United States and Canada totaled over \$1.7 billion in goods and services every day, supporting nine million jobs in the United States and 2.1 million jobs in Canada; and

WHEREAS, in the more than 20 years since the United States, Canada, and Mexico entered into the North American Free Trade Agreement (NAFTA), North American trade has tripled from \$340 billion in 1993 to \$1.2 trillion in 2016; and

WHEREAS, on March 1, 2018, the United States announced tariffs on steel and aluminum, initially granting waivers to Canada and Mexico; and

WHEREAS, on June 30, 2018, the United States revoked the waivers, levying tariffs on both Canada and Mexico; and

WHEREAS, on July 1, 2018, Canada imposed retaliatory tariffs on United States products totaling \$12.8 billion, and on July 5, 2018, Mexico imposed retaliatory tariffs on United States products worth \$3 billion; and

WHEREAS, North American integration under NAFTA has helped to make the region more competitive in the world economy by providing highly integrated and valuable supply chains, common rules, and harmonized regulations that increase the speed and global competitiveness of our businesses, driving investment and imbedding value in each others' economic success, and providing jobs in North American communities that depend on efficient and effective supply chains; and

WHEREAS, Canada and Mexico are, respectively, the no. 1 and no. 3 export markets for United States agricultural products; and

WHEREAS, since NAFTA was signed in 1992, agricultural exports from the United States have increased from \$8.7 billion in 1992 to \$39 billion in 2017; and

WHEREAS, Canada was Idaho's largest trade partner in 2017, with total exports exceeding \$845 million and total imports exceeding \$1 billion; and

WHEREAS, Canada, Mexico, and the United States have, in signing the United States, Mexico, and Canada Agreement (USMCA), agreed to make targeted improvements to NAFTA that build on the enormously successful North American partnership and our shared competitiveness in the global marketplace.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we support the ratification of USMCA and urge Congress to ratify the agreement as soon as possible.

BE IT FURTHER RESOLVED that we encourage President Trump's administration to renew its original waiver on steel and aluminum tariffs for Canada and Mexico.

BE IT FURTHER RESOLVED that we call on Canada and Mexico to remove retaliatory tariffs on all United States goods and services.

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

SJM 103 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 21, 2019

The JUDICIARY AND RULES Committee reports that [S 1130](#) has been correctly printed.

LAKEY, Chairman

[S 1130](#) was referred to the Finance Committee.

February 20, 2019

The JUDICIARY AND RULES Committee reports that [S 1041](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1041](#) and ordered it transmitted to the House for the signature of the Speaker.

February 20, 2019

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

Celia Gould as the Director of the Department of Agriculture, term to continue at the pleasure of the Governor.

GUTHRIE, Chairman

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

February 20, 2019

The STATE AFFAIRS Committee reports out [S 1113](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1113](#) was filed for second reading.

February 20, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 86](#) and [H 87](#) with the recommendation that they do pass.

RICE, Chairman

[H 86](#) and [H 87](#) were filed for second reading.

February 20, 2019

The RESOURCES AND ENVIRONMENT Committee reports out [H 67](#) and [S 1088](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 67](#) and [S 1088](#) were filed for second reading.

February 20, 2019

The JUDICIARY AND RULES Committee reports out [S 1109](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [S 1109](#) was referred to the Fourteenth Order of Business, General Calendar.

February 20, 2019

The EDUCATION Committee reports out [S 1059](#) and [S 1108](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1059](#) and [S 1108](#) were filed for second reading.

February 20, 2019

The EDUCATION Committee reports out [S 1104](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1104](#) was referred to the Fourteenth Order of Business, General Calendar.

February 21, 2019

The HEALTH AND WELFARE Committee reports out [H 59](#) and [S 1129](#) with the recommendation that they do pass.

MARTIN, Chairman

[H 59](#) and [S 1129](#) were filed for second reading.

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

Messages from the House

February 20, 2019

Dear Madam President:

I transmit herewith [H 159](#), [H 76](#), [H 90](#), [H 107](#), [H 91](#), and [H 156](#), which have passed the House.

MAULIN, Chief Clerk

[H 159](#), [H 76](#), [H 90](#), [H 107](#), [H 91](#), and [H 156](#) were filed for first reading.

February 20, 2019

Dear Madam President:

I return herewith [S 1030](#), which has passed the House.

MAULIN, Chief Clerk

[S 1030](#) was referred to the Judiciary and Rules Committee for enrolling.

February 20, 2019

Dear Madam President:

I transmit herewith Enrolled [HCR 7](#) and [HJM 1](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 7](#) and [HJM 1](#) and ordered them returned to the House.

February 20, 2019

Dear Madam President:

I return herewith Enrolled [SCR 101](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 101](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Louis Fatkin and HCR 6 retained their place on the calendar.

The President announced that [HCR 3](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Jordan, seconded by Senator Souza, [HCR 3](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the following attaches were elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute:

Pages:

Jakob Alt, McCall
Katie Angell, Rexburg
Bret Bagley, Rexburg
Paige Evans, Eagle
Alex Knowlton, Meridian
Taylor McMullin, Meridian
Makenna Moore, Mt. Home
Lauren Pattee, Eagle

Whereupon the President instructed the Sergeant-at-Arms to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

On request by Senator Winder, granted by unanimous consent, the gubernatorial appointment of Louis Fatkin was placed before the Senate for consideration at this time.

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

On motion by Senator Mortimer, seconded by Senator Stennett, the Gubernatorial appointment of Louis Fatkin as a member of the Parks and Recreation Board was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, [HCR 6](#) retained its place on the calendar for Friday, February 22, 2019.

The Senate advanced to the Eleventh Order of Business.

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

S 1131

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO TRAFFIC ENFORCEMENT; AMENDING SECTION 49-1422, IDAHO CODE, TO PROVIDE CERTAIN PENALTIES FOR OVERTAKING A SCHOOL BUS AND TO MAKE TECHNICAL CORRECTIONS.

S 1132

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO UNCLAIMED PROPERTY; AMENDING SECTION 14-542, IDAHO CODE, TO PROVIDE FOR BROADBAND SERVICE, TO PROVIDE A CERTAIN EXEMPTION FOR A NONPROFIT CORPORATION, AND TO MAKE TECHNICAL CORRECTIONS.

S 1133

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE SPECIAL COMMITTEE ON CRIMINAL JUSTICE REINVESTMENT OVERSIGHT; AMENDING SECTION 67-456, IDAHO CODE, TO REVISE THE DATE WHEN THE COMMITTEE SHALL CEASE TO EXIST.

S 1134

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO JURIES; AMENDING SECTION 2-206, IDAHO CODE, TO PROVIDE FOR COUNTY JURY LISTS, TO PROVIDE THAT THE JURY COMMISSION MAY USE CERTAIN INFORMATION FROM THE SUPREME COURT, TO PROVIDE THAT THE SUPREME COURT SHALL COMPILE AND MAINTAIN A MASTER JURY LIST, AND TO PROVIDE THAT THE SUPREME COURT MAY REQUEST CERTAIN INFORMATION; AMENDING SECTION 2-207, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MANNER OF UPDATING MASTER AND COUNTY JURY LISTS AND TO PROVIDE FOR THE METHOD AND TIMING OF UPDATING JURY LISTS; AMENDING SECTION 2-208, IDAHO CODE, TO REVISE A PROVISION REGARDING NAMES DRAWN FROM THE COUNTY JURY LIST AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 2-210, IDAHO CODE, TO REVISE PROVISIONS REGARDING NAMES IN A JURY PANEL; AMENDING SECTION 2-212, IDAHO CODE, TO REVISE A PROVISION REGARDING A PERSON EXCUSED FROM JURY SERVICE; AMENDING SECTION 2-213, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY.

[S 1131](#), [S 1132](#), [S 1133](#), and [S 1134](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 159](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 76](#), [H 90](#), and [H 107](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[H 91](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 156](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 60](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[S 1128](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1065](#), by Transportation Committee, was read the second time at length and filed for third reading.

[H 3](#) and [H 4](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1011](#), [S 1048](#), and [S 1073](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1075](#) and [S 1096](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [S 1018](#), [H 42](#), [S 1007](#), [S 1070](#), and [S 1060](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1018 AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 5 through 12, and insert:

"SECTION 1. That Section 18-2508, Idaho Code, be, and the same is hereby amended to read as follows:

18-2508. ~~INMATES OF PERSONS COMMITTED TO PUBLIC INSTITUTIONS - ENTICING, AIDING TO ESCAPE, OR HARBORING OR EMPLOYING UNLAWFUL.~~ (1) It shall be unlawful for any person, ~~firm, copartnership, corporation or association~~ to knowingly entice, the escape of or harbor, employ, or aid, assist or abet in the escape, enticing, harboring or employment of any delinquent, insane, feeble-minded or incorrigible person committed to, or confined in any institution maintained by the state for the treatment, education or welfare of ~~delinquent or feeble-minded, incorrigible or insane persons committed to or confined therein.~~

(2) ~~Any person who violates the provisions of subsection (1) of this section shall be guilty of a misdemeanor and on conviction shall be punished by a fine not exceeding one thousand dollars (\$1,000) or imprisonment in the county jail for a period not exceeding one (1) year, or both.~~

SECTION 2. That Section 18-2509, Idaho Code, be, and the same is hereby repealed."

CORRECTION TO TITLE

On page 1, delete lines 2 and 3, and insert: "RELATING TO PRISONERS; AMENDING SECTION 18-2508, IDAHO CODE, TO REVISE A PROVISION REGARDING THE ESCAPE OR HARBORING OF CERTAIN PERSONS AND TO PROVIDE A PENALTY; AND REPEALING SECTION 18-2509, IDAHO CODE, RELATING TO PUNISHMENT FOR A VIOLATION OF THE PRECEDING SECTION."

SENATE AMENDMENT TO H 42 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 12, delete "AND DECISIONS"; and delete lines 23 and 24, and insert: "a counteroffer; or".

CORRECTION TO TITLE

On page 1, in line 5, delete "AND TO CLARIFY THAT DECISIONS"; delete line 6; and in line 7, delete "SESSION".

SENATE AMENDMENT TO S 1007 AMENDMENT TO SECTION 12

On page 8 of the printed bill, in line 3, delete "includes" and insert: "is based on"; delete lines 5 and 6; and in line 7, delete "ment" and insert: "judgment has been entered and execution returned unsatisfied, may file a verified claim in the same case in which the underlying judgment".

SENATE AMENDMENT TO S 1070 AMENDMENT TO SECTION 2

On page 9 of the printed bill, in line 17, following "retirement benefit" insert: "and receiving any wages, as described in section 72-1328, Idaho Code.".

SENATE AMENDMENT TO S 1060 AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 29 through 31, and insert: "to this section."

SENATE AMENDMENT TO S 1060 AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 40, following "training." insert: "A person for whom funding is made available pursuant to this subsection shall not be eligible for the advanced opportunities scholarship described in section 33-4602, Idaho Code."

The Committee also has [S 1003](#) and [S 1037](#) under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

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

[S 1018](#), as amended, [S 1007](#), as amended, [S 1070](#), as amended, and [S 1060](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 42](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

S 1005, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **S 1005**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1006 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **S 1006** passed, title was approved, and the bill ordered transmitted to the House.

S 1012 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **S 1012** passed, title was approved, and the bill ordered transmitted to the House.

S 1053 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **S 1053** passed, title was approved, and the bill ordered transmitted to the House.

S 1054 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **S 1054** passed, title was approved, and the bill ordered transmitted to the House.

S 1055 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **S 1055** passed, title was approved, and the bill ordered transmitted to the House.

S 1098 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1098](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:01 p.m. until the hour of 10:15 a.m., Friday, February 22, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 22, 2019

Senate Chamber

Acting President Winder called the Senate to order at 10:15 a.m.

Roll call showed all members present except President Pro Tempore Hill and Senators Buckner-Webb, Nelson, and Rice, absent and formally excused by the Chair; and Senator Lodge, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Alex Knowlton, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 21, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 22, 2019

The JUDICIARY AND RULES Committee reports that [SJM 103](#), [S 1131](#), [S 1132](#), [S 1133](#), and [S 1134](#) have been correctly printed.

LAKEY, Chairman

[SJM 103](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1131](#) was referred to the Transportation Committee.

[S 1132](#) was referred to the State Affairs Committee.

[S 1133](#) and [S 1134](#) were referred to the Judiciary and Rules Committee.

February 22, 2019

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1018](#), [H 42](#), [S 1007](#), [S 1070](#), and [S 1060](#) have been correctly printed.

LAKEY, Chairman

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

February 22, 2019

The JUDICIARY AND RULES Committee reports that [S 1018](#), as amended, [S 1007](#), as amended, [S 1070](#), as amended, and [S 1060](#), as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1018](#), as amended, [S 1007](#), as amended, [S 1070](#), as amended, and [S 1060](#), as amended, were filed for first reading.

February 21, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 101](#) was delivered to the Office of the Secretary of State at 1:45 p.m., February 21, 2019.

LAKEY, Chairman

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

February 21, 2019

The FINANCE Committee reports out [H 159](#) and [S 1130](#) with the recommendation that they do pass.

BAIR, Chairman

[H 159](#) and [S 1130](#) were filed for second reading.

February 21, 2019

The AGRICULTURAL AFFAIRS Committee reports out [S 1125](#), [S 1082](#), and [HCR 11](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[S 1125](#) and [S 1082](#) were filed for second reading.

[HCR 11](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 22, 2019

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

Erik Olsen to the State Soil and Water Conservation Commission, term to expire July 1, 2023.

GUTHRIE, Chairman

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

February 21, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 7](#), [H 27](#), [H 46](#), [H 108](#), [S 1069](#), and [S 1097](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 7](#), [H 27](#), [H 46](#), [H 108](#), [S 1069](#), and [S 1097](#) were filed for second reading.

February 21, 2019

The HEALTH AND WELFARE Committee reports out [H 58](#) with the recommendation that it do pass.

MARTIN, Chairman

[H 58](#) was filed for second reading.

February 21, 2019

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

David Jeppesen as the Director of the Idaho Department of Health and Welfare, term to continue at the pleasure of the Governor.

John Tippets as the Director of the Department of Environmental Quality, term to continue at the pleasure of the Governor.

MARTIN, Chairman

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

February 21, 2019

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

Eric Anderson to the Public Utilities Commission, term to expire January 14, 2025.

Travis Prairie to the Idaho Energy Resources Authority, term to expire June 30, 2023.

LODGE, Chairman

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

February 21, 2019

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

Honorable Jeff Brudie to the Idaho Judicial Council, term to expire June 30, 2025.

LAKEY, Chairman

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

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

Messages from the Governor

February 21, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that James V. Giuffre of Boise, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing February 13, 2019, and expiring February 13, 2023.

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

Sincerely,
/s/ Brad Little
Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 21, 2019

Dear Mr. President:

I transmit herewith [H 157](#), [H 109](#), [H 74](#), and [H 75](#), which have passed the House.

MAULIN, Chief Clerk

[H 157](#), [H 109](#), [H 74](#), and [H 75](#) were filed for first reading.

February 21, 2019

Dear Mr. President:

I return herewith Enrolled [S 1024](#) and [S 1039](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1024](#) and [S 1039](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having been held, the Acting President announced that [HCR 6](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lent, seconded by Senator Ward-Engelking, [HCR 6](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Acting President announced that the Agricultural Affairs Committee report relative to the Gubernatorial reappointment of Celia Gould was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Jordan, the Gubernatorial reappointment of Celia Gould as the Director of the Department of Agriculture was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1135

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1136

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1135](#) and [S 1136](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 42](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1018](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1007](#), as amended, and [S 1070](#), as amended, by Commerce and Human Resources Committee, were read the first time at length and filed for second reading.

[S 1060](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[H 157](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 109](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 74](#) and [H 75](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Brackett, granted by unanimous consent, [S 1088](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1113](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 86](#) and [H 87](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[H 67](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[S 1059](#) and [S 1108](#), by Education Committee, were read the second time at length and filed for third reading.

[H 59](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1129](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1058](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Heider, Lakey, Lent, Lodge, Martin, Mortimer, Patrick, Souza, Thayn, Vick, Winder, Woodward. Total - 21.

NAYS—Brackett, Buckner-Webb, Burgoyne, Guthrie, Harris, Johnson, Jordan, Lee, Nelson, Nye, Stennett, Ward-Engelking. Total - 12.

Absent and excused—Hill, Rice. Total - 2.

Paired and voting included in roll call:

AYE - Heider	NAY - Buckner-Webb
AYE - Crabtree	NAY - Nelson

Total - 35.

Whereupon the President declared [S 1058](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Motions and Resolutions

At this time Senator Anthon arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the Acting President appointed Senator Den Hartog, Chairman, and Senators Bayer and Nye to escort United States Congressman Fulcher into the Senate Chamber where he addressed the members of the Senate.

The Acting President Winder thanked United States Congressman Fulcher for his remarks and Senator Den Hartog, Chairman, and Senators Bayer and Nye escorted the Congressman from the Chamber, and the Committee was discharged.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:24 a.m. until the hour of 10:15 a.m., Monday, February 25, 2019.

WINDER, Acting President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FIFTIETH LEGISLATIVE DAY
MONDAY, FEBRUARY 25, 2019

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:15 a.m.

Roll call showed all members present except Senators Buckner-Webb, Den Hartog, Harris, Lodge, and Rice, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Taylor McMullin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 22, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 103

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF ADMINISTRATION RELATING TO RULES OF THE DIVISION OF PURCHASING.

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 Administration relating to Rules of the Division of Purchasing 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 Senate and the House of Representatives concurring therein, that IDAPA 38.05.01, Rules of the Division of Purchasing, Section 114., Subsection 02.b., adopted as a pending rule under Docket Number 38-0501-1801, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

[SCR 103](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 25, 2019

The JUDICIARY AND RULES Committee reports that [S 1135](#) and [S 1136](#) have been correctly printed.

LAKEY, Chairman

[S 1135](#) and [S 1136](#) were referred to the Finance Committee.

Senator Den Hartog was recorded present at this order of business.

February 21, 2019

The JUDICIARY AND RULES Committee reports that [S 1030](#) has been correctly enrolled.

LAKEY, Chairman

The President Pro Tempore signed Enrolled [S 1030](#) and ordered it transmitted to the House for the signature of the Speaker.

February 22, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1024](#) and [S 1039](#) were delivered to the Office of the Governor at 3:53 p.m., February 22, 2019.

LAKEY, Chairman

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

February 22, 2019

The STATE AFFAIRS Committee reports out [S 1076](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1076](#) was filed for second reading.

Senator Buckner-Webb was recorded present at this order of business.

February 22, 2019

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

Janet Gallimore as the State Historic Preservation Officer, term to continue at the pleasure of the Governor.

LODGE, Chairman

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

February 25, 2019

The STATE AFFAIRS Committee reports out [H 68](#), [H 73](#), [S 1111](#), and [S 1112](#) with the recommendation that they do pass.

LODGE, Chairman

[H 68](#), [H 73](#), [S 1111](#), and [S 1112](#) were filed for second reading.

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

Messages from the Governor

February 14, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1031](#) and [S 1032](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

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

February 22, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Linda Hatzenbuehler of Pocatello, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing February 13, 2019, and expiring February 13, 2023.

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

Sincerely,
/s/ Brad Little
Governor

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 22, 2019

Dear Mr. President:

I transmit herewith [H 89](#), [H 126](#), [HCR 13](#), [HCR 14](#), [H 160](#), and [H 161](#), which have passed the House.

MAULIN, Chief Clerk

[H 89](#), [H 126](#), [HCR 13](#), [HCR 14](#), [H 160](#), and [H 161](#) were filed for first reading.

Senator Rice was recorded present at this order of business.

February 21, 2019

Dear Mr. President:

I transmit herewith Enrolled [H 43](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 43](#) and ordered it returned to the House.

February 22, 2019

Dear Mr. President:

I transmit herewith Enrolled [H 26](#) and [H 44](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 26](#) and [H 44](#) and ordered them returned to the House.

February 22, 2019

Dear Mr. President:

I return herewith Enrolled [S 1041](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1041](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Lodge was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that [SJM 103](#) was before the Senate for final consideration.

Moved by Senator Winder, seconded by Senator Stennett, that [SJM 103](#) be adopted. The question being, "Shall the memorial be adopted?"

Roll call resulted as follows:

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

NAYS—Bayer. Total - 1.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SJM 103](#) adopted, title was approved, and the memorial ordered transmitted to the House.

The President Pro Tempore announced that [HCR 11](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Nelson, seconded by Senator Guthrie, [HCR 11](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

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

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

S 1137

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO LOBBYING; AMENDING SECTION 67-6602, IDAHO CODE, TO DEFINE TERMS AND TO REVISE A DEFINITION; AMENDING SECTION 67-6606, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-6617, IDAHO CODE, TO REVISE PROVISIONS REGARDING LOBBYIST REGISTRATION REQUIREMENTS; AMENDING SECTION 67-6618, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXEMPTIONS FROM LOBBYIST REGISTRATION; AMENDING SECTION 67-6619, IDAHO CODE, TO REVISE PROVISIONS REGARDING REPORTS FILED BY LOBBYISTS; AMENDING SECTION 67-6619A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-6621, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DUTIES OF LOBBYISTS AND TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 74-106, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM THE PUBLIC RECORDS LAW FOR CERTAIN E-MAIL ADDRESSES, TO PROVIDE CORRECT TERMINOLOGY, AND TO MAKE TECHNICAL CORRECTIONS.

S 1138

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION 54-1002, IDAHO CODE, TO PROVIDE FOR PROVISIONAL JOURNEYMAN ELECTRICIANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1003, IDAHO CODE, TO PROVIDE FOR PROVISIONAL JOURNEYMAN ELECTRICIANS; AMENDING SECTION 54-1003A, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1005, IDAHO CODE, TO PROVIDE FOR PROVISIONAL JOURNEYMAN ELECTRICIANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1006, IDAHO CODE, TO PROVIDE FOR PROVISIONAL JOURNEYMAN ELECTRICIANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1007, IDAHO CODE, TO PROVIDE FOR PROVISIONAL JOURNEYMAN ELECTRICIANS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1008, IDAHO CODE, TO SPECIFY THE DURATION OF PROVISIONAL JOURNEYMAN ELECTRICIAN'S LICENSES; AND AMENDING SECTION 54-1014, IDAHO CODE, TO SPECIFY CERTAIN FEES.

[S 1137](#) and [S 1138](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 89](#) and [H 126](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[HCR 13](#) and [HCR 14](#), by Health and Welfare Committee, were introduced, read at length, and referred to the Health and Welfare Committee.

[H 160](#) and [H 161](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 159](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1130](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1125](#) and [S 1082](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 7](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 27](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 46](#), by Business Committee, was read the second time at length and filed for third reading.

[H 108](#), by Local Government Committee, was read the second time at length and filed for third reading.

[S 1069](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1097](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 58](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 42](#), as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1018](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1007](#), as amended, and [S 1070](#), as amended, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1060](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

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

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [H 2](#), as amended in the Senate, was placed before the Senate for consideration at this time.

[H 2](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 2](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[S 1105](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1105](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1107](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1107](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1115](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1115](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1119](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1119](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1123](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1123](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1091](#) retained its place on the Third Reading Calendar for Thursday, February 28, 2019.

[S 1122](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1122](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1116](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1116](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1117](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1117](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1093](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1093](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1083](#) retained its place on the Third Reading Calendar for Wednesday, February 27, 2019.

[S 1084](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1084](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1085](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1085](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1086](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Patrick disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1086](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1057](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1057](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1128](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1128](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 12:08 p.m. until the hour of 10 a.m., Tuesday, February 26, 2019.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, FEBRUARY 26, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Makenna Moore, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 25, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

Senator Patrick was recorded present at this order of business.

February 26, 2019

The JUDICIARY AND RULES Committee reports that [SCR 103](#), [S 1137](#), and [S 1138](#) have been correctly printed.

LAKEY, Chairman

[SCR 103](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1137](#) was referred to the State Affairs Committee.

[S 1138](#) was referred to the Commerce and Human Resources Committee.

February 25, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1041](#) was delivered to the Office of the Governor at 2:45 p.m., February 25, 2019.

LAKEY, Chairman

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

February 25, 2019

The FINANCE Committee reports out [S 1135](#) and [S 1136](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1135](#) and [S 1136](#) were filed for second reading.

February 25, 2019

The RESOURCES AND ENVIRONMENT Committee reports out [H 80](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 80](#) was filed for second reading.

February 25, 2019

The JUDICIARY AND RULES Committee reports out [S 1071](#), [S 1072](#), and [S 1127](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1071](#), [S 1072](#), and [S 1127](#) were filed for second reading.

February 25, 2019

The JUDICIARY AND RULES Committee reports out [S 1110](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [S 1110](#) was referred to the Fourteenth Order of Business, General Calendar.

February 26, 2019

The HEALTH AND WELFARE Committee reports out [S 1034](#) and [S 1099](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

MARTIN, Chairman

There being no objection, [S 1034](#) and [S 1099](#) were referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

February 25, 2019

Dear Madam President:

I transmit herewith [H 106](#), [H 117](#), [HCR 12](#), [HJM 5](#), [HJM 8](#), [H 133](#), and [H 112](#), which have passed the House.

MAULIN, Chief Clerk

[H 106](#), [H 117](#), [HCR 12](#), [HJM 5](#), [HJM 8](#), [H 133](#), and [H 112](#) were filed for first reading.

February 25, 2019

Dear Madam President:

I transmit herewith Enrolled [HCR 3](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 3](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

On motion by Senator Nelson, seconded by Senator Den Hartog, the Gubernatorial appointment of Erik Olsen as a member of the State Soil and Water Conservation Commission was confirmed by voice vote.

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

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

On motion by Senator Martin, seconded by Senator Nelson, the Gubernatorial appointment of David Jeppesen as the Director of the Idaho Department of Health and Welfare was confirmed by voice vote.

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

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

On motion by Senator Heider, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of John Tippets as the Director of the Department of Environmental Quality was confirmed by voice vote.

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

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

On motion by Senator Vick, seconded by Senator Nye, the Gubernatorial reappointment of Eric Anderson as a member of the Public Utilities Commission was confirmed by voice vote.

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

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

On motion by Senator Lent, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Travis "Bear" Prairie as a member of the Idaho Energy Resources Authority was confirmed by voice vote.

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

The President announced that the Judiciary and Rules Committee report relative to the Idaho State Bar reappointment of the Honorable Jeff Brudie was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Lee disclosed a possible conflict of interest under applicable law.

On motion by Senator Cheatham, seconded by Senator Burgoyne, the Idaho State Bar reappointment of the Honorable Jeff Brudie as a member of the Idaho Judicial Council was confirmed by voice vote.

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

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

On motion by Senator Stennett, seconded by Senator Winder, the Gubernatorial reappointment of Janet Gallimore as the State Historic Preservation Officer was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

H 106, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 117, by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

HCR 12, HJM 5, and HJM 8, by Resources and Conservation Committee, were introduced, read at length, and referred to the Resources and Environment Committee.

H 133, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 112, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1076](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 68](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 73](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1111](#) and [S 1112](#), by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Patrick, granted by unanimous consent, [S 1073](#) was referred to the Commerce and Human Resources Committee.

[S 1065](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Crabtree, Grow, Heider, Hill, Jordan, Lakey, Lee, Lodge, Martin, Nelson, Rice, Stennett, Ward-Engelking, Winder. Total - 20.

NAYS—Bair, Bayer, Cheatham, Den Hartog, Guthrie, Harris, Johnson, Lent, Mortimer, Nye, Patrick, Souza, Thayne, Vick, Woodward. Total - 15.

Total - 35.

Whereupon the President declared [S 1065](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1011](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1011](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1048](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1048](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 4:15 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 4:15 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Anthon, Brackett, Lodge, and Patrick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 26, 2019

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

John D. Hayden Jr. to the State Board of Correction, term to expire January 30, 2025.

LAKEY, Chairman

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

February 26, 2019

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

Kermit Kiebert to the Board of Environmental Quality, term to expire July 1, 2022.

Mark Bowen to the Board of Environmental Quality, term to expire July 1, 2022.

MARTIN, Chairman

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

February 26, 2019

The TRANSPORTATION Committee reports out [H 76](#), [H 89](#), and [H 105](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 76](#), [H 89](#), and [H 105](#) were filed for second reading.

Senators Lodge and Patrick were recorded present at this order of business.

February 26, 2019

The TRANSPORTATION Committee reports out [S 1131](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [S 1131](#) was referred to the Fourteenth Order of Business, General Calendar.

February 26, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 5](#), [H 6](#), and [H 71](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 5](#), [H 6](#), and [H 71](#) were filed for second reading.

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

Messages from the Governor

February 26, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1024](#) and [S 1041](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

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

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

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [S 1075](#) and [S 1059](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1096](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1096](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1113](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—Rice. Total - 1.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1113](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1108](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Ward-Engelking, Winder, Woodward. Total - 31.

NAYS—Bayer, Cheatham, Vick. Total - 3.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1108](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1129](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate.

On request by Senator Heider, granted by unanimous consent, [S 1129](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1130](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward.
Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1130](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1125](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward.
Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1125](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:30 p.m. until the hour of 10 a.m., Wednesday, February 27, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FIFTY-SECOND LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 27, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Lauren Pattee, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 26, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 104

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

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.

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 Industrial Commission relating to Administrative Rules of the Industrial Commission Under the Workers' Compensation Law, Security for Compensation, and Self-Insured Employers 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 Senate and the House of Representatives concurring therein, that IDAPA 17.02.11, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law, Security for Compensation, and Self-Insured Employers, Section 051., Subsection 08.e.ii., adopted as a pending rule under Docket Number 17-0211-1802, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

SCR 105

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

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.

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 Industrial Commission relating to Administrative Rules of the Industrial Commission Under the Workers' Compensation Law, Security for Compensation, and Insurance Carriers 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 Senate and the House of Representatives concurring therein, that IDAPA 17.02.10, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law, Security for Compensation, and Insurance Carriers, Section 051., Subsection 08.e.ii., adopted as a pending rule under Docket Number 17-0210-1802, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

SCR 106

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DIVISION OF BUILDING SAFETY RELATING TO RULES CONCERNING IDAHO STATE PLUMBING CODE.

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 Building Safety relating to Rules Concerning Idaho State Plumbing Code 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 Senate and the House of Representatives concurring therein, that IDAPA 07.02.06, Rules Concerning Idaho State Plumbing Code, Section 011., Subsection 35., adopted as a pending rule under Docket Number 07-0206-1702, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

[SCR 104](#), [SCR 105](#), and [SCR 106](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 27, 2019

The STATE AFFAIRS Committee reports out [H 63](#), [S 1078](#), [S 1079](#), [S 1080](#), and [S 1081](#) with the recommendation that they do pass.

LODGE, Chairman

[H 63](#), [S 1078](#), [S 1079](#), [S 1080](#), and [S 1081](#) were filed for second reading.

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

Messages from the House

February 26, 2019

Dear Madam President:

I transmit herewith [H 162](#), [H 153](#), [H 113](#), [H 124](#), [HJM 6](#), [H 155](#), [H 171](#), [H 173](#), [H 165](#), and [H 174](#), which have passed the House.

MAULIN, Chief Clerk

[H 162](#), [H 153](#), [H 113](#), [H 124](#), [HJM 6](#), [H 155](#), [H 171](#), [H 173](#), [H 165](#), and [H 174](#) were filed for first reading.

February 26, 2019

Dear Madam President:

I return herewith [S 1077](#), which has passed the House.

MAULIN, Chief Clerk

[S 1077](#) was referred to the Judiciary and Rules Committee for enrolling.

Senator Lodge was recorded present at this order of business.

February 26, 2019

Dear Madam President:

I transmit herewith Enrolled [HCR 6](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 6](#) and ordered it returned to the House.

February 26, 2019

Dear Madam President:

I return herewith Enrolled [S 1030](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1030](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [SCR 103](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Harris, seconded by Senator Buckner-Webb, [SCR 103](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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

On motion by Senator Burgoyne, seconded by Senator Grow, the Gubernatorial appointment of John D. Hayden Jr. as a member of the State Board of Correction was confirmed by voice vote.

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

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

On motion by Senator Heider, seconded by Senator Stennett, the Gubernatorial reappointment of Kermit Kiebert as a member of the Board of Environmental Quality was confirmed by voice vote.

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

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

On motion by Senator Jordan, seconded by Senator Harris, the Gubernatorial appointment of Mark Bowen as a member of the Board of Environmental Quality was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

[H 162](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 153](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 113](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 124](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HJM 6](#), by Transportation and Defense Committee, was introduced, read at length, and referred to the Transportation Committee.

[H 155](#), [H 171](#), and [H 173](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 165](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 174](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1135](#) and [S 1136](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 80](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[S 1071](#) and [S 1072](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1127](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 76](#), [H 89](#), and [H 105](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 5](#) and [H 6](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 71](#), by Business Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Heider, granted by unanimous consent, [S 1129](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Lee, granted by unanimous consent, [S 1075](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1083](#), having been held to a date certain, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1083](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1059](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1059](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1082](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1082](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1069](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1069](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1097](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1097](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1018](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

[S 1007](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 28.

NAYS—Cheatham, Crabtree, Lent, Rice, Vick, Woodward. Total - 6.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1007](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1070](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1070](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1060](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1060](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1076](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Guthrie, Jordan, Lakey, Lodge, Nelson, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 22.

NAYS—Bair, Burtenshaw, Grow, Harris, Heider, Hill, Johnson, Lee, Lent, Martin, Mortimer, Nye. Total - 12.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1076](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1111](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1111](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1112](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward.
Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1112](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 42](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward.
Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 42](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:03 p.m. until the hour of 10 a.m., Thursday, February 28, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, FEBRUARY 28, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Jakob Alt, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 27, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

PETITION TO WAIVE JOINT RULE 20

We, the majority leadership of the Senate, petition that the President waive the provisions of Joint Rule 20 pertaining to the limitation on introduction of proposed constitutional amendments, which would permit the introduction and consideration of SJR 102. The joint resolution provides for certain rights of crime victims and provides that individual rights under the Federal Constitution and Idaho Constitution are not superceded.

/s/ President Pro Tempore, Brent Hill

/s/ Senate Majority Leader, Chuck Winder

/s/ Assistant Majority Leader, Steve Vick

/s/ Majority Caucus Chair, Kelly Anthon

/s/ Minority Leader, Michelle Stennett

/s/ Assistant Minority Leader, Cherie Buckner-Webb

/s/ Minority Caucus Chair, Maryanne Jordan

Upon presentation of the petition, the President waived the provisions of Joint Rule 20 for the introduction of SJR 102. The correspondence was ordered filed in the office of the Secretary of the Senate.

SJR 102

BY JUDICIARY AND RULES COMMITTEE

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 22, ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO RIGHTS OF CRIME VICTIMS; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[SJR 102](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Martin was recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 28, 2019

The JUDICIARY AND RULES Committee reports that [SCR 104](#), [SCR 105](#), and [SCR 106](#) have been correctly printed.

LAKEY, Chairman

[SCR 104](#), [SCR 105](#), and [SCR 106](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 27, 2019

The JUDICIARY AND RULES Committee reports that [S 1077](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1077](#) and ordered it transmitted to the House for the signature of the Speaker.

February 27, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1030](#) was delivered to the Office of the Governor at 2:07 p.m., February 27, 2019.

LAKEY, Chairman

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

February 27, 2019

The FINANCE Committee reports out [H 174](#) with the recommendation that it do pass.

BAIR, Chairman

[H 174](#) was filed for second reading.

February 27, 2019

The JUDICIARY AND RULES Committee reports out [S 1074](#), [S 1134](#), and [S 1133](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1074](#), [S 1134](#), and [S 1133](#) were filed for second reading.

February 27, 2019

The EDUCATION Committee reports out [S 1061](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1061](#) was referred to the Fourteenth Order of Business, General Calendar.

February 27, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 91](#) and [H 103](#) with the recommendation that they do pass.

RICE, Chairman

[H 91](#) and [H 103](#) were filed for second reading.

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

Messages from the Governor

February 27, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1039](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 27, 2019

Dear Madam President:

I transmit herewith Enrolled [HCR 11](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 11](#) and ordered it returned to the House.

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

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

[S 1139](#)

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE

DIVISION OF MEDICAID FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

[S 1140](#)

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PUBLIC HEALTH SERVICES DIVISION FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE FOSTER AND ASSISTANCE PAYMENTS PROGRAM FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICAID ADMINISTRATION AND MEDICAL MANAGEMENT PROGRAM FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE HEALTH CARE POLICY INITIATIVES PROGRAM FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE SOUTHWEST IDAHO TREATMENT CENTER PROGRAM FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE SELF-RELIANCE OPERATIONS PROGRAM FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PUBLIC HEALTH SERVICES DIVISION FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

[S 1141](#)

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REQUIREMENTS FOR THE PAYMENT OF OUTSIDE COUNSEL COSTS; AND PROVIDING REQUIREMENTS FOR THE PAYMENT OF CAPITAL REPRESENTATION COSTS.

[S 1142](#)

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE ENDOWMENT FUND INVESTMENT BOARD FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE ENDOWMENT FUND INVESTMENT BOARD FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING A CONTINUOUS APPROPRIATION FOR CERTAIN COSTS; AND PROVIDING REQUIREMENTS FOR THE TRANSFER OF MONEYS FROM EARNINGS RESERVE FUNDS TO INCOME FUNDS.

S 1143**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE LAVA HOT SPRINGS FOUNDATION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE LAVA HOT SPRINGS FOUNDATION FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1144**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE COMMISSION OF PARDONS AND PAROLE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE COMMISSION OF PARDONS AND PAROLE FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1145**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2020; AND EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS.

S 1146**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO JUDGES; AMENDING SECTION 59-502, IDAHO CODE, TO REVISE A PROVISION REGARDING THE SALARY OF JUSTICES OF THE SUPREME COURT.

[S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), [S 1145](#), and [S 1146](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 63](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1078](#), [S 1079](#), [S 1080](#), and [S 1081](#), by State Affairs Committee, were read the second time at length and filed for third reading.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [S 1037](#), [S 1109](#), [S 1088](#), [S 1034](#), [S 1099](#), [S 1129](#), and [S 1075](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1037

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 11, following "any surveyor" insert: "or his subordinate"; and delete lines 23 through 26, and insert:

"(4) The surveyor, or any employee or agent of the land surveyor, may not enter upon land for the purpose of surveying, performing other survey work, or establishing a permanent survey monument without first providing prior notice to the landowner or occupant by first class mail or by personal notice. If the land is occupied by a person other than the landowner, prior notice must also be given to the occupant by first class mail or by personal notice. Notice that is given by first class mail must be mailed as soon as practicable following the contract or agreement to perform the work and at least seven (7) days prior to the entry onto the land unless the notice period is waived in writing by the landowner, occupant, or an agent thereof. Notice that is given by personal notice must be hand-delivered to the landowner or occupant or, if hand delivery cannot be accomplished, it may be posted in a conspicuous place where the landowner or occupant may reasonably be expected to see the notice. The notice shall give the professional land surveyor's name, address, telephone number, purpose, availability of the survey, and the presence of any temporary or permanent monuments or other markers to be established by the surveyor and left on the land. The surveyor or his agent or employee shall cooperate with the landowner, occupant, or agent thereof to avoid disruption of a business or agricultural operation."

SENATE AMENDMENT TO S 1109

AMENDMENT TO SECTION 1

On page 1 of the printed bill, following line 15, insert:

"(3) Nothing in this section shall be construed to create a cause of action against any individual, the state of Idaho, any counties or cities of the state, or any law enforcement entity within the state."

CORRECTION TO TITLE

On page 1, in line 4, delete "AND TO DEFINE A TERM" and insert: ", TO DEFINE A TERM, AND TO PROVIDE THAT NO CAUSE OF ACTION SHALL BE CREATED".

SENATE AMENDMENT TO S 1088

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 46, following "ties." insert: "The commission may prescribe by rule the manner and conditions of using the permits or tags authorized under this subsection."

SENATE AMENDMENT TO S 1034

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 15, following "covering" insert: "food and drug administration approved"; in line 16, delete "and" and insert: ","; and in line 17, before "shall" insert: ", and meeting health benefit plan coverage criteria".

AMENDMENT TO THE BILL

On page 1, following line 27, insert:

"SECTION 2. This act shall be in full force and effect on and after January 1, 2020."

CORRECTION TO TITLE

On page 1, in line 4, following "MEDICATIONS" insert: "; AND PROVIDING AN EFFECTIVE DATE".

SENATE AMENDMENT TO S 1099

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 6 through 41; and delete page 2, and insert:

"SECTION 1. That Section 39-1202, Idaho Code, be, and the same is hereby amended to read as follows:

39-1202. DEFINITIONS. For the purposes of this chapter:

(1) "Board" means the Idaho board of health and welfare.
 (2) "Child care" means that care, control, supervision or maintenance of children for twenty-four (24) hours a day which is provided as an alternative to parental care.

(3) "Child" means an individual less than eighteen (18) years of age who is not enrolled in an institution of higher education.

(4) "Children's agency" means a person who operates a business for the placement of children in foster homes or for adoption in a permanent home and who does not provide child care as part of that business. Children's agency does not include a licensed attorney or physician assisting or providing natural and adoptive parents with legal services or medical services necessary to initiate and complete adoptive placements.

(5) "Children's camp" means a program of child care at a location away from the child's home which is primarily recreational and includes the overnight accommodation of the child and is not intended to provide treatment, therapy or rehabilitation for the child.

(6) "Children's institution" means a person who operates a residential facility for children not related to that person if that person is an individual, for the purpose of providing child care. Children's institutions include, but are not limited to, foster homes, maternity homes, children's therapeutic outdoor programs, or any facilities providing treatment, therapy or rehabilitation for children. Children's institutions do not include: (a) facilities which provide only daycare as defined in chapter 11, title 39, Idaho Code; (b) facilities and agencies including hospitals, skilled nursing facilities, intermediate care facilities, and intermediate care facilities for people with intellectual disabilities licensed pursuant to chapter 13, title 39, Idaho Code; (c) day schools; (d) individuals acting in an advisory capacity, counseling a child in a religious context, and providing no child care associated with the advice; (e) the occasional or irregular care of a neighbor's, relative's or friend's child or children by a person not ordinarily engaged in child care.

(7) "Children's residential care facility" means a children's institution, excluding:

- (a) Foster homes;
- (b) Residential schools;
- (c) Children's camps; and
- (d) Temporary alcohol-drug abuse treatment facilities.

No facility expressly excluded from the definition of a children's institution is included within the definition of a children's residential care facility.

(8) "Children's therapeutic outdoor program" is a program which is designed to provide behavioral, substance abuse, or mental health services to minors in an outdoor setting. This does not include children's camps, church camps, or other outdoor programs primarily designed to be educational or recreational, such as Boy Scouts, Girl Scouts, 4-H or sports camps.

(9) "Continued care" means the ongoing placement of an individual in a foster home, children's residential care facility, or

transitional living placement who reaches the age of eighteen (18) years but is less than twenty-one (21) years of age.

(10) "Day school" means a public, private, parochial or secular facility offering an educational program in which the children leave the facility each day at the conclusion of the academic, vocational or school supervised activities.

(11) "Department" means the state department of health and welfare.

(12) "Director" means the director of the department of health and welfare.

(13) "Foster care" means child care by a person not related to the child, in lieu of parental care, in a foster home.

(14) "Foster home" means a home which accepts, for any period of time, with or without compensation, one (1) or more children who are not related to the foster parent as members of the household for the purpose of providing substitute parental care.

(15) "Group care" means foster care of a number of children for whom child care in a family setting is not available or appropriate, in a dormitory or cottage type setting, characterized by activities and discipline of a more regimented and less formal nature than found in a family setting.

(16) "Juvenile detention" is as defined in section 20-502(6), Idaho Code, of the juvenile corrections act.

(17) "Juvenile detention center" means a facility established pursuant to sections 20-517 and 20-518, Idaho Code.

(18) "Person" includes any individual, group of individuals, association, partnership, limited liability company or corporation.

(19) "Placement" means finding a suitable licensed foster home or suitable adoptive home for a child and completing the arrangements for a child to be accepted into and adjusted to such home.

(20) "Relative" means a child's grandparent, great grandparent, aunt, great aunt, uncle, great uncle, brother-in-law, sister-in-law, first cousin, sibling and half-sibling.

(21) "Representative" means an employee of the state department of health and welfare.

(22) "Residential facility" means any facility where child care is provided, as defined in this section, and which provides day and night accommodation.

(23) "Residential school" means a residential facility for children which:

(a) Provides a planned, scheduled, regular, academic or vocational school program for students in the elementary, middle or secondary grades as defined in section 33-1001, Idaho Code; and

(b) Provides services substantially comparable to those provided in nonresidential public schools where the primary purpose is the education and academic pursuits of the students; and

(c) Does not seek, receive or enroll students for treatment of such special needs as substance abuse, mental illness, emotional disturbance, developmental disability or intellectual disability; and

(d) Is not:

(i) A college or university; or

(ii) A children's camp as defined in this section; or

(iii) A public or private day school in which the children leave the facility each day at the conclusion of the academic, vocational and school supervised activities.

(24) "Transitional living" means living arrangements and aftercare services for children, or as continued care, to gain experience living on their own in a supportive and supervised environment prior to emancipation.

(25) "Temporary alcohol-drug abuse treatment facility" means a children's residential care facility specializing in providing programs of treatment for children whose primary

problem is alcohol or drug abuse, for children thirteen (13) through seventeen (17) years of age where the child will not spend more than four (4) months in a temporary alcohol-drug abuse treatment facility per calendar year, and meet the following requirements:

- (a) The child has a prescription from a medical doctor verifying the child's need for substance abuse disorder or alcohol treatment;
- (b) The child's parent, guardian, or other legal custodian has signed a consent for the child to obtain routine medical care, emergency medical and surgical care, and substance abuse disorder treatment for the child;
- (c) The program conducts criminal history background checks on all staff, volunteers, and others who have direct access to children; and
- (d) The program passes all zoning, electrical, plumbing, public health district, food safety and sanitation inspections for applicable residential businesses."

CORRECTION TO TITLE

On page 1, delete lines 2 through 4 and insert:

"RELATING TO CHILD CARE LICENSING; AMENDING SECTION 39-1202, IDAHO CODE, TO REVISE A DEFINITION AND TO PROVIDE A DEFINITION."

SENATE AMENDMENT TO S 1129

AMENDMENT TO SECTION 3

On page 3 of the printed bill, delete lines 20 through 25, and insert:

"(c) Dental therapy preventative treatment and preventative services provided in a school or long-term care facility in an incorporated city that is wholly or partially within or has a border contiguous to the boundaries of a tribal reservation."

SENATE AMENDMENT TO S 1075

AMENDMENT TO SECTION 10

On page 5 of the printed bill, in line 27, following "regulations" insert: "effective as of January 1, 2019".

The Committee also has [S 1003](#), [S 1104](#), [S 1110](#), and [S 1131](#) under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

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

[S 1037](#), as amended, [S 1109](#), as amended, [S 1088](#), as amended, [S 1034](#), as amended, [S 1099](#), as amended, [S 1129](#), as amended, and [S 1075](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [S 1091](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1018](#), as amended, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1018](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1135](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1135](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1136](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1136](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1071](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1071](#) passed, title was approved, and the bill ordered transmitted to the House.

S 1072 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1072** passed, title was approved, and the bill ordered transmitted to the House.

S 1127 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **S 1127** passed, title was approved, and the bill ordered transmitted to the House.

H 8 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 8** passed, title was approved, and the bill ordered returned to the House.

H 18 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 18** passed, title was approved, and the bill ordered returned to the House.

H 37 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jordan arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 37** passed, title was approved, and the bill ordered returned to the House.

H 22 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 22** passed, title was approved, and the bill ordered returned to the House.

H 64 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Patrick, Rice, Souza, Thayn, Vick, Winder, Woodward. Total - 26.

NAYS—Buckner-Webb, Burgoyne, Johnson, Jordan, Nelson, Nye, Stennett, Ward-Engelking. Total - 8.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared **H 64** passed, title was approved, and the bill ordered returned to the House.

H 132 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—Guthrie, Harris, Patrick. Total - 3.

Total - 35.

Whereupon the President declared **H 132** passed, title was approved, and the bill ordered returned to the House.

H 60 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared **H 60** passed, title was approved, and the bill ordered returned to the House.

H 3 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Crabtree, Grow, Heider, Hill, Johnson, Jordan, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Souza, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 24.

NAYS—Anthon, Bair, Bayer, Cheatham, Den Hartog, Guthrie, Harris, Lakey, Mortimer, Vick. Total - 10.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared **H 3** passed, title was approved, and the bill ordered returned to the House.

H 4 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared **H 4** passed, title was approved, and the bill ordered returned to the House.

H 86 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—Johnson, Winder. Total - 2.

Total - 35.

Whereupon the President declared **H 86** passed, title was approved, and the bill ordered returned to the House.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:01 p.m. until the hour of 4:15 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 4:15 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Den Hartog and Rice, absent and formally excused by the Chair; and Senators Bair, Brackett, Heider, Lakey, Lodge, and Stennett, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Brackett, Heider, and Stennett were recorded present at this order of business.

February 28, 2019

The JUDICIARY AND RULES Committee reports that [SJR 102](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), [S 1145](#), and [S 1146](#) have been correctly printed.

LAKEY, Chairman

[SJR 102](#) was referred to the State Affairs Committee.

[S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#) were referred to the Finance Committee.

[S 1146](#) was referred to the Judiciary and Rules Committee.

February 28, 2019

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1037](#), [S 1109](#), [S 1088](#), [S 1034](#), [S 1099](#), [S 1129](#), and [S 1075](#) have been correctly printed.

LAKEY, Chairman

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

February 28, 2019

The JUDICIARY AND RULES Committee reports that [S 1037](#), as amended, [S 1109](#), as amended, [S 1088](#), as amended, [S 1034](#), as amended, [S 1099](#), as amended, [S 1129](#), as amended, and [S 1075](#), as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1037](#), as amended, [S 1109](#), as amended, [S 1088](#), as amended, [S 1034](#), as amended, [S 1099](#), as amended, [S 1129](#), as amended, and [S 1075](#), as amended, were filed for first reading.

February 28, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1068](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1068](#) was referred to the Fourteenth Order of Business, General Calendar.

February 28, 2019

The TRANSPORTATION Committee reports out [H 24](#), [H 74](#), [H 75](#), and [H 90](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 24](#), [H 74](#), [H 75](#), and [H 90](#) were filed for second reading.

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

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

[S 1037](#), as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

[S 1109](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1088](#), as amended, by Resources and Environment Committee, was read the first time at length and filed for second reading.

[S 1034](#), as amended, and [S 1099](#), as amended, by Health and Welfare Committee, were read the first time at length and filed for second reading.

[S 1129](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1075](#), as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

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

Third Reading of Bills

[H 87](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nye, Patrick, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Johnson, Nelson, Woodward. Total - 3.

Absent and excused—Den Hartog, Rice. Total - 2.

Total - 35.

Whereupon the President declared [H 87](#) passed, title was approved, and the bill ordered returned to the House.

[H 67](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Den Hartog, Rice. Total - 2.

Total - 35.

Whereupon the President declared [H 67](#) passed, title was approved, and the bill ordered returned to the House.

[H 59](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Den Hartog, Rice. Total - 2.

Total - 35.

Whereupon the President declared [H 59](#) passed, title was approved, and the bill ordered returned to the House.

[H 159](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Den Hartog, Rice. Total - 2.

Total - 35.

Whereupon the President declared [H 159](#) passed, title was approved, and the bill ordered returned to the House.

[H 7](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Den Hartog, Rice. Total - 2.

Total - 35.

Whereupon the President declared [H 7](#) passed, title was approved, and the bill ordered returned to the House.

[H 27](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Den Hartog, Rice. Total - 2.

Total - 35.

Whereupon the President declared [H 27](#) passed, title was approved, and the bill ordered returned to the House.

[H 46](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Martin disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Den Hartog, Rice. Total - 2.

Total - 35.

Whereupon the President declared [H 46](#) passed, title was approved, and the bill ordered returned to the House.

[H 108](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nye, Patrick, Souza, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 28.

NAYS—Buckner-Webb, Burgoyne, Jordan, Nelson, Stennett. Total - 5.

Absent and excused—Den Hartog, Rice. Total - 2.

Total - 35.

Whereupon the President declared [H 108](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:16 p.m. until the hour of 10 a.m., Friday, March 1, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 1, 2019

Senate Chamber

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

Roll call showed all members present except Senator Burgoyne, absent and formally excused by the Chair; and Senator Den Hartog, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Katie Angell, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 28, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

March 1, 2019

The FINANCE Committee reports out [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#) were filed for second reading.

March 1, 2019

The STATE AFFAIRS Committee reports out [H 156](#) and [H 157](#) with the recommendation that they do pass.

LODGE, Chairman

[H 156](#) and [H 157](#) were filed for second reading.

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

Messages from the House

February 28, 2019

Dear Madam President:

I transmit herewith [H 93](#), [H 151](#), [HJM 7](#), [H 97](#), [H 141](#), [H 84](#), and [H 170](#), which have passed the House.

MAULIN, Chief Clerk

[H 93](#), [H 151](#), [HJM 7](#), [H 97](#), [H 141](#), [H 84](#), and [H 170](#) were filed for first reading.

February 28, 2019

Dear Madam President:

I return herewith [S 1028](#), which has passed the House.

MAULIN, Chief Clerk

[S 1028](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [SCR 104](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Ward-Engelking, [SCR 104](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 105](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Stennett, [SCR 105](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 106](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Ward-Engelking, [SCR 106](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1147 BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING FOR THE CONTINUOUS APPROPRIATION OF DAMAGES AWARDED FROM THE MORTGAGE RECOVERY FUND.

S 1148
BY FINANCE COMMITTEE
 AN ACT

RELATING TO THE APPROPRIATION TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1149
BY FINANCE COMMITTEE
 AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AMENDING SECTION 61-215, IDAHO CODE, TO INCREASE THE SALARIES OF THE PUBLIC UTILITIES COMMISSIONERS; AND PROVIDING REAPPROPRIATION AUTHORITY.

S 1150
BY FINANCE COMMITTEE
 AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1151
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-115, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PAYMENT OF CERTAIN DAMAGES CAUSED BY DEPREDATION.

S 1152
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO UNCLAIMED PROPERTY; AMENDING SECTION 14-542, IDAHO CODE, TO PROVIDE FOR BROADBAND SERVICE, TO PROVIDE A CERTAIN EXEMPTION FOR A NONPROFIT CORPORATION, AND TO MAKE TECHNICAL CORRECTIONS.

S 1153
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO LOBBYING; AMENDING SECTION 67-6602, IDAHO CODE, TO DEFINE TERMS AND TO REVISE A DEFINITION; AMENDING SECTION 67-6606, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-6617, IDAHO CODE, TO REVISE PROVISIONS REGARDING LOBBYIST REGISTRATION REQUIREMENTS; AMENDING SECTION 67-6618, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXEMPTIONS FROM LOBBYIST REGISTRATION; AMENDING SECTION 67-6619, IDAHO CODE, TO REVISE PROVISIONS REGARDING REPORTS FILED BY LOBBYISTS; AMENDING SECTION 67-6619A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE;

AMENDING SECTION 67-6621, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DUTIES OF LOBBYISTS AND TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 74-106, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM THE PUBLIC RECORDS LAW FOR CERTAIN E-MAIL ADDRESSES, TO PROVIDE CORRECT TERMINOLOGY, AND TO MAKE TECHNICAL CORRECTIONS.

S 1154
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO EXPLODING TARGETS; AMENDING CHAPTER 1, TITLE 38, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 38-137, IDAHO CODE, TO PROVIDE RESTRICTIONS RELATING TO THE USE OF EXPLODING TARGETS AND INCENDIARY OR TRACER AMMUNITION, TO PROVIDE FOR VIOLATIONS, TO PROVIDE FOR THE APPLICABILITY OF SPECIFIED LAW, TO DEFINE TERMS, AND TO PROVIDE AN EXCEPTION TO APPLICABILITY.

[S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), [S 1151](#), [S 1152](#), [S 1153](#), and [S 1154](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Den Hartog was recorded present at this order of business.

[H 93](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 151](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HJM 7](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 97](#) and [H 141](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 84](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 170](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 174](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1074](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1134](#) and [S 1133](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 91](#), by Local Government Committee, was read the second time at length and filed for third reading.

[H 103](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 24](#), [H 74](#), [H 75](#), and [H 90](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[S 1037](#), as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1109](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1088](#), as amended, by Resources and Environment Committee, was read the second time at length and filed for third reading.

[S 1034](#), as amended, and [S 1099](#), as amended, by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1129](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1075](#), as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1078](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Guthrie, Harris, Heider, Johnson, Jordan, Lakey, Lee, Lent, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 28.

NAYS—Grow, Hill, Martin, Mortimer. Total - 4.

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

Total - 35.

Whereupon the President declared [S 1078](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1079](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared [S 1079](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1080](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared [S 1080](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1081](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared [S 1081](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [H 58](#) retained its place on the Third Reading Calendar for Monday, March 4, 2019.

[H 68](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

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

Total - 35.

Whereupon the President declared [H 68](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 10:46 a.m. until the hour of 10 a.m., Monday, March 4, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 4, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Bret Bagley, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 1, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

March 4, 2019

The JUDICIARY AND RULES Committee reports that [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), [S 1151](#), [S 1152](#), [S 1153](#), and [S 1154](#) have been correctly printed.

LAKEY, Chairman

[S 1147](#), [S 1148](#), [S 1149](#), and [S 1150](#) were referred to the Finance Committee.

[S 1151](#) was referred to the Resources and Environment Committee.

[S 1152](#), [S 1153](#), and [S 1154](#) were referred to the State Affairs Committee.

March 1, 2019

The JUDICIARY AND RULES Committee reports that [S 1028](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1028](#) and ordered it transmitted to the House for the signature of the Speaker.

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

Messages from the Governor

March 4, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1030](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 1, 2019

Dear Madam President:

I transmit herewith [H 150](#), [H 186](#), [H 187](#), [H 167](#), [H 168](#), [H 176](#), [H 144](#), [H 149](#), [H 139](#), [H 184](#), and [H 169](#), which have passed the House.

MAULIN, Chief Clerk

[H 150](#), [H 186](#), [H 187](#), [H 167](#), [H 168](#), [H 176](#), [H 144](#), [H 149](#), [H 139](#), [H 184](#), and [H 169](#) were filed for first reading.

March 1, 2019

Dear Madam President:

I return herewith [S 1026](#), [S 1115](#), [S 1128](#), [S 1046](#), [S 1049](#), and [S 1130](#), which have passed the House.

MAULIN, Chief Clerk

[S 1026](#), [S 1115](#), [S 1128](#), [S 1046](#), [S 1049](#), and [S 1130](#) were referred to the Judiciary and Rules Committee for enrolling.

March 1, 2019

Dear Madam President:

I return herewith Enrolled [S 1077](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1077](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Lodge was recorded present at this order of business.

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

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

S 1155

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1156

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1157

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE CATASTROPHIC HEALTH CARE PROGRAM; APPROPRIATING MONEYS TO THE CATASTROPHIC HEALTH CARE PROGRAM AND DIRECTING A TRANSFER FOR FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE CATASTROPHIC HEALTH CARE PROGRAM AND DIRECTING A TRANSFER FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

S 1158

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY; PROVIDING REQUIREMENTS REGARDING THE ALLOCATION OF TRUSTEE AND BENEFIT PAYMENTS; AND PROVIDING REQUIREMENTS REGARDING ENCUMBRANCES.

[S 1155](#), [S 1156](#), [S 1157](#), and [S 1158](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Vick was recorded present at this order of business.

[H 150](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 186](#) and [H 187](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 167](#) and [H 168](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[H 176](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 144](#) and [H 149](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 139](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 184](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 169](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 156](#) and [H 157](#), by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [H 89](#) was placed before the Senate for consideration at this time.

[H 89](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 89](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [S 1074](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1134](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1134](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1133](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1133](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1037](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bayer, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Grow, Guthrie, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 28.

NAYS—Anthon, Bair, Brackett, Crabtree, Den Hartog, Harris, Vick. Total - 7.

Total - 35.

Whereupon the President declared [S 1037](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1109](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Guthrie, Heider, Lakey, Lee, Martin, Patrick, Rice, Thayn, Ward-Engelking, Winder. Total - 17.

NAYS—Bair, Buckner-Webb, Burgoyne, Den Hartog, Grow, Harris, Hill, Johnson, Jordan, Lent, Lodge, Mortimer, Nelson, Nye, Souza, Stennett, Vick, Woodward. Total - 18.

Total - 35.

Whereupon the President declared that [S 1109](#), as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1088](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1088](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1034](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate.

On request by Senator Winder, granted by unanimous consent, [S 1034](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

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

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Idaho Day Service. The Idaho Day Service was presented to the members of the Senate with Co-chairman Senator Lent providing opening remarks.

The Madison High School Vocal Spectrum performed "Star Spangled Banner," under the direction of David Hinck. The Madison High School Bel Canton Choir performed "America the Beautiful" and "Here we have Idaho," under the direction of David Hinck and accompanied by Julie Hinck.

Closing remarks were provided by Co-chairman Senator Nelson. He extended gratitude to all who helped with the program and the Idaho Day Service was dissolved.

President McGeachin returned to the chair.

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

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned in the honor of the Preamble of the Constitution of Idaho at 12:12 p.m. until the hour of 10 a.m., Tuesday, March 5, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 5, 2019

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Paige Evans, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 4, 2019, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

March 5, 2019

The JUDICIARY AND RULES Committee reports that [S 1155](#), [S 1156](#), [S 1157](#), and [S 1158](#) have been correctly printed.

LAKEY, Chairman

[S 1155](#), [S 1156](#), [S 1157](#), and [S 1158](#) were referred to the Finance Committee.

March 5, 2019

The JUDICIARY AND RULES Committee reports that [S 1026](#), [S 1115](#), [S 1128](#), [S 1046](#), [S 1049](#), and [S 1130](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1026](#), [S 1115](#), [S 1128](#), [S 1046](#), [S 1049](#), and [S 1130](#) and ordered them transmitted to the House for the signature of the Speaker.

March 4, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1077](#) was delivered to the Office of the Governor at 1:50 p.m., March 4, 2019.

LAKEY, Chairman

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

March 4, 2019

The STATE AFFAIRS Committee reports out [H 134](#), [H 155](#), [H 171](#), [H 173](#), and [SJR 102](#) with the recommendation that they do pass.

LODGE, Chairman

[H 134](#), [H 155](#), [H 171](#), [H 173](#), and [SJR 102](#) were filed for second reading.

March 4, 2019

The FINANCE Committee reports out [H 186](#), [H 187](#), [S 1147](#), [S 1148](#), [S 1149](#), and [S 1150](#) with the recommendation that they do pass.

BAIR, Chairman

[H 186](#), [H 187](#), [S 1147](#), [S 1148](#), [S 1149](#), and [S 1150](#) were filed for second reading.

March 4, 2019

The JUDICIARY AND RULES Committee reports out [H 113](#) and [S 1146](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 113](#) and [S 1146](#) were filed for second reading.

March 4, 2019

The RESOURCES AND ENVIRONMENT Committee reports out [S 1050](#) and [S 1087](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1050](#) and [S 1087](#) were filed for second reading.

Senator Lodge was recorded present at this order of business.

March 4, 2019

The RESOURCES AND ENVIRONMENT Committee reports out [S 1056](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, [S 1056](#) was referred to the Fourteenth Order of Business, General Calendar.

March 4, 2019

The EDUCATION Committee reports out [H 153](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 153](#) was filed for second reading.

March 4, 2019

The HEALTH AND WELFARE Committee reports out [H 109](#) and [H 151](#) with the recommendation that they do pass.

MARTIN, Chairman

[H 109](#) and [H 151](#) were filed for second reading.

March 4, 2019

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

Darrell Kerby to the State Board of Health and Welfare, term to expire February 12, 2023.

James V. Giuffre to the State Board of Health and Welfare, term to expire February 13, 2023.

Linda Hatzenbuehler to the State Board of Health and Welfare, term to expire February 13, 2023.

Timothy Rarick to the State Board of Health and Welfare, term to expire January 1, 2021.

MARTIN, Chairman

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

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

Messages from the Governor

March 4, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Jeff Weak of Eagle, Idaho, was appointed as the Administrator of Information Technology Services to serve a term commencing January 7, 2019, and continuing at the pleasure of the Governor.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

March 4, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Robert Hoff of Idaho Falls, Idaho, was appointed as a member of the Idaho Transportation Board to serve a term commencing February 26, 2019, and expiring January 31, 2020.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the Transportation Committee.

March 4, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Mark H. Sweeney of Lewiston, Idaho, was reappointed as a member of the Aeronautics Advisory Board to serve a term commencing January 31, 2019, and expiring January 31, 2024.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the Transportation Committee.

March 4, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Jeffery Allen of Star, Idaho, was appointed as a member of the Northwest Power and Conservation Council to serve a term commencing February 19, 2019, and expiring February 19, 2022.

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

Sincerely,
/s/ Brad Little
Governor

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

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

March 4, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1077

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 4, 2019

Dear Madam President:

I transmit herewith [HCR 16](#), [HCR 17](#), [H 211](#), [H 212](#), [H 213](#), [H 214](#), [H 216](#), [H 177](#), [H 99](#), [HCR 9](#), [H 180](#), [H 181](#), [H 182](#), [H 191](#), [H 164](#), [H 201](#), [H 137](#), as amended, [H 78](#), as amended, [H 118](#), as amended, and [H 158](#), as amended, which have passed the House.

MAULIN, Chief Clerk

[HCR 16](#), [HCR 17](#), [H 211](#), [H 212](#), [H 213](#), [H 214](#), [H 216](#), [H 177](#), [H 99](#), [HCR 9](#), [H 180](#), [H 181](#), [H 182](#), [H 191](#), [H 164](#), [H 201](#), [H 137](#), as amended, [H 78](#), as amended, [H 118](#), as amended, and [H 158](#), as amended, were filed for first reading.

March 4, 2019

Dear Madam President:

I transmit 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](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed 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 ordered them returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1159

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 PROVISIONS REGARDING GATHERING AND SUBMITTING SIGNATURES FOR AN INITIATIVE PETITION; 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 SECTION 34-1805, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SIGNATURES REQUIRED FOR AN INITIATIVE OR REFERENDUM PETITION; 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 EACH QUALIFYING 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.

S 1160

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ALCOHOL; AMENDING SECTION 23-217, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN DISCOUNT AND TO PROVIDE EXCEPTIONS; AMENDING SECTION 23-902, IDAHO CODE, TO DEFINE TERMS, TO REMOVE A DEFINITION, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 23-903, IDAHO CODE, TO PROVIDE CERTAIN REQUIREMENTS FOR QUOTA LICENSES AND TO PROVIDE FOR THE ISSUANCE OF A LICENSE TO AN EATING ESTABLISHMENT OR LODGING FACILITY; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-903c, IDAHO CODE, TO PROVIDE FOR CERTAIN REQUIREMENTS REGARDING EATING ESTABLISHMENT LICENSES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-903d, IDAHO CODE, TO PROVIDE FOR CERTAIN REQUIREMENTS REGARDING LODGING FACILITY LICENSES; AMENDING SECTION 23-904, IDAHO CODE, TO PROVIDE FOR CERTAIN FEES AND TO REMOVE A PROVISION REGARDING THE POPULATION OF MUNICIPALITIES; AMENDING SECTION 23-908, IDAHO CODE, TO PROVIDE A CERTAIN LIMITATION FOR ISSUANCE OF A LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-930, IDAHO CODE, TO PROVIDE THAT MINORS MAY ASSIST IN CERTAIN INSTANCES; AMENDING SECTION 23-942, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 23-943, IDAHO CODE, TO PROVIDE FOR EATING ESTABLISHMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-944, IDAHO CODE, TO PROVIDE FOR EATING ESTABLISHMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-946, IDAHO CODE, TO PROVIDE FOR EATING ESTABLISHMENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 23-950, IDAHO CODE, TO PROVIDE FOR CERTAIN RESTRICTIONS AGAINST THE TRANSFER OF LICENSES; AND AMENDING TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 12, TITLE 23, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR APPROVED TRAINING, TO PROVIDE FOR MANDATORY TRAINING AND ON-PREMISES SALES, TO PROVIDE FOR VOLUNTARY TRAINING AND OFF-PREMISES RETAILERS, AND TO PROVIDE FOR ENFORCEMENT.

S 1161

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2732B, IDAHO CODE, TO REVISE PENALTIES FOR TRAFFICKING IN HEROIN, TO PROVIDE PENALTIES FOR TRAFFICKING IN FENTANYL, AND TO MAKE A TECHNICAL CORRECTION.

S 1162

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING

REAPPROPRIATION AUTHORITY; AND REQUIRING REPORTS REGARDING THE OFFENDER MANAGEMENT SYSTEM REPLACEMENT PLAN.

S 1163
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE SUBSTANCE ABUSE TREATMENT AND PREVENTION PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE FOSTER AND ASSISTANCE PAYMENTS PROGRAM FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE BENEFIT PAYMENTS PROGRAM FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE INDIRECT SUPPORT SERVICES PROGRAM FOR FISCAL YEAR 2019; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE ADULT MENTAL HEALTH PROGRAM FOR FISCAL YEAR 2019; ALLOCATING FUNDING FOR THE HOME VISITATION PROGRAM; AND DECLARING AN EMERGENCY.

S 1164
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE SUPREME COURT FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2020; EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS; AND PROVIDING REQUIREMENTS FOR RETIREMENT CONTRIBUTIONS.

S 1165
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS; PROVIDING REAPPROPRIATION AUTHORITY; 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.

S 1166
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE POLICE

FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

S 1167
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE COMMISSION ON AGING FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE COMMISSION ON AGING FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1168
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1169
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING CONTINUOUS APPROPRIATION AUTHORITY.

S 1170
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE MILITARY DIVISION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE MILITARY DIVISION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING A CONTINUOUS APPROPRIATION.

[S 1159](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), [S 1168](#), [S 1169](#), and [S 1170](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 16](#) and [HCR 17](#), by Revenue and Taxation Committee, were introduced, read at length, and referred to the Local Government and Taxation Committee.

[H 211](#), [H 212](#), [H 213](#), [H 214](#), and [H 216](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 177](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 99](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[HCR 9](#), by Environment, Energy and Technology Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[H 180](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 181](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 182](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 191](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 164](#) and [H 201](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[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 at length, and referred to the Judiciary and Rules Committee.

[H 158](#), as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [S 1074](#) retained its place on the Third Reading Calendar for Thursday, March 7, 2019.

[S 1034](#), as amended, having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. President McGeachin recognized Senator Den Hartog to continue open debate.

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Mortimer, Nelson, Nye, Souza, Stennett, Ward-Engelking, Winder, Woodward. Total - 27.

NAYS—Anthon, Harris, Johnson, Martin, Patrick, Rice, Thayne, Vick. Total - 8.

Total - 35.

Whereupon the President declared [S 1034](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:26 a.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except President Pro Tempore Hill and Senators Anthon, Burgoyne, Cheatham, Grow, Lakey, Lodge, Nye, Rice, and Vick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 5, 2019

The FINANCE Committee reports out [H 211](#), [H 212](#), [H 213](#), [H 214](#), [H 216](#), [S 1155](#), [S 1156](#), [S 1157](#), and [S 1158](#) with the recommendation that they do pass.

BAIR, Chairman

[H 211](#), [H 212](#), [H 213](#), [H 214](#), [H 216](#), [S 1155](#), [S 1156](#), [S 1157](#), and [S 1158](#) were filed for second reading.

March 5, 2019

The TRANSPORTATION Committee reports out [H 126](#) and [HJM 6](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 126](#) was filed for second reading.

[HJM 6](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 5, 2019

The TRANSPORTATION Committee reports out [H 88](#) and [H 106](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [H 88](#) and [H 106](#) were referred to the Fourteenth Order of Business, General Calendar.

March 5, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 84](#) and [H 94](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 84](#) and [H 94](#) were filed for second reading.

March 4, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Celia Gould to the Public Employee Retirement System of Idaho Board, term to expire July 1, 2023.

Max Black to the State Insurance Fund Board, term to expire April 3, 2022.

Susan Buxton as the Administrator of the Division of Human Resources, term to continue at the pleasure of the Governor.

Thomas Limbaugh to the Idaho Industrial Commission, term to expire January 14, 2025.

PATRICK, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1099](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—Buckner-Webb, Jordan, Nelson. Total - 3.

Total - 35.

Whereupon the President declared [S 1099](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1129](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Heider, Hill, Jordan, Lakey, Lent, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Winder, Woodward. Total - 30.

NAYS—Harris, Johnson, Lee, Lodge. Total - 4.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1129](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1075](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1075](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1139](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1139](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1140](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1140](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1141](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1141](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1142](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1142](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1143](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1143](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1144](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1144](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:24 p.m. until the hour of 10 a.m., Wednesday, March 6, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FIFTY-NINTH LEGISLATIVE DAY
WEDNESDAY, MARCH 6, 2019

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Grow and Johnson, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Alex Knowlton, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 5, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 104

BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Mountain Home Air Force Base draws its water supply from the Mountain Home Aquifer. The aquifer is over-drafted by about 30,000 acre-feet annually and is declining approximately two feet per year; and

WHEREAS, there are water quality issues in some of the wells that the Mountain Home Air Force Base depends on for its water supply. Of the six main wells that are on the base, only two are safe sources of drinking water and four are contaminated. Of the four contaminated wells, one is high in nitrates and is used strictly for irrigation, and the other three are high in nitrates and perfluorinated compounds; and

WHEREAS, the state, in partnership with the United States Air Force is working on the Mountain Home Air Force Base Sustainable Water Supply Project. The purpose of the project is to provide a sustainable, long-term water supply for the base from the Snake River and to eliminate the base's reliance on the declining Mountain Home Aquifer; and

WHEREAS, the project consists of a pump station at C.J. Strike Reservoir and a 14.4 mile long pipeline to bring Snake River water to the base, as well as construction of a water treatment plant at the base; and

WHEREAS, it is anticipated that the state will build, own, maintain, and operate the pipeline and the pumps and that the United States Air Force will build, operate, and maintain the water treatment plant, as well as anything downstream of the plant; and

WHEREAS, Mountain Home Air Force Base is one of the largest employers in Idaho. According to a 2016 study, the base is responsible for the direct employment of 4,686 personnel, supports an additional 190 jobs in local businesses that directly supply the base's operations, and is responsible for 2,127 jobs supported by the consumer spending of those who are directly and indirectly employed by the base; and

WHEREAS, Mountain Home Air Force Base has been estimated to support the employment of more than 10,500 individuals; and

WHEREAS, Mountain Home Air Force Base generates \$462 million in labor income; \$797 million in all forms of income including wages, salaries, interest, rent, and profit; and an output of goods and services valued at \$965 million; and

WHEREAS, a 2010 Economic Impact Analysis by the United States Air Force, assisted by Boise State University, shows that the estimated annual economic impact from the Mountain Home Air Force Base is approximately \$1.02 billion; and

WHEREAS, the State of Idaho and the Department of Commerce recognize that continued economic viability requires taking care of existing business before expanding economic development and attracting new business; and

WHEREAS, it is anticipated that there could be another round of Base Realignment and Closure in the near future; and

WHEREAS, Mountain Home Air Force Base has many strong attributes, such as great airspace, many clear weather days suitable for flying, and low possibility of encroachment around the base; and

WHEREAS, the uncertainty of a dependable water supply necessary for future operation is the only weakness that jeopardizes the future of Mountain Home Air Force Base.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we support the construction of a new pipeline to bring Snake River water to Mountain Home Air Force Base to ensure the long-term viability of the base.

BE IT FURTHER RESOLVED that the Idaho Legislature urges the congressional delegation for the State of Idaho to take any further actions necessary to advance the pipeline project through additional congressional action to authorize construction and provide further Military Construction (MILCON) Funds.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

[SJM 104](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 6, 2019

The JUDICIARY AND RULES Committee reports that [S 1159](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), [S 1168](#), [S 1169](#), and [S 1170](#) have been correctly printed.

LAKEY, Chairman

[S 1159](#) and [S 1160](#) were referred to the State Affairs Committee.

[S 1161](#) was referred to the Judiciary and Rules Committee.

[S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), [S 1168](#), [S 1169](#), and [S 1170](#) were referred to the Finance Committee.

March 5, 2019

The HEALTH AND WELFARE Committee reports out [H 182](#) with the recommendation that it do pass.

MARTIN, Chairman

[H 182](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 5, 2019

Dear Madam President:

I transmit herewith [H 145](#), as amended, [H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), and [H 225](#), which have passed the House.

MAULIN, Chief Clerk

[H 145](#), as amended, [H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), and [H 225](#) were filed for first reading.

March 5, 2019

Dear Madam President:

I return herewith [S 1047](#) and [S 1008](#), which have passed the House.

MAULIN, Chief Clerk

[S 1047](#) and [S 1008](#) were referred to the Judiciary and Rules Committee for enrolling.

March 5, 2019

Dear Madam President:

I transmit herewith Enrolled [H 68](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 68](#) and ordered it returned to the House.

March 5, 2019

Dear Madam President:

I return herewith Enrolled [S 1028](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1028](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1171

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICAID DIVISION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY; REQUIRING MONTHLY MEDICAID TRACKING REPORTS; ALLOWING FOR TRANSFERS OF APPROPRIATION BETWEEN CERTAIN PROGRAMS; REQUIRING A REPORT ON MEDICAID MANAGED CARE IMPLEMENTATION; REQUIRING A REPORT ON FLEXIBLE RECEIPT AUTHORITY; PROVIDING REQUIREMENTS FOR NON-EMERGENCY MEDICAL TRANSPORTATION; PROVIDING DIRECTION TO MANAGE THE NON-EMERGENCY MEDICAL TRANSPORTATION CONTRACT; AND REQUIRING COST-SHARING FOR SERVICES.

S 1172

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR PREMIUM HOLIDAYS; AND PROVIDING GUIDANCE FOR THE IMPLEMENTATION OF EMPLOYEE COMPENSATION.

S 1173

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF MENTAL HEALTH SERVICES, PSYCHIATRIC HOSPITALIZATION, AND SUBSTANCE

ABUSE TREATMENT AND PREVENTION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY; LIMITING THE TRANSFER OF LEGISLATIVE APPROPRIATIONS; CLARIFYING RESPONSIBILITY FOR EDUCATION OF CERTAIN CHILDREN IN STATE CARE; DIRECTING AN INTERAGENCY PAYMENT FOR A JUVENILE DETENTION CLINICIANS CONTRACT; PROVIDING REQUIREMENTS REGARDING FUNDING FOR BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS; AND EXEMPTING THE APPROPRIATION FROM PROGRAM TRANSFER LIMITATIONS.

S 1174
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE WELFARE DIVISION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; PROHIBITING TRANSFERS FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY; AND REQUIRING BIENNIAL REPORTS.

S 1175
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420Q, IDAHO CODE, TO PROVIDE FOR TOO GREAT FOR HATE LICENSE PLATES.

S 1176
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO COMMON LAW; AMENDING SECTION 73-116, IDAHO CODE, TO PROVIDE FOR THE APPLICATION OF CERTAIN LEGAL AUTHORITY AND TO PROVIDE THAT A CERTAIN RESTATEMENT OF THE LAW SHALL NOT BE RECOGNIZED.

S 1177
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO HORSE RACING; AMENDING SECTION 54-2512, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSE TRANSFER AND THE DISTRIBUTION AND USE OF CERTAIN FUNDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2513, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DISTRIBUTION OF CERTAIN FUNDS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1178
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO EXPLODING TARGETS; AMENDING CHAPTER 1, TITLE 38, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 38-137, IDAHO CODE, TO PROVIDE RESTRICTIONS REGARDING THE USE OF EXPLODING TARGETS, TO PROVIDE FOR VIOLATIONS, TO PROVIDE FOR THE APPLICABILITY OF SPECIFIED LAW, TO DEFINE A TERM, AND TO PROVIDE AN EXCEPTION TO APPLICABILITY.

[S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), [S 1177](#), and [S 1178](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 145](#), as amended, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), and [H 225](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Grow was recorded present at this order of business.

[H 134](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 155](#), [H 171](#), and [H 173](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[SJR 102](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 186](#) and [H 187](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1147](#), [S 1148](#), [S 1149](#), and [S 1150](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 113](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[S 1146](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1050](#) and [S 1087](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[H 153](#), by Education Committee, was read the second time at length and filed for third reading.

[H 109](#) and [H 151](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 211](#), [H 212](#), [H 213](#), [H 214](#), and [H 216](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1155](#), [S 1156](#), [S 1157](#), and [S 1158](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 126](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[H 84](#) and [H 94](#), by Business Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1145](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1145](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 58](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jordan arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 58](#) passed, title was approved, and the bill ordered returned to the House.

[H 73](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 73](#) passed, title was approved, and the bill ordered returned to the House.

[H 80](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 80](#) passed, title was approved, and the bill ordered returned to the House.

[H 76](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 76](#) passed, title was approved, and the bill ordered returned to the House.

[H 105](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Grow, Guthrie, Hill, Johnson, Jordan, Lakey, Lodge, Martin, Nelson, Nye, Rice, Souza, Stennett, Ward-Engelking, Winder, Woodward. Total - 25.

NAYS—Bair, Den Hartog, Harris, Heider, Lee, Lent, Mortimer, Patrick, Thayn, Vick. Total - 10.

Total - 35.

Whereupon the President declared [H 105](#) passed, title was approved, and the bill ordered returned to the House.

[H 5](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 5](#) passed, title was approved, and the bill ordered returned to the House.

[H 6](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 6](#) passed, title was approved, and the bill ordered returned to the House.

[H 71](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 71](#) passed, title was approved, and the bill ordered returned to the House.

[H 63](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 63](#) passed, title was approved, and the bill ordered returned to the House.

[H 174](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 174](#) passed, title was approved, and the bill ordered returned to the House.

[H 91](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 91](#) passed, title was approved, and the bill ordered returned to the House.

[H 103](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 103](#) passed, title was approved, and the bill ordered returned to the House.

[H 24](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 24](#) passed, title was approved, and the bill ordered returned to the House.

[H 74](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Hill, Jordan, Nelson, Nye, Patrick, Stennett, Winder. Total - 13.

NAYS—Anthon, Bair, Bayer, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Rice, Souza, Thayn, Vick, Woodward. Total - 22.

Total - 35.

Whereupon the President declared that [H 74](#) had failed to pass the Senate and ordered the bill returned to the House.

[H 75](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Crabtree, Grow, Johnson, Jordan, Lakey, Lee, Lodge, Mortimer, Nelson, Nye, Patrick, Rice, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 22.

NAYS—Agenbroad, Anthon, Bayer, Cheatham, Den Hartog, Guthrie, Harris, Heider, Hill, Lent, Martin, Souza, Vick. Total - 13.

Total - 35.

Whereupon the President declared [H 75](#) passed, title was approved, and the bill ordered returned to the House.

[H 90](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Patrick, Souza, Vick, Ward-Engelking, Winder, Woodward. Total - 27.

NAYS—Buckner-Webb, Burgoyne, Jordan, Nelson, Rice, Stennett, Thayn. Total - 7.

Absent and excused—Nye. Total - 1.

Total - 35.

Whereupon the President declared [H 90](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [S 1074](#) was placed at the head of the Third Reading Calendar, followed by [H 156](#), followed by [H 157](#), followed by Senate bills, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:17 p.m. until the hour of 10 a.m., Thursday, March 7, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 7, 2019

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Lodge and Thayn, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Taylor McMullin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 6, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

Senator Thayn was recorded present at this order of business.

SJM 105 BY JUDICIARY AND RULES COMMITTEE A JOINT MEMORIAL

TO THE GOVERNOR AND LEGISLATURE OF THE STATE OF UTAH AND TO THE GOVERNOR OF THE STATE OF IDAHO.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the State of Idaho is committed to protecting and enhancing Bear Lake storage water supplies, maintaining its pristine water quality, and enhancing recreational and economic opportunities for Idaho's citizens and tourists who add to Idaho's economy; and

WHEREAS, Bear Lake is a large freshwater lake straddling the border of Utah and Idaho with approximately half of the lake in each state, and it is the second largest natural freshwater lake by area in the State of Utah as well as in Idaho, second only to Lake Pend Oreille; and

WHEREAS, Bear Lake has a surface area of 110 square miles, being approximately 20 miles long and 7 miles wide; and

WHEREAS, Bear Lake is the oldest known continually "wet" lake in North America and one of the five oldest lakes in the world, being at least 250,000 years old; and

WHEREAS, international scientists study Bear Lake for clues to the climate and ecology of the region; and

WHEREAS, Bear Lake has unique water chemistry, giving it the intense turquoise blue color for which it is known all over the world; and

WHEREAS, Bear Lake has an extensive shoreline with areas of cobbled and sandy beaches that offer prime recreational opportunities; and

WHEREAS, in addition to having more endemic fish species, four found only in Bear Lake, than any other lake in the United States, Bear Lake is home to the largest and most genetically pure population of Bonneville cutthroat trout in existence, and the cutthroat trout is the state fish of Utah and Idaho; and

WHEREAS, since about 1912, the upper 21.65 feet of Bear Lake, approximately 1,400,000 acre-feet of water, has been used as a storage reservoir replenished from natural inflow sources and from diversions from the Bear River in Idaho made by PacifiCorp; and

WHEREAS, the storage reservoir in Bear Lake has been operated by PacifiCorp to supply irrigation water to approximately 150,000 acres of prime irrigated agriculture on family farms and ranches downstream in Utah and Idaho for over 100 years and will remain an essential irrigation water supply into the future; and

WHEREAS, the historic Bear Lake irrigation water supply is protected by many agreements among PacifiCorp, the states of Utah, Idaho, and Wyoming, the Bear River Water Users Association and its members, and Bear Lake Watch, each with individual and unique interests in Bear Lake; and

WHEREAS, in addition to the irrigation water supply, and aesthetic and recreation uses, PacifiCorp also operates Bear Lake for flood control, and water released and pumped from Bear Lake is used to generate 107 megawatts of electricity downstream on the Bear River; and

WHEREAS, at times when water is low or is released or pumped from Bear Lake, the exposed lake bed is vulnerable to nonnative vegetation invasion and degradation, which create hazards to navigation and impair recreational use for tens of thousands of visitors and thousands of homeowners; and

WHEREAS, Bear Lake is a major recreation destination, with five Utah state park recreation areas and two Idaho state park recreation areas, the Bear Lake National Wildlife Refuge, private marinas, and Boy Scout camps; and

WHEREAS, Bear Lake is vital to local and regional economies in Utah and Idaho; and

WHEREAS, the State of Idaho is committed to work in collaboration with the State of Utah, PacifiCorp, irrigators, and local stakeholders to protect existing uses and plan for the future uses and enjoyment of Bear Lake.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we urge the states of Utah and Idaho to work together in seeking solutions to address challenges regarding Bear Lake, including recreation and economic development interests, water quality, invasive species, lake bed management and preservation, and enhancement of irrigation water storage and water supply functions.

BE IT FURTHER RESOLVED that we urge the states of Utah and Idaho, in continued cooperation, to develop joint expectations for the continued health, beauty, and enjoyment of Bear Lake.

BE IT FURTHER RESOLVED that we encourage the states of Utah and Idaho, in continued cooperation, to develop opportunities for participation with stakeholders, to develop recommendations to protect and enhance existing beneficial uses, to maintain a healthy and sustainable lake, to encourage economic development, to protect irrigation water storage, to enhance recreation, and to preserve and protect Bear Lake for future generations.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the Governor and Legislature of the State of Utah and to the Governor of the State of Idaho.

[SJM 105](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 7, 2019

The JUDICIARY AND RULES Committee reports that [SJM 104](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), [S 1177](#), and [S 1178](#) have been correctly printed.

LAKEY, Chairman

[SJM 104](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1171](#), [S 1172](#), [S 1173](#), and [S 1174](#) were referred to the Finance Committee.

[S 1175](#) was referred to the Transportation Committee.

[S 1176](#) was referred to the Judiciary and Rules Committee.

[S 1177](#) and [S 1178](#) were referred to the State Affairs Committee.

March 6, 2019

The JUDICIARY AND RULES Committee reports that [S 1047](#) and [S 1008](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1047](#) and [S 1008](#) and ordered them transmitted to the House for the signature of the Speaker.

March 7, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1028](#) was delivered to the Office of the Governor at 2:40 p.m., March 6, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 5, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 160](#) and [H 165](#) with the recommendation that they do pass.

RICE, Chairman

[H 160](#) and [H 165](#) were filed for second reading.

March 6, 2019

The FINANCE Committee reports out [H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), [H 225](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), [S 1168](#), [S 1169](#), and [S 1170](#) with the recommendation that they do pass.

BAIR, Chairman

[H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), [H 225](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), [S 1168](#), [S 1169](#), and [S 1170](#) were filed for second reading.

March 6, 2019

The STATE AFFAIRS Committee reports out [S 1152](#) and [S 1153](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1152](#) and [S 1153](#) were filed for second reading.

March 6, 2019

The RESOURCES AND ENVIRONMENT Committee reports out [HCR 10](#), [HCR 12](#), [HCR 15](#), [HJM 4](#), [HJM 8](#), and [HJM 9](#) with the recommendation that they do pass.

HEIDER, Chairman

[HCR 10](#), [HCR 12](#), [HCR 15](#), [HJM 4](#), [HJM 8](#), and [HJM 9](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 6, 2019

The HEALTH AND WELFARE Committee reports out [HJM 7](#) with the recommendation that it do pass.

MARTIN, Chairman

[HJM 7](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 6, 2019

The JUDICIARY AND RULES Committee reports out [H 116](#) with the recommendation that it do pass.

LAKEY, Chairman

[H 116](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 6, 2019

Dear Madam President:

I transmit herewith [H 120](#), [H 194](#), [H 207](#), and [H 209](#), which have passed the House.

MAULIN, Chief Clerk

[H 120](#), [H 194](#), [H 207](#), and [H 209](#) were filed for first reading.

March 6, 2019

Dear Madam President:

I transmit herewith Enrolled [H 2](#), as amended in the Senate, and [H 89](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 2](#), as amended in the Senate, and [H 89](#) and ordered them returned to the House.

March 6, 2019

Dear Madam President:

I return herewith Enrolled [S 1026](#), [S 1115](#), [S 1128](#), [S 1046](#), [S 1049](#), and [S 1130](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1026](#), [S 1115](#), [S 1128](#), [S 1046](#), [S 1049](#), and [S 1130](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Darrell Kerby was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jordan, seconded by Senator Harris, the Gubernatorial reappointment of Darrell Kerby as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of James V. Giuffre was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nelson, seconded by Senator Lee, the Gubernatorial reappointment of James V. Giuffre as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Linda Hatzenbuehler was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Jordan, the Gubernatorial reappointment of Linda Hatzenbuehler as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Timothy Rarick was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Souza, the Gubernatorial appointment of Timothy Rarick as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Celia Gould was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Guthrie, the Gubernatorial reappointment of Celia Gould as a member of the Public Employee Retirement System of Idaho Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Lodge was recorded present at this order of business.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Max Black was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Bayer, the Gubernatorial reappointment of Max Black as a member of the State Insurance Fund Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Susan Buxton was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Patrick, the Gubernatorial reappointment of Susan Buxton as the Administrator of the Division of Human Resources was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Thomas Limbaugh was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Burgoyne, the Gubernatorial appointment of Thomas Limbaugh as a member of the Idaho Industrial Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that [HJM 6](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Burtenshaw, seconded by Senator Harris, [HJM 6](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1179 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ALCOHOL; AMENDING SECTION 23-944, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXCEPTIONS TO CERTAIN AGE RESTRICTIONS.

[S 1179](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 120](#) and [H 194](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 207](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 209](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 182](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [S 1003](#), [S 1104](#), [S 1110](#), [S 1061](#), [S 1091](#), [S 1068](#), [S 1056](#), [H 88](#), and [H 106](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1003 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 12, delete "may" and insert: "shall"; and following line 25, insert:

"(d) Diversion shall only be available pursuant to this section if the minor expresses a willingness to cooperate and receive specialized services. If the minor is unwilling to cooperate with specialized services, continuation of the diversion shall be at the discretion of the court."

SENATE AMENDMENT TO S 1104 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 25, following "course" insert: "or in a course at an institution of higher education".

SENATE AMENDMENT TO S 1110 AMENDMENT TO THE BILL

On page 2 of the printed bill, following line 50, insert: "SECTION 3. That Section 41-1039, Idaho Code, be, and the same is hereby amended to read as follows:

41-1039. LICENSE REQUIRED. (1) No person shall hold himself out to be a bail agent or sell, solicit, negotiate, advise or consult regarding the terms of bail bond contracts in this state unless that person is licensed as a producer in the line of surety insurance. The director is vested with the exclusive authority to license bail agents and the authority to regulate the solicitation, negotiation and transaction of bail with retail consumers of bail bonds, provided however, that a court retains the authority to refuse to accept bail bonds from a surety or a bail agent pursuant to its inherent authority, pursuant to Idaho Code, or as provided by supreme court rules, guidelines or appellate decisions.

(2) A bail agent is authorized to execute and countersign undertakings of bail, including bail bonds, in connection with any judicial proceedings in each of the judicial districts of the state. Any sheriff or clerk of the district court shall accept bail bonds only from a bail agent, unless otherwise ordered by the court pursuant to subsection (1) of this section.

(3) In addition to the authority to revoke, suspend or refuse to issue a bail agent's license pursuant to section 41-1016, Idaho Code, the director shall suspend a license for a period not to exceed six (6) months, after mailing notice to the last known address of the bail agent but prior to a hearing, if such bail agent:

(a) Has been convicted or has entered a guilty plea to any felony or to a misdemeanor ~~which evidences bad moral character evidencing theft, dishonesty, a lack of integrity and financial responsibility, or an unfitness and inability to provide acceptable service to the consuming public intimidation, threats, or violence;~~ or

(b) Intentionally and fraudulently makes a false statement to a court in connection with a bail transaction.

(4) In addition to the provisions of subsection (3) of this section, the director may also suspend a license for a period not to exceed six (6) months, after mailing notice to the last known address of the bail agent but prior to a hearing, for reasons set forth in the rules of the department."

CORRECTION TO TITLE

On page 1, in line 4, delete "AND"; and in line 10, following "RECORDS" insert: "; AND AMENDING SECTION 41-1039, IDAHO CODE, TO REVISE A PROVISION REGARDING SUSPENSION OF A LICENSE".

SENATE AMENDMENT TO S 1061

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 15, following "year." insert: "An indefinite term supplemental levy in effect on and before July 1, 2019, shall remain in effect and may be reduced by a majority vote of the board of trustees during any fiscal year.".

SENATE AMENDMENT TO S 1091

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 33, delete "fourteen" and insert: "fourteen five"; and in line 34, delete "14" and insert: "145".

SENATE AMENDMENT TO S 1068

AMENDMENT TO THE BILL

On page 2 of the printed bill, delete lines 21 through 48.

On page 3, delete lines 1 through 20; and in line 21, delete "3" and insert: "2".

CORRECTION TO TITLE

On page 1, in line 6, delete "AMENDING SECTION 41-348, IDAHO CODE, TO REVISE PROVISIONS RE-"; and in line 7, delete "GARDING PROHIBITED ACTS AND TO DEFINE TERMS";.

SENATE AMENDMENT TO S 1056

AMENDMENT TO SECTION 3

On page 2 of the printed bill, in line 37, following "Code." insert: "No district shall commence enforcement under the provisions of this section prior to January 1, 2020. The director shall not curtail ground water diversions based on delinquent assessments levied prior to April 1, 2019, or based on mitigation plan noncompliance that occurred prior to April 1, 2019.".

AMENDMENT TO BILL

On page 2, following line 37, insert:

"SECTION 4. An emergency existing therefore, which emergency is hereby declared to exist, this act shall be in full force and effect on and after April 1, 2019.".

CORRECTION TO TITLE

On page 1, in line 11, following "HEARINGS" insert: "; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE".

SENATE AMENDMENT TO H 88

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 21, delete "forty percent (40%)" and insert: "thirty-nine and three-quarters percent (39.75%)"; also in line 21, delete "forty and"; in line 22, delete "one-half percent (40.5%)" and insert: "forty percent (40%)"; in line 27, delete "fifty-nine percent (59%)" and insert: "fifty-nine and one-quarter percent (59.25%)"; also in line 27, delete "and fifty-nine"; and in line 28, delete "and one-half percent (59.5%)" and insert: "and sixty percent (60%)".

SENATE AMENDMENT TO H 106

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 12 through 15, and insert: "lights, a stationary tow truck displaying flashing lights,

or a stationary highway incident response vehicle displaying flashing lights, shall;"; delete lines 19 through 21, and insert: "traveling in a lane adjacent to the a stationary police vehicle displaying flashing lights or the, an authorized emergency vehicle displaying flashing lights, a stationary tow truck displaying flashing lights, or a highway incident response vehicle displaying flashing lights,"; and delete lines 28 through 30, and insert: "traffic conditions until completely past the stationary police vehicle, or authorized emergency vehicle, stationary tow truck, or highway incident response vehicle.".

The Committee also has [S 1131](#) under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

On motion by Senator Vick, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1003](#), as amended, [S 1104](#), as amended, [S 1110](#), as amended, [S 1061](#), as amended, [S 1091](#), as amended, [S 1068](#), as amended, and [S 1056](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 88](#), as amended in the Senate, and [H 106](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Cheatham, granted by unanimous consent, [S 1074](#) was referred to the Fourteenth Order of Business, General Calendar.

[H 156](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 156](#) passed, title was approved, and the bill ordered returned to the House.

[H 157](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Guthrie, Johnson, Jordan, Lakey, Lee, Lodge, Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Ward-Engelking, Winder, Woodward. Total - 25.

NAYS—Bair, Burtenshaw, Grow, Harris, Heider, Hill, Lent, Martin, Mortimer, Thayn. Total - 10.

Total - 35.

Whereupon the President declared [H 157](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:50 a.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Buckner-Webb, Crabtree, Den Hartog, Lent, Mortimer, Thayn, Ward-Engelking, and Woodward, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [S 1131](#) and [S 1074](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1131 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 17 through 22, and insert: "no less than one two hundred dollars (\$200) nor more than five hundred dollars (\$500) for a first offense under this subsection; no less than four hundred dollars (\$400) for a second offense under this subsection within five (5) years of a prior offense under this subsection; and no less than six hundred dollars (\$600) for a third offense under this subsection within five (5) years of two (2) prior offenses under this subsection. Notwithstanding the provisions of section 19-4705, Idaho Code, the fines imposed under this subsection in excess of one hundred dollars (\$100) shall be paid into the school bus camera fund, which is hereby created in the state treasury. Moneys in the fund may be appropriated only for the purpose of installing cameras on school buses to enforce the traffic law established in this section. If no program is established for the administration of the school bus camera fund by July 1, 2024, then such funds shall be distributed pursuant to section 19-4705, Idaho Code."

CORRECTION TO TITLE

On page 1, delete lines 2 through 4, and insert: "RELATING TO TRAFFIC ENFORCEMENT; AMENDING SECTION 49-1422, IDAHO CODE, TO PROVIDE CERTAIN PENALTIES FOR OVERTAKING A SCHOOL BUS, TO ESTABLISH A CERTAIN FUND, AND TO MAKE TECHNICAL CORRECTIONS."

SENATE AMENDMENT TO S 1074 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 15 through 17, and insert: "when the person is no longer committed to the county jail if the person has been released pursuant to a dismissal, bail, or any other court order of release, unless the release is a temporary release from the jail solely for the purpose of receiving medical care for an injury that occurred while committed in the county jail. Nothing in this chapter precludes a released person from access to coverage under chapter 35, title 31, Idaho Code."

VICK, Chairman

On motion by Senator Vick, seconded by Senator Jordan, the report was adopted by voice vote.

[S 1131](#), as amended, and [S 1074](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

Senators Buckner-Webb, Crabtree, Den Hartog, Mortimer, and Woodward were recorded present at this order of business.

March 7, 2019

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1003](#), [S 1104](#), [S 1110](#), [S 1061](#), [S 1091](#), [S 1068](#), [S 1056](#), [H 88](#), [H 106](#), [S 1131](#), and [S 1074](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 7, 2019

The JUDICIARY AND RULES Committee reports that [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, have been correctly engrossed.

LAKEY, Chairman

[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.

Senators Lent and Thayn were recorded present at this order of business.

March 7, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1026](#), [S 1115](#), [S 1128](#), [S 1046](#), [S 1049](#), and [S 1130](#) were delivered to the Office of the Governor at 3:20 p.m., March 7, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

Senator Ward-Engelking was recorded present at this order of business.

March 7, 2019

The FINANCE Committee reports out [S 1171](#), [S 1172](#), [S 1173](#), and [S 1174](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1171](#), [S 1172](#), [S 1173](#), and [S 1174](#) were filed for second reading.

March 7, 2019

The TRANSPORTATION Committee reports out [H 107](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [H 107](#) was referred to the Fourteenth Order of Business, General Calendar.

March 7, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 112](#) and [S 1073](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 112](#) and [S 1073](#) were filed for second reading.

March 7, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1138](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1138](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 88](#), as amended in the Senate, and [H 106](#), as amended in the Senate, by Transportation and Defense Committee, were read the first time at length and filed for second reading.

[S 1003](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1104](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1110](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1061](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1091](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1068](#), as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

[S 1056](#), as amended, by Resources and Environment Committee, was read the first time at length and filed for second reading.

[S 1131](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1074](#), as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[SJR 102](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Buckner-Webb, Burgoyne, Burtenshaw, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lent, Martin, Mortimer, Nelson, Nye, Patrick, Souza, Stennett, Ward-Engelking, Winder. Total - 23.

NAYS—Bayer, Brackett, Cheatham, Crabtree, Den Hartog, Johnson, Lee, Lodge, Rice, Thayn, Vick, Woodward. Total - 12.

Total - 35.

Less than two-thirds having voted in the affirmative, the President declared that the Senate had failed to adopt [SJR 102](#) and ordered the resolution filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:33 p.m. until the hour of 9:30 a.m., Friday, March 8, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SIXTY-FIRST LEGISLATIVE DAY
FRIDAY, MARCH 8, 2019

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Bair, Burtenshaw, Crabtree, Grow, Lee, Lodge, Patrick, Thayn, Ward-Engelking, and Woodward, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Makenna Moore, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 7, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Grow was recorded present at this order of business.

March 8, 2019

The JUDICIARY AND RULES Committee reports that [SJM 105](#) and [S 1179](#) have been correctly printed.

LAKEY, Chairman

[SJM 105](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1179](#) was referred to the State Affairs Committee.

March 7, 2019

The EDUCATION Committee reports out [H 150](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 150](#) was filed for second reading.

Senator Patrick was recorded present at this order of business.

March 7, 2019

The EDUCATION Committee reports out [S 1106](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1106](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 7, 2019

Dear Madam President:

I transmit herewith [H 227](#) and [H 210](#), which have passed the House.

MAULIN, Chief Clerk

[H 227](#) and [H 210](#) were filed for first reading.

Senators Lee, Ward-Engelking, and Woodward were recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senators Burtenshaw, Crabtree, Lodge, and Thayn were recorded present at this order of business.

The President announced that [SJM 104](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Brackett, seconded by Senator Stennett, [SJM 104](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 227](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 210](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 160](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 165](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 200](#), [H 215](#), [H 219](#), [H 220](#), [H 221](#), [H 222](#), [H 223](#), [H 224](#), and [H 225](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), [S 1168](#), [S 1169](#), and [S 1170](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1152](#) and [S 1153](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 116](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[S 1171](#), [S 1172](#), [S 1173](#), and [S 1174](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 112](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1073](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 88](#), as amended in the Senate, and [H 106](#), as amended in the Senate, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[S 1003](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1104](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[S 1110](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1061](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[S 1091](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1068](#), as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1056](#), as amended, by Resources and Environment Committee, was read the second time at length and filed for third reading.

[S 1131](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1074](#), as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

Senator Bair was recorded present at this order of business.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1147](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1147](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1148](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1148](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1149](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1149](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1150](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1150](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1146](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Lee and Nye disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1146](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1050](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1050](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1087](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1087](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1155](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Crabtree, Grow, Guthrie, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Ward-Engelking, Winder, Woodward. Total - 31.

NAYS—Cheatham, Den Hartog, Harris, Vick. Total - 4.

Total - 35.

Whereupon the President declared [S 1155](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1156](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—Bayer, Harris, Rice. Total - 3.

Total - 35.

Whereupon the President declared [S 1156](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1157](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1157](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1158](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Ward-Engelking, Winder, Woodward. Total - 30.

NAYS—Guthrie, Harris, Lent, Mortimer, Vick. Total - 5.

Total - 35.

Whereupon the President declared [S 1158](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 134](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Burgoyne, Cheatham, Crabtree, Den Hartog, Guthrie, Johnson, Jordan, Lakey, Lee, Lodge, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 25.

NAYS—Bair, Burtenshaw, Grow, Harris, Heider, Hill, Lent, Martin, Mortimer. Total - 9.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [H 134](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 155](#) was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:11 a.m. until the hour of 10 a.m., Monday, March 11, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SIXTY-FOURTH LEGISLATIVE DAY
MONDAY, MARCH 11, 2019

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Lodge, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Jakob Alt, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 8, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 106

BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, 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 THE SECRETARY OF AGRICULTURE, AND TO THE SECRETARY OF THE INTERIOR.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, approximately 63% of land in the State of Idaho is public land controlled by the United States, primarily by the Bureau of Land Management and the Forest Service, which makes the right to cross federal land for delivery of water rights to Idaho water users extremely important; and

WHEREAS, the law of the United States, since the 1866 Mining Act, has recognized that a water user in the arid West has the right to divert water from the rivers and streams across federal land for use on private property for, among other purposes, mining and agriculture. When the water user has a water right

appropriated under state law, the law provides that a water user needs no approval from the federal government for the diversion and beneficial use of the water on the user's private property; and

WHEREAS, the United States Congress passed the Federal Land Policy and Management Act (FLPMA), as amended, in 1976, which explicitly recognizes and protects easements and rights existing on federal lands and recognizes under previous laws, such as the 1866 Mining Act, to deliver water appropriated under state law across federal land to private property; and

WHEREAS, Congress passed an amendment to FLPMA in 1986 known as the Colorado Ditch Bill Act, which explicitly directs the Secretary of Agriculture to issue a permanent easement for a water system involving reservoirs, canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other facilities and systems, for the impoundment, storage, transportation, and distribution of water traversing federal lands within the National Forest System when: (1) the water system is used for agricultural irrigation or livestock purposes; (2) the system that existed in 1976 has remained in operation; (3) any enlargement of the system after 1976 requires separate authorization; (4) the user has a valid state water right; and (5) the use involves some private land. The water users were to supply the Forest Service with evidence of the location of easements; and

WHEREAS, the state of Idaho has had a comprehensive method for recognizing the appropriation of waters of the state for beneficial use under the priority doctrine since before statehood; and

WHEREAS, the State of Idaho recognized in 1984 the need to adjudicate the water rights of this state and the Legislature directed the Department of Water Resources to initiate the Snake River Basin Adjudication (SRBA), as provided by Idaho law, to facilitate the effective management of the waters of the Snake River Basin and to engage in a comprehensive adjudication of all surface and ground water use in the basin; and

WHEREAS, the United States was a party to the SRBA, is bound by the decrees of the SRBA court, and must recognize the water rights of the Idaho water users as decreed by the SRBA court; and

WHEREAS, the SRBA issued more than 167,000 water rights and issued its final unified decree in 2014, in which the SRBA court decreed water rights with priority rights dating back, in some instances, to the 1860s; and

WHEREAS, Congress further directed that applications under the Colorado Ditch Bill Act by easement holders be submitted by the end of 1996 to assist the Secretary of Agriculture in issuing permanent easements; and

WHEREAS, the Secretary of Agriculture has not issued or recognized many of these permanent easements, even though the water rights have been decreed by the SRBA court and the applications have been submitted as required by Congress more than 20 years ago; and

WHEREAS, certain interest groups are arguing that the secretary must take actions harmful to the pre-FLPMA easement holders because the secretary has not issued the mandated easements; and

WHEREAS, the vast majority of surface water rights in this state were decreed with priority dates that preceded the enactment of FLPMA in 1976, and those water users are entitled to the right to cross federal lands to deliver their state water rights; and

WHEREAS, there are many Idaho water users, such as the members of the Salmon Headwaters Conservation Association, that properly complied with the easement requirements specified by the Colorado Ditch Bill Act to have their permanent easement recognized by the United States, but are now required to further expend resources on legal and administrative processes to defend

and protect their valid existing Idaho water rights and associated rights-of-way across federal land.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we urge the President of the United States 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 lands under their respective administrations without requiring citizens of the United States to sue the government in order to enjoy the benefits of such validly existing easement rights.

BE IT FURTHER RESOLVED that the President and Congress take such action as necessary to require the Secretary of Agriculture to recognize valid easements existing prior to FLPMA on lands within the National Forest System without requiring citizens of the United States to sue the government in order to enjoy the benefits of such validly existing rights.

BE IT FURTHER RESOLVED that in recognition that the Secretary of Agriculture has not acted on applications submitted more than 20 years ago, the President and Congress are urged to take such action as necessary to extend the deadline for filing applications under FLPMA for an additional two years.

BE IT FURTHER RESOLVED that the President and Congress are urged to take such action as necessary to require the Secretary of Agriculture to refrain from interfering with the use of any decreed water right by attempting under any federal law to attach conditions on any 1866 Mining Act or FLPMA easements crossing federal lands, especially in a manner that restricts or conditions in any way the use of water on private land as authorized by state law.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, 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 the Secretary of Agriculture, and to the Secretary of the Interior.

SCR 107

BY STATE AFFAIRS 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 Senate and the House of Representatives concurring therein, that IDAPA 35.01.03, Property Tax Administrative Rules, Sections 613. and 614., adopted as a pending rule under Docket Number 35-0103-1801, only, be, and the same are hereby rejected and declared null, void, and of no force and effect.

SCR 108

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE TAX COMMISSION RELATING TO SALES AND USE 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 Sales and Use 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 Senate and the House of Representatives concurring therein, that IDAPA 35.01.02, Sales and Use Tax Administrative Rules, Section 106., Subsection 05.b., adopted as a pending rule under Docket Number 35-0102-1803, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

SCR 109

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE TAX COMMISSION RELATING TO INCOME 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 Income 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 Senate and the House of Representatives concurring therein, that IDAPA 35.01.01, Income Tax Administrative Rules, Section 015., Subsection 02., adopted as a pending rule under Docket Number 35-0101-1801, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

[SJM 106](#), [SCR 107](#), [SCR 108](#), and [SCR 109](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 8, 2019

The FINANCE Committee reports out [H 227](#) with the recommendation that it do pass.

BAIR, Chairman

[H 227](#) was filed for second reading.

March 8, 2019

The STATE AFFAIRS Committee reports out [H 124](#) and [S 1178](#) with the recommendation that they do pass.

LODGE, Chairman

[H 124](#) and [S 1178](#) were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

Senator Lodge was recorded present at this order of business.

March 8, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Russell A. Ludlow of Burley, Idaho, was appointed as a member of the Bingo-Raffle Advisory Board to serve a term commencing March 7, 2019, and expiring January 7, 2022.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

March 8, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Betty Coppersmith of Eagle, Idaho, was appointed as a member of the Oil and Gas Conservation Commission to serve a term commencing March 8, 2019, and expiring July 1, 2020.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

March 8, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that James R. Thompson of Sandpoint, Idaho, was appointed as a member of the Idaho Transportation Board to serve a term commencing January 31, 2019, and expiring January 31, 2025.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Transportation Committee.

March 8, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1026](#), [S 1046](#), [S 1049](#), [S 1115](#), [S 1128](#), and
[S 1130](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 8, 2019

Dear Madam President:

I transmit herewith [H 208](#), [H 204](#), [H 244](#), [H 230](#), [H 231](#), [H 232](#), [H 233](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 192](#), and [H 195](#), which have passed the House.

MAULIN, Chief Clerk

[H 208](#), [H 204](#), [H 244](#), [H 230](#), [H 231](#), [H 232](#), [H 233](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 192](#), and [H 195](#) were filed for first reading.

March 8, 2019

Dear Madam President:

I transmit 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](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed 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 ordered them returned to the House.

March 8, 2019

Dear Madam President:

I return herewith Enrolled [S 1047](#) and [S 1008](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1047](#) and [S 1008](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1180

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING CHAPTER 52, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5218, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A PUBLIC CHARTER SCHOOL FACILITIES PROGRAM.

S 1181

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO EDUCATION; AMENDING SECTION 33-513, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE ANNUAL EVALUATION OF A SCHOOL DISTRICT SUPERINTENDENT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-5206, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE ANNUAL EVALUATION OF THE CHIEF ADMINISTRATOR OF A PUBLIC CHARTER SCHOOL AND TO MAKE TECHNICAL CORRECTIONS.

S 1182

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE RESIDENTIAL SOLAR ENERGY SYSTEM DISCLOSURE ACT; AMENDING TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 18, TITLE 48, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE APPLICABILITY, TO REQUIRE A DISCLOSURE STATEMENT IN CERTAIN INSTANCES, TO PROVIDE FOR THE CONTENTS OF A DISCLOSURE STATEMENT, TO PROVIDE THAT DISCLOSURE STATEMENTS FOR ANY SOLAR AGREEMENTS SHALL CONTAIN CERTAIN INFORMATION, TO PROVIDE THAT DISCLOSURE STATEMENTS FOR SYSTEM PURCHASE AGREEMENTS SHALL CONTAIN CERTAIN INFORMATION, TO PROVIDE THAT DISCLOSURE STATEMENTS FOR SYSTEM LEASE AGREEMENTS SHALL CONTAIN CERTAIN INFORMATION, TO PROVIDE FOR A GOOD FAITH ESTIMATE IN CERTAIN INSTANCES, AND TO PROVIDE THAT THE ATTORNEY GENERAL AND DISTRICT COURT SHALL HAVE CERTAIN AUTHORITY.

S 1183

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO CAMPAIGN FINANCE; AMENDING SECTION 67-6602, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 67-6611, IDAHO CODE, TO REVISE THE FILING DEADLINES FOR REPORTING INDEPENDENT EXPENDITURES AND TO REQUIRE CERTAIN DISCLOSURES; AMENDING SECTION 67-6628, IDAHO CODE, TO REVISE THE FILING DEADLINES FOR REPORTING ELECTIONEERING COMMUNICATIONS, TO REQUIRE CERTAIN DISCLOSURES, AND TO REQUIRE A LEGIBLE AUTHORITY LINE IN ELECTIONEERING COMMUNICATIONS; AMENDING SECTION 67-6606, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 67-6621, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1184

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PUBLIC HEALTH SERVICES DIVISION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY; DIRECTING THE USE OF MONEYS FOR SUICIDE PREVENTION AND AWARENESS; PROVIDING FOR A CASH TRANSFER; AND REQUIRING REPORTING.

S 1185

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF CHILD WELFARE, SERVICES FOR THE DEVELOPMENTALLY DISABLED, AND SERVICE INTEGRATION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY; CLARIFYING THE RESPONSIBILITY FOR THE EDUCATION OF CERTAIN CHILDREN IN STATE CARE; DIRECTING THE USE OF CHILD ABUSE PROTECTION TREATMENT ACT FUNDS; AND DIRECTING EXPENDITURES FOR HEAD START APPROPRIATIONS FROM TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

[S 1180](#), [S 1181](#), [S 1182](#), [S 1183](#), [S 1184](#), and [S 1185](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 208](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 204](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 244](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 230](#), [H 231](#), [H 232](#), [H 233](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), and [H 238](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 192](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 195](#), by Education Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 150](#), by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 155](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 155](#) passed, title was approved, and the bill ordered returned to the House.

[S 1162](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1162](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1163](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1163](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1164](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Lee and Nye disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1164](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1165](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate.

On request by Senator Winder, granted by unanimous consent, [S 1165](#) retained its place on the Third Reading Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:12 p.m. until the hour of 3:15 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Burgoyne, Burtenshaw, Crabtree, Guthrie, Rice, and Stennett, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 11, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1047](#) and [S 1008](#) were delivered to the Office of the Governor at 1:55 p.m., March 11, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 11, 2019

The STATE AFFAIRS Committee reports out [H 158](#), as amended, and [S 1179](#) with the recommendation that they do pass.

LODGE, Chairman

[H 158](#), as amended, and [S 1179](#) were filed for second reading.

March 11, 2019

The FINANCE Committee reports out [H 230](#), [H 231](#), [H 232](#), [H 233](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), and [H 238](#) with the recommendation that they do pass.

BAIR, 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.

Senators Guthrie and Rice were recorded present at this order of business.

March 11, 2019

The JUDICIARY AND RULES Committee reports out [H 114](#), [H 117](#), [H 137](#), as amended, and [H 181](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 114](#), [H 117](#), [H 137](#), as amended, and [H 181](#) were filed for second reading.

March 11, 2019

The JUDICIARY AND RULES Committee reports out [H 118](#), as amended, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [H 118](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

March 11, 2019

The RESOURCES AND ENVIRONMENT Committee reports out [H 97](#), [HCR 9](#), and [S 1151](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 97](#) and [S 1151](#) were filed for second reading.

[HCR 9](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senators Burgoyne, Crabtree, and Stennett were recorded present at this order of business.

March 11, 2019

The RESOURCES AND ENVIRONMENT Committee reports out [H 162](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, [H 162](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [HCR 10](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

Pursuant to Senate Rule 39(H), Senator Anthon disclosed a possible conflict of interest under applicable law.

On motion by Senator Bair, seconded by Senator Stennett, [HCR 10](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 12](#) was before the Senate for final consideration.

Moved by Senator Bair, seconded by Senator Ward-Engelking, that [HCR 12](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the president declared [HCR 12](#) adopted, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 15](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Stennett, seconded by Senator Guthrie, [HCR 15](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HJM 4](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

Pursuant to Senate Rule 39(H), Senator Lee disclosed a possible conflict of interest under applicable law.

On motion by Senator Brackett, seconded by Senator Jordan, [HJM 4](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

The President announced that [HJM 8](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Thayn, seconded by Senator Brackett, [HJM 8](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that [HJM 9](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Johnson, seconded by Senator Stennett, [HJM 9](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that [HJM 7](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Bayer, [HJM 7](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that [SJM 105](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Heider, seconded by Senator Harris, [SJM 105](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1186

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING THE HEADING FOR CHAPTER 10, TITLE 33, IDAHO CODE; AMENDING SECTION 33-1001, IDAHO CODE, TO REMOVE DEFINITIONS, TO REVISE DEFINITIONS, AND TO DEFINE TERMS; REPEALING SECTION 33-1002, IDAHO

CODE, RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002, IDAHO CODE, TO PROVIDE FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM AND STUDENT-BASED FOUNDATION FUNDING; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002A, IDAHO CODE, TO PROVIDE A TRANSITION TO STUDENT-BASED FUNDING, TO ESTABLISH A HOLD HARMLESS PROVISION AND PROVISIONS REGARDING ANNUAL FUND INCREASES, AND TO PROVIDE A LIMITATION; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002B, IDAHO CODE, TO PROVIDE FOR SPECIAL PROGRAMS SUPPORT; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002C, IDAHO CODE, TO PROVIDE FOR WEIGHTS AND RULEMAKING; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002D, IDAHO CODE, TO ESTABLISH PROVISIONS FOR STUDENT ENROLLMENT COUNTS AND RULEMAKING; REPEALING SECTION 33-1003, IDAHO CODE, RELATING TO SPECIAL APPLICATION OF THE EDUCATIONAL SUPPORT PROGRAM; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1003, IDAHO CODE, TO PROVIDE FOR PAYMENTS TO LOCAL EDUCATION AGENCIES; REPEALING SECTION 33-1003A, IDAHO CODE, RELATING TO THE CALCULATION OF AVERAGE DAILY ATTENDANCE; REPEALING SECTION 33-1003C, IDAHO CODE, RELATING TO SPECIAL APPLICATION OF TECHNOLOGY INSTRUCTION; REPEALING SECTION 33-1004, IDAHO CODE, RELATING TO STAFF ALLOWANCE; REPEALING SECTION 33-1004A, IDAHO CODE, RELATING TO THE EXPERIENCE AND EDUCATION MULTIPLIER; AMENDING SECTION 33-1004B, IDAHO CODE, AS AMENDED BY SECTION 5, CHAPTER 169, LAWS OF 2018, TO REDESIGNATE THE SECTION, TO AMEND PROVISIONS REGARDING THE CAREER LADDER, AND TO ESTABLISH PROVISIONS REGARDING LOCAL SALARY SCHEDULES; REPEALING SECTION 33-1004C, IDAHO CODE, RELATING TO BASE AND MINIMUM SALARIES, LEADERSHIP PREMIUMS, AND THE EDUCATION AND EXPERIENCE INDEX; AMENDING SECTION 33-1004E, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REMOVE PROVISIONS REGARDING SALARY-BASED APPORTIONMENT; AMENDING SECTION 33-1004F, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 92, LAWS OF 2017, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS REGARDING OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS, AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-1004I, IDAHO CODE, AS AMENDED BY SECTION 1, CHAPTER 92, LAWS OF 2017, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, AND TO REMOVE A DEFINITION; AMENDING SECTION 33-1004J, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, TO PROVIDE A CORRECT CODE REFERENCE, TO REMOVE A DEFINITION, AND TO REQUIRE THAT CERTAIN PROVISIONS ARE REVIEWED BY THE LEGISLATURE; AMENDING SECTION 33-1002B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE REFERENCES TO SUPPORT UNIT AND AVERAGE DAILY ATTENDANCE, TO

PROVIDE REFERENCES TO THE FOUNDATION AND STUDENT ENROLLMENT COUNTS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1002C, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR NIGHT SCHOOL PROGRAMS, AND TO REVISE PROVISIONS REGARDING SUMMER SCHOOL PROGRAMS AND JUVENILE DETENTION FACILITIES; AMENDING SECTION 33-1002F, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE PROVISIONS REGARDING SUPPORT UNITS, AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1002E, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-1002G, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REMOVE A CAREER TECHNICAL SCHOOL REQUIREMENT REGARDING SECONDARY SUPPORT UNITS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1005E, IDAHO CODE, TO PROVIDE FOR THE PUBLIC SCHOOL CLASSROOM TECHNOLOGY PROGRAM; REPEALING SECTION 33-1009, IDAHO CODE, RELATING TO PAYMENTS FROM THE PUBLIC SCHOOL INCOME FUND; AMENDING SECTION 33-1007A, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1010, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1005, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, TO REMOVE A REFERENCE TO AVERAGE DAILY ATTENDANCE, AND TO PROVIDE FOR STUDENT ENROLLMENT COUNTS; REPEALING SECTION 33-1017, IDAHO CODE, RELATING TO THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN AND GRANT FUND; AMENDING SECTION 33-1018, IDAHO CODE, TO REMOVE REFERENCES TO DISCRETIONARY FUNDING AND TO PROVIDE FOR PUBLIC SCHOOL STUDENT-BASED FOUNDATION FUNDING VARIABILITY; AMENDING SECTION 33-1020, IDAHO CODE, TO REVISE PROVISIONS REGARDING A BASE AMOUNT AND A VARIABLE AMOUNT OF IDAHO DIGITAL LEARNING ACADEMY FUNDING TO BE DISTRIBUTED; REPEALING SECTION 33-1021, IDAHO CODE, RELATING TO MATH AND SCIENCE REQUIREMENTS; AMENDING SECTION 33-1024, IDAHO CODE, TO REVISE PROVISIONS REGARDING MONEYS FOR CERTAIN ONLINE PORTALS; AMENDING SECTION 33-309, IDAHO CODE, TO REMOVE A REFERENCE TO AVERAGE DAILY ATTENDANCE AND TO PROVIDE FOR STUDENT ENROLLMENT COUNT; AMENDING SECTION 33-317, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-507, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 33-515, IDAHO CODE, TO REVISE PROVISIONS REGARDING RENEWABLE CONTRACTS; AMENDING SECTION 33-522, IDAHO CODE, TO REVISE PROVISIONS REGARDING A FINANCIAL EMERGENCY; AMENDING SECTION 33-701, IDAHO CODE, TO REVISE A DATE AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-801A, IDAHO CODE, TO REMOVE A PROVISION REGARDING SUPPORT UNITS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-804, IDAHO CODE, TO REVISE QUALIFICATIONS FOR SUBMITTING A CERTAIN QUESTION TO ELECTORS OF A SCHOOL DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING

SECTION 33-805, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SCHOOL EMERGENCY FUND LEVY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-905, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SCHOOL DISTRICT BUILDING ACCOUNT AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-906, IDAHO CODE, TO REMOVE CODE REFERENCES; AMENDING SECTION 33-906B, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE VALUE INDEX CALCULATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1405, IDAHO CODE, TO REVISE PROVISIONS REGARDING RATES OF TUITION, TO PROVIDE CORRECT TERMINOLOGY, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1406, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1613, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN AND GRANT FUND; AMENDING SECTION 33-1619, IDAHO CODE, TO REVISE PROVISIONS REGARDING VIRTUAL EDUCATION PROGRAMS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-1627, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MONEYS APPROPRIATED FOR THE MATH INITIATIVE PROGRAM; AMENDING SECTION 33-2001, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 33-2004, IDAHO CODE, TO REMOVE REFERENCES TO DAILY ATTENDANCE, TO ESTABLISH PROVISIONS REGARDING STUDENT ENROLLMENT, TO REVISE TERMINOLOGY, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-4602, IDAHO CODE, TO REVISE PROVISIONS REGARDING DUAL CREDIT COURSES AND TO REVISE TERMINOLOGY; AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS REGARDING PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING SECTION 33-5210, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 33-5214, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5215, IDAHO CODE, TO REMOVE A REFERENCE TO SALARY-BASED APPORTIONMENT, TO REMOVE REFERENCES TO ADA, AND TO ESTABLISH PROVISIONS FOR ENROLLMENT REPORTS; AMENDING SECTION 33-5217, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-2908, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 57-1303, IDAHO CODE, TO REMOVE A REFERENCE TO AVERAGE DAILY ATTENDANCE, TO ESTABLISH PROVISIONS FOR AN UNWEIGHTED STUDENT ENROLLMENT COUNT, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 59-1115, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-315, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 63-805, IDAHO CODE, TO REMOVE REFERENCES TO AVERAGE DAILY ATTENDANCE AND TO ESTABLISH PROVISIONS REGARDING STUDENTS ENROLLED; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SUNSET DATE.

[S 1186](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1165](#), having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. President McGeachin recognized Senator Ward-Engelking to continue open debate.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1165](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1166](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1166](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1167](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1167](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1168](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1168](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1169](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 29.

NAYS—Bayer, Martin, Vick. Total - 3.

Absent and excused—Burtenshaw, Den Hartog, Mortimer. Total - 3.

Total - 35.

Whereupon the President declared [S 1169](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Vick, granted by unanimous consent, [S 1170](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1152](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Woodward disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1152](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Vick, granted by unanimous consent, [S 1153](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1171](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 31.

NAYS—Cheatham, Den Hartog, Vick. Total - 3.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1171](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1172](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1172](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1173](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1173](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1174](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1174](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:30 p.m. until the hour of 9:30 a.m., Tuesday, March 12, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 12, 2019

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Johnson, absent and formally excused by the Chair; and Senator Lodge, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Bret Bagley, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 11, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 12, 2019

The JUDICIARY AND RULES Committee reports that [SJM 106](#), [SCR 107](#), [SCR 108](#), [SCR 109](#), [S 1180](#), [S 1181](#), [S 1182](#), [S 1183](#), [S 1184](#), [S 1185](#), and [S 1186](#) have been correctly printed.

LAKEY, Chairman

[SJM 106](#), [SCR 107](#), [SCR 108](#), and [SCR 109](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1180](#) and [S 1181](#) were referred to the Education Committee.

[S 1182](#) and [S 1183](#) were referred to the State Affairs Committee.

[S 1184](#) and [S 1185](#) were referred to the Finance Committee.

[S 1186](#) was referred to the Education Committee.

March 11, 2019

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the

Committee recommends that said appointment be confirmed by the Senate:

Jeff Weak as the Administrator of Information Technology Services, term to continue at the pleasure of the Governor.

LODGE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 11, 2019

The HEALTH AND WELFARE Committee reports out [H 180](#) with the recommendation that it do pass.

MARTIN, Chairman

[H 180](#) was filed for second reading.

March 11, 2019

The EDUCATION Committee reports out [H 93](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [H 93](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 11, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1008](#) and [S 1047](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 11, 2019

Dear Madam President:

I transmit herewith [H 245](#), [H 246](#), and [H 217](#), which have passed the House.

MAULIN, Chief Clerk

[H 245](#), [H 246](#), and [H 217](#) were filed for first reading.

March 11, 2019

Dear Madam President:

I transmit herewith Enrolled [HJM 6](#), [H 156](#), and [H 157](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HJM 6](#), [H 156](#), and [H 157](#) and ordered them returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1187

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO APPROPRIATIONS FROM THE IDAHO MILLENNIUM INCOME FUND; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO RECOVERY IDAHO FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2020; PROVIDING THAT CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS SHALL REVERT TO THE IDAHO MILLENNIUM INCOME FUND AT THE END OF FISCAL YEAR 2020; RETAINING MONEYS IN THE IDAHO MILLENNIUM INCOME FUND; AND DECLARING AN EMERGENCY.

S 1188

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION FOR COMMUNITY COLLEGES FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION FOR COMMUNITY COLLEGES FOR FISCAL YEAR 2020; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1189

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1190

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE SECRETARY OF STATE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2020; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1191

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE STATE CONTROLLER FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR THE RECOVERY OF STATE CONTROLLER SERVICE COSTS TO THE INDIRECT COST RECOVERY FUND; AND PROVIDING REAPPROPRIATION AUTHORITY.

S 1192

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE BOND PAYMENTS PROGRAM FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE BOND PAYMENTS PROGRAM FOR FISCAL YEAR 2020.

[S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), and [S 1192](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 245](#) and [H 246](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 217](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 227](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 124](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1178](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 158](#), as amended, by Ways and Means Committee, was read the second time at length and filed for third reading.

[S 1179](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[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 at length and filed for third reading.

[H 114](#), [H 117](#), and [H 137](#), as amended, by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[H 181](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 97](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[S 1151](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1170](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Heider, Johnson. Total - 2.

Total - 35.

Whereupon the President declared [S 1170](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1153](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Heider, Johnson. Total - 2.

Total - 35.

Whereupon the President declared [S 1153](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1073](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Jordan, Lee, Lent, Lodge, Martin, Nelson, Nye, Rice, Souza, Thayn, Vick, Ward-Engelking, Woodward. Total - 26.

NAYS—None.

Absent and excused—Burgoyne, Burtenshaw, Hill, Johnson, Lakey, Mortimer, Patrick, Stennett, Winder. Total - 9.

Total - 35.

Whereupon the President declared [S 1073](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1003](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration.

Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Woodward. Total - 30.

NAYS—None.

Absent and excused—Burtenshaw, Hill, Johnson, Ward-Engelking, Winder. Total - 5.

Total - 35.

Whereupon the President declared [S 1003](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1104](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Woodward. Total - 1.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1104](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1110](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cheatham arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Hill, Johnson. Total - 2.

Total - 35.

Whereupon the President declared [S 1110](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1061](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Grow, Guthrie, Heider, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 30.

NAYS—Bayer, Den Hartog, Harris. Total - 3.

Absent and excused—Hill, Johnson. Total - 2.

Total - 35.

Whereupon the President declared [S 1061](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1091](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1091](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1068](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—Cheatham, Crabtree. Total - 2.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1068](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1056](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Nye disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—Burgoyne. Total - 1.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1056](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1131](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1131](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1074](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cheatham arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1074](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 88](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Anthon disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Brackett, Crabtree, Den Hartog, Grow, Harris, Heider, Lakey, Lee, Lodge, Martin, Patrick, Rice, Vick, Winder, Woodward. Total - 17.

NAYS—Bair, Bayer, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Guthrie, Hill, Johnson, Jordan, Lent, Mortimer, Nelson, Nye, Souza, Stennett, Thayn, Ward-Engelking. Total - 18.

Total - 35.

Whereupon the President declared that [H 88](#), as amended in the Senate, had failed to pass the Senate and ordered the bill returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Buckner-Webb, by voice vote the Senate recessed at 12:34 p.m. until the hour of 3:15 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Brackett, Burtenshaw, Den Hartog, Grow, Lee, Lodge, and Mortimer, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 12, 2019

The JUDICIARY AND RULES Committee reports that [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), and [S 1192](#) have been correctly printed.

LAKEY, Chairman

[S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), and [S 1192](#) were referred to the Finance Committee.

Senators Den Hartog, Lee, and Mortimer were recorded present at this order of business.

March 12, 2019

The AGRICULTURAL AFFAIRS Committee reports out [H 176](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[H 176](#) was filed for second reading.

March 12, 2019

The FINANCE Committee reports out [H 245](#), [H 246](#), [S 1184](#), and [S 1185](#) with the recommendation that they do pass.

BAIR, Chairman

[H 245](#), [H 246](#), [S 1184](#), and [S 1185](#) were filed for second reading.

March 12, 2019

The TRANSPORTATION Committee reports out [H 167](#) and [H 168](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 167](#) and [H 168](#) were filed for second reading.

March 12, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 144](#) and [H 177](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 144](#) and [H 177](#) were filed for second reading.

March 12, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Jani Revier as the Director of the Department of Labor, term to continue at the pleasure of the Governor.

Kelley Packer as the Bureau Chief of the Bureau of Occupational Licenses, term to continue at the pleasure of the Governor.

PATRICK, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 12, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1028](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Brackett was recorded present at this order of business.

The President announced that [HCR 9](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Johnson, seconded by Senator Ward-Engelking, [HCR 9](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Grow was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 106](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—None.

Absent and excused—Anthon, Burtenshaw, Lodge. Total - 3.

Total - 35.

Whereupon the President declared [H 106](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 171](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—None.

Absent and excused—Anthon, Burtenshaw, Lodge. Total - 3.

Total - 35.

Whereupon the President declared [H 171](#) passed, title was approved, and the bill ordered returned to the House.

[H 173](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 29.

NAYS—Bayer, Patrick, Rice, Souza. Total - 4.

Absent and excused—Anthon, Burtenshaw. Total - 2.

Total - 35.

Whereupon the President declared [H 173](#) passed, title was approved, and the bill ordered returned to the House.

[H 186](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—None.

Absent and excused—Anthon, Burtenshaw, Hill. Total - 3.

Total - 35.

Whereupon the President declared [H 186](#) passed, title was approved, and the bill ordered returned to the House.

[H 187](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Brackett, Buckner-Webb, Burgoyne, Cheatham, Grow, Guthrie, Harris, Heider, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Souza, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 27.

NAYS—Bayer, Crabtree, Den Hartog, Rice, Vick. Total - 5.

Absent and excused—Anthon, Burtenshaw, Hill. Total - 3.

Total - 35.

Whereupon the President declared [H 187](#) passed, title was approved, and the bill ordered returned to the House.

[H 113](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—None.

Absent and excused—Anthon, Burtenshaw, Hill. Total - 3.

Total - 35.

Whereupon the President declared [H 113](#) passed, title was approved, and the bill ordered returned to the House.

[H 153](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Burtenshaw. Total - 2.

Total - 35.

Whereupon the President declared [H 153](#) passed, title was approved, and the bill ordered returned to the House.

[H 109](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 30.

NAYS—Bair, Crabtree, Johnson. Total - 3.

Absent and excused—Anthon, Burtenshaw. Total - 2.

Total - 35.

Whereupon the President declared [H 109](#) passed, title was approved, and the bill ordered returned to the House.

[H 151](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—Crabtree. Total - 1.

Absent and excused—Anthon, Burtenshaw. Total - 2.

Total - 35.

Whereupon the President declared [H 151](#) passed, title was approved, and the bill ordered returned to the House.

[H 211](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Burtenshaw. Total - 2.

Total - 35.

Whereupon the President declared [H 211](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 212](#) retained its place on the Third Reading Calendar for one legislative day.

[H 213](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Burtenshaw. Total - 2.

Total - 35.

Whereupon the President declared [H 213](#) passed, title was approved, and the bill ordered returned to the House.

[H 214](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Burtenshaw. Total - 2.

Total - 35.

Whereupon the President declared [H 214](#) passed, title was approved, and the bill ordered returned to the House.

[H 216](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Burtenshaw. Total - 2.

Total - 35.

Whereupon the President declared [H 216](#) passed, title was approved, and the bill ordered returned to the House.

[H 126](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Burtenshaw. Total - 2.

Total - 35.

Whereupon the President declared [H 126](#) passed, title was approved, and the bill ordered returned to the House.

[H 84](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Burtenshaw. Total - 2.

Total - 35.

Whereupon the President declared [H 84](#) passed, title was approved, and the bill ordered returned to the House.

[H 94](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Woodward. Total - 30.

NAYS—Bayer, Den Hartog, Winder. Total - 3.

Absent and excused—Anthon, Burtenshaw. Total - 2.

Total - 35.

Whereupon the President declared [H 94](#) passed, title was approved, and the bill ordered returned to the House.

[H 182](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee

arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Burtenshaw. Total - 2.

Total - 35.

Whereupon the President declared [H 182](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:18 p.m. until the hour of 10 a.m., Wednesday, March 13, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SIXTY-SIXTH LEGISLATIVE DAY
WEDNESDAY, MARCH 13, 2019

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Burtenshaw and Guthrie, absent and formally excused by the Chair; and Senators Lodge and Vick, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Lauren Pattee, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 12, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 12, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 164](#), [H 184](#), and [H 201](#) with the recommendation that they do pass.

RICE, Chairman

[H 164](#), [H 184](#), and [H 201](#) were filed for second reading.

March 12, 2019

The FINANCE Committee reports out [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), and [S 1192](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), and [S 1192](#) were filed for second reading.

March 12, 2019

The HEALTH AND WELFARE Committee reports out [H 244](#) with the recommendation that it do pass.

MARTIN, Chairman

[H 244](#) was filed for second reading.

The Senate advanced to the Seventh Order of Business.

Reports of Special Committees

March 13, 2019

To: Senate Judiciary and Rules Committee
House Judiciary, Rules, and Administration Committee

Pursuant to Idaho Code Section 67-509

The Joint Printing Committee recommends the continued endorsement of limiting the printing of the Idaho Session Laws to a total of 150 copies given the accessibility and decrease in the expenditures associated with online access. The Committee also acknowledges there will be a significant decrease from the 2018 publishing price of \$4,682 in legislative expenditures as the state agencies will be required to cover the cost of the amount of volumes they order.

The Joint Printing Committee also requests that the Secretary of the Senate and the Chief Clerk of the House of Representatives be allotted the time to continue to process, review, and upload historic volumes 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 recommendations of the Joint Printing Committee were referred to the Judiciary and Rules Committee.

Senator Vick was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 12, 2019

Dear Madam President:

I transmit herewith [H 248](#), [H 205](#), [H 193](#), as amended, [H 130](#), as amended, and [HCR 18](#), which have passed the House.

MAULIN, Chief Clerk

[H 248](#), [H 205](#), [H 193](#), as amended, [H 130](#), as amended, and [HCR 18](#) were filed for first reading.

March 12, 2019

Dear Madam President:

I transmit herewith Enrolled [H 134](#) and [H 42](#), as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 134](#) and [H 42](#), as amended in the Senate, and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, [SJM 106](#), [SCR 107](#), [SCR 108](#), and [SCR 109](#) retained their place on the calendar.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Jeff Weak was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Grow, seconded by Senator Nelson, the Gubernatorial appointment of Jeff Weak as the Administrator of Information Technology Services was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Jani Revier was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Brackett disclosed a possible conflict of interest under applicable law.

On motion by Senator Bayer, seconded by Senator Burgoyne, the Gubernatorial appointment of Jani Revier as the Director of the Department of Labor was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1193

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR A CASH TRANSFER TO THE OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT; PROVIDING SCHOLARSHIP AWARDS FOR FISCAL YEAR 2020; AND REQUIRING OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT REPORTING.

S 1194

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR A DEDICATED FUND CASH TRANSFER; DIRECTING THE STATE EMPLOYEE INSURANCE AND BENEFITS PLAN STRUCTURE; DIRECTING THE ISSUANCE OF A

REQUEST FOR PROPOSALS AND REQUIRING A REPORT; AND DECLARING AN EMERGENCY.

S 1195

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO COLLECTION AGENCIES; AMENDING SECTION 26-2229A, IDAHO CODE, AS AMENDED IN SECTION 4 OF SENATE BILL NO. 1007, AS AMENDED, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-FIFTH IDAHO LEGISLATURE, TO PROVIDE FOR ATTORNEY'S FEES AND LITIGATION COSTS IN CERTAIN INSTANCES.

S 1196

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO EDUCATION; AMENDING THE HEADING FOR CHAPTER 10, TITLE 33, IDAHO CODE; AMENDING SECTION 33-1001, IDAHO CODE, TO REMOVE DEFINITIONS, TO REVISE DEFINITIONS, AND TO DEFINE TERMS; REPEALING SECTION 33-1002, IDAHO CODE, RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002, IDAHO CODE, TO PROVIDE FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM AND STUDENT-BASED FOUNDATION FUNDING; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002A, IDAHO CODE, TO PROVIDE A TRANSITION TO STUDENT-BASED FUNDING, TO ESTABLISH A HOLD HARMLESS PROVISION AND PROVISIONS REGARDING ANNUAL FUND INCREASES, AND TO PROVIDE A LIMITATION; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002B, IDAHO CODE, TO PROVIDE FOR SPECIAL PROGRAMS SUPPORT; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002C, IDAHO CODE, TO PROVIDE FOR WEIGHTS AND RULEMAKING; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002D, IDAHO CODE, TO ESTABLISH PROVISIONS FOR STUDENT ENROLLMENT COUNTS AND RULEMAKING; REPEALING SECTION 33-1003, IDAHO CODE, RELATING TO SPECIAL APPLICATION OF THE EDUCATIONAL SUPPORT PROGRAM; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1003, IDAHO CODE, TO PROVIDE FOR PAYMENTS TO LOCAL EDUCATION AGENCIES; REPEALING SECTION 33-1003A, IDAHO CODE, RELATING TO THE CALCULATION OF AVERAGE DAILY ATTENDANCE; REPEALING SECTION 33-1003C, IDAHO CODE, RELATING TO SPECIAL APPLICATION OF TECHNOLOGY INSTRUCTION; REPEALING SECTION 33-1004, IDAHO CODE, RELATING TO STAFF ALLOWANCE; REPEALING SECTION 33-1004A, IDAHO CODE, RELATING TO THE EXPERIENCE AND EDUCATION MULTIPLIER; AMENDING SECTION 33-1004B, IDAHO CODE, AS AMENDED BY SECTION 5, CHAPTER 169, LAWS OF 2018, TO REDESIGNATE THE SECTION, TO AMEND PROVISIONS REGARDING THE CAREER LADDER, AND TO ESTABLISH PROVISIONS REGARDING LOCAL SALARY SCHEDULES; REPEALING SECTION 33-1004C, IDAHO CODE, RELATING TO BASE AND MINIMUM SALARIES, LEADERSHIP PREMIUMS, AND THE

EDUCATION AND EXPERIENCE INDEX; AMENDING SECTION 33-1004E, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REMOVE PROVISIONS REGARDING SALARY-BASED APPORTIONMENT; AMENDING SECTION 33-1004F, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 92, LAWS OF 2017, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS REGARDING OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS, AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-1004I, IDAHO CODE, AS AMENDED BY SECTION 1, CHAPTER 92, LAWS OF 2017, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, AND TO REMOVE A DEFINITION; AMENDING SECTION 33-1004J, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, TO PROVIDE A CORRECT CODE REFERENCE, TO REMOVE A DEFINITION, AND TO REQUIRE THAT CERTAIN PROVISIONS ARE REVIEWED BY THE LEGISLATURE; AMENDING SECTION 33-1002B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE REFERENCES TO SUPPORT UNIT AND AVERAGE DAILY ATTENDANCE, TO PROVIDE REFERENCES TO THE FOUNDATION AND STUDENT ENROLLMENT COUNTS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1002C, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR NIGHT SCHOOL PROGRAMS, AND TO REVISE PROVISIONS REGARDING SUMMER SCHOOL PROGRAMS AND JUVENILE DETENTION FACILITIES; AMENDING SECTION 33-1002F, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS REGARDING AN ALTERNATIVE SCHOOL REPORT; AMENDING SECTION 33-1002E, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-1002G, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REMOVE A CAREER TECHNICAL SCHOOL REQUIREMENT REGARDING SECONDARY SUPPORT UNITS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1005E, IDAHO CODE, TO PROVIDE FOR THE PUBLIC SCHOOL CLASSROOM TECHNOLOGY PROGRAM; REPEALING SECTION 33-1009, IDAHO CODE, RELATING TO PAYMENTS FROM THE PUBLIC SCHOOL INCOME FUND; AMENDING SECTION 33-1007A, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1010, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1005, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, TO REMOVE A REFERENCE TO AVERAGE DAILY ATTENDANCE, AND TO PROVIDE FOR STUDENT ENROLLMENT COUNTS; REPEALING SECTION 33-1017, IDAHO CODE, RELATING TO THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN AND GRANT FUND; AMENDING SECTION 33-1018, IDAHO CODE, TO REMOVE REFERENCES TO DISCRETIONARY FUNDING AND TO PROVIDE FOR PUBLIC SCHOOL STUDENT-BASED FOUNDATION FUNDING VARIABILITY; AMENDING SECTION 33-1020, IDAHO CODE, TO REVISE PROVISIONS REGARDING A BASE AMOUNT AND A VARIABLE AMOUNT OF IDAHO DIGITAL LEARNING ACADEMY FUNDING TO BE DISTRIBUTED; REPEALING SECTION 33-1021, IDAHO CODE, RELATING TO MATH AND SCIENCE REQUIREMENTS; AMENDING SECTION 33-1024, IDAHO

CODE, TO REVISE PROVISIONS REGARDING MONEYS FOR CERTAIN ONLINE PORTALS; AMENDING SECTION 33-309, IDAHO CODE, TO REMOVE A REFERENCE TO AVERAGE DAILY ATTENDANCE AND TO PROVIDE FOR STUDENT ENROLLMENT COUNT; AMENDING SECTION 33-317, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-507, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 33-515, IDAHO CODE, TO REVISE PROVISIONS REGARDING RENEWABLE CONTRACTS; AMENDING SECTION 33-522, IDAHO CODE, TO REVISE PROVISIONS REGARDING A FINANCIAL EMERGENCY; AMENDING SECTION 33-701, IDAHO CODE, TO REVISE A DATE AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-801A, IDAHO CODE, TO REMOVE A PROVISION REGARDING SUPPORT UNITS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-804, IDAHO CODE, TO REVISE QUALIFICATIONS FOR SUBMITTING A CERTAIN QUESTION TO ELECTORS OF A SCHOOL DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-805, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SCHOOL EMERGENCY FUND LEVY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-905, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SCHOOL DISTRICT BUILDING ACCOUNT AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-906, IDAHO CODE, TO REMOVE CODE REFERENCES; AMENDING SECTION 33-906B, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE VALUE INDEX CALCULATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1405, IDAHO CODE, TO REVISE PROVISIONS REGARDING RATES OF TUITION, TO PROVIDE CORRECT TERMINOLOGY, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1406, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1613, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN AND GRANT FUND; AMENDING SECTION 33-1619, IDAHO CODE, TO REVISE PROVISIONS REGARDING VIRTUAL EDUCATION PROGRAMS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-1627, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MONEYS APPROPRIATED FOR THE MATH INITIATIVE PROGRAM; AMENDING SECTION 33-2001, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 33-2004, IDAHO CODE, TO REMOVE REFERENCES TO DAILY ATTENDANCE, TO ESTABLISH PROVISIONS REGARDING STUDENT ENROLLMENT, TO REVISE TERMINOLOGY, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-4602, IDAHO CODE, TO REVISE PROVISIONS REGARDING DUAL CREDIT COURSES AND TO REVISE TERMINOLOGY; AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS REGARDING PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING SECTION 33-5210, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 33-5214, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5215, IDAHO CODE, TO REMOVE A REFERENCE TO SALARY-BASED APPORTIONMENT, TO REMOVE REFERENCES TO ADA,

AND TO ESTABLISH PROVISIONS FOR ENROLLMENT REPORTS; AMENDING SECTION 33-5217, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-2908, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 57-1303, IDAHO CODE, TO REMOVE A REFERENCE TO AVERAGE DAILY ATTENDANCE, TO ESTABLISH PROVISIONS FOR AN UNWEIGHTED STUDENT ENROLLMENT COUNT, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 59-1115, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-315, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 63-805, IDAHO CODE, TO REMOVE REFERENCES TO AVERAGE DAILY ATTENDANCE AND TO ESTABLISH PROVISIONS REGARDING STUDENTS ENROLLED; DECLARING AN EMERGENCY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SUNSET DATE.

[S 1193](#), [S 1194](#), [S 1195](#), and [S 1196](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 248](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 205](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 193](#), as amended, by Revenue and Taxation, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 130](#), as amended, by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[HCR 18](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

Senator Lodge was recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 180](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 176](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 245](#) and [H 246](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1184](#) and [S 1185](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 167](#) and [H 168](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 144](#), by Business Committee, was read the second time at length and filed for third reading.

[H 177](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1178](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate.

On request by Senator Stennett, granted by unanimous consent, [S 1178](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1179](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Johnson, Jordan, Lakey, Lodge, Nelson, Nye, Patrick, Souza, Stennett, Vick, Ward-Engelking, Winder, Woodward. Total - 21.

NAYS—Anthon, Bair, Grow, Harris, Heider, Hill, Lee, Lent, Martin, Mortimer, Rice, Thayn. Total - 12.

Absent and excused—Burtenshaw, Guthrie. Total - 2.

Total - 35.

Whereupon the President declared [S 1179](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1151](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Burtenshaw, Guthrie. Total - 2.

Total - 35.

Whereupon the President declared [S 1151](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [H 212](#) retained its place on the Third Reading Calendar for one legislative day.

[H 160](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza,

Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward.
Total - 33.

NAYS--None.

Absent and excused--Burtenshaw, Guthrie. Total - 2.

Total - 35.

Whereupon the President declared [H 160](#) passed, title was approved, and the bill ordered returned to the House.

[H 165](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS--None.

Absent and excused--Burtenshaw, Guthrie. Total - 2.

Total - 35.

Whereupon the President declared [H 165](#) passed, title was approved, and the bill ordered returned to the House.

[H 200](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS--None.

Absent and excused--Burtenshaw, Guthrie, Rice. Total - 3.

Total - 35.

Whereupon the President declared [H 200](#) passed, title was approved, and the bill ordered returned to the House.

[H 215](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Crabtree, Grow, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 29.

NAYS--Bayer, Cheatham, Den Hartog, Vick. Total - 4.

Absent and excused--Burtenshaw, Guthrie. Total - 2.

Total - 35.

Whereupon the President declared [H 215](#) passed, title was approved, and the bill ordered returned to the House.

[H 219](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS--None.

Absent and excused--Burtenshaw, Guthrie. Total - 2.

Total - 35.

Whereupon the President declared [H 219](#) passed, title was approved, and the bill ordered returned to the House.

[H 220](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS--None.

Absent and excused--Burtenshaw, Guthrie. Total - 2.

Total - 35.

Whereupon the President declared [H 220](#) passed, title was approved, and the bill ordered returned to the House.

[H 221](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS--None.

Absent and excused--Burtenshaw, Guthrie. Total - 2.

Total - 35.

Whereupon the President declared [H 221](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 3 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except President Pro Tempore Hill and Senators Brackett, Buckner-Webb, Crabtree, Den Hartog, Harris, Lee, Lent, Lodge, Mortimer, Thayn, Vick, and Woodward, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 13, 2019

The JUDICIARY AND RULES Committee reports that [S 1193](#), [S 1194](#), [S 1195](#), and [S 1196](#) have been correctly printed.

LAKEY, Chairman

[S 1193](#) and [S 1194](#) were referred to the Finance Committee.

[S 1195](#) was referred to the Commerce and Human Resources Committee.

[S 1196](#) was referred to the Education Committee.

Senator Lee was recorded present at this order of business.

March 13, 2019

The STATE AFFAIRS Committee reports out [S 1177](#) and [S 1182](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1177](#) and [S 1182](#) were filed for second reading.

Senator Harris was recorded present at this order of business.

March 13, 2019

The RESOURCES AND ENVIRONMENT Committee reports out [H 141](#), [H 192](#), and [H 207](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 141](#), [H 192](#), and [H 207](#) were filed for second reading.

Senator Crabtree was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 12, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Dr. David McClusky of Twin Falls, Idaho, was reappointed as a member of the State Board of Correction to serve a term commencing January 30, 2019, and expiring January 30, 2025.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, [SJM 106](#) retained its place on the calendar.

President Pro Tempore Hill and Senators Brackett, Buckner-Webb, Den Hartog, Lent, Lodge, Thayn, and Woodward were recorded present at this order of business.

The President announced that [SCR 107](#), having been held, was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Rice, seconded by Senator Martin, [SCR 107](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 108](#), having been held, was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Rice, seconded by Senator Stennett, [SCR 108](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 109](#), having been held, was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Rice, seconded by Senator Buckner-Webb, [SCR 109](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Kelley Packer was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Stennett, the Gubernatorial appointment of Kelley Packer as the Bureau Chief of the Bureau of Occupational Licenses was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, [SJM 106](#) was placed before the Senate for final consideration at this time.

The President announced that [SJM 106](#), having been held, was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Brackett, seconded by Senator Jordan, [SJM 106](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 222](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Vick. Total - 1.

Total - 35.

Whereupon the President declared [H 222](#) passed, title was approved, and the bill ordered returned to the House.

[H 223](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 223](#) passed, title was approved, and the bill ordered returned to the House.

[H 224](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 224](#) passed, title was approved, and the bill ordered returned to the House.

[H 225](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 225](#) passed, title was approved, and the bill ordered returned to the House.

[H 116](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 116](#) passed, title was approved, and the bill ordered returned to the House.

[H 112](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 112](#) passed, title was approved, and the bill ordered returned to the House.

[H 150](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 150](#) passed, title was approved, and the bill ordered returned to the House.

[H 227](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 227](#) passed, title was approved, and the bill ordered returned to the House.

[H 124](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 124](#) passed, title was approved, and the bill ordered returned to the House.

[H 158](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 158](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 230](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 230](#) passed, title was approved, and the bill ordered returned to the House.

[H 231](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 231](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 232](#) retained its place on the Third Reading Calendar for one legislative day.

[H 233](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 233](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 212](#) was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:43 p.m. until the hour of 9:30 a.m., Thursday, March 14, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SIXTY-SEVENTH LEGISLATIVE DAY
THURSDAY, MARCH 14, 2019

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Anthon, Mortimer, and Rice, absent and excused.

Prayer was offered by Senator Lori Den Hartog.

The Pledge of Allegiance was led by Katie Angell, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 13, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 110 BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION
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.

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 Idaho Soil and Water Conservation Commission relating to the Resource Conservation and Rangeland Development Program 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 Senate and the House of Representatives concurring therein, that IDAPA 60.05.01, relating to the Resource Conservation and Rangeland Development Program, Section 103., and Section

151., Subsection 01., adopted as a pending rule under Docket Number 60-0501-1801, only, be, and the same are hereby rejected and declared null, void, and of no force and effect.

[SCR 110](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senator Anthon was recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 13, 2019

The FINANCE Committee reports out [S 1193](#) and [S 1194](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1193](#) and [S 1194](#) were filed for second reading.

March 13, 2019

The EDUCATION Committee reports out [S 1180](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1180](#) was filed for second reading.

March 13, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out [HCR 17](#) with the recommendation that it do pass.

RICE, Chairman

[HCR 17](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 13, 2019

The JUDICIARY AND RULES Committee reports out [H 78](#), as amended, and [H 209](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 78](#), as amended, and [H 209](#) were filed for second reading.

March 13, 2019

The STATE AFFAIRS Committee reports out [H 191](#) and [H 210](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 191](#) and [H 210](#) were filed for second reading.

March 13, 2019

The JUDICIARY AND RULES Committee reports it has had under consideration the recommendations of the Joint Printing Committee, pursuant to Idaho Code Section 67-509, the Committee recommends the report be adopted.

LAKEY, Chairman

The recommendations of the Joint Printing Committee and the Judiciary and Rules Committee report were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 13, 2019

Dear Madam President:

I transmit herewith [H 179](#), as amended, [HCR 19](#), [HCR 20](#), and [HCR 21](#), which have passed the House.

MAULIN, Chief Clerk

[H 179](#), as amended, [HCR 19](#), [HCR 20](#), and [HCR 21](#) were filed for first reading.

March 13, 2019

Dear Madam President:

I return herewith [S 1141](#), [S 1143](#), [S 1144](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), and [S 1158](#), which have passed the House.

MAULIN, Chief Clerk

[S 1141](#), [S 1143](#), [S 1144](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), and [S 1158](#) were referred to the Judiciary and Rules Committee for enrolling.

March 13, 2019

Dear Madam President:

I transmit herewith Enrolled [H 155](#), [HCR 10](#), [HCR 12](#), [HCR 15](#), [HJM 4](#), [HJM 8](#), [HJM 9](#), and [HJM 7](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 155](#), [HCR 10](#), [HCR 12](#), [HCR 15](#), [HJM 4](#), [HJM 8](#), [HJM 9](#), and [HJM 7](#) and ordered them returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1197

BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REQUIREMENTS REGARDING THE WATERCRAFT INSPECTION PROGRAM.

S 1198

BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2020; AUTHORIZING AND DIRECTING THE ALLOCATION OF FUNDS FOR SPECIFIC

PROJECTS FOR FISCAL YEAR 2020; PROVIDING FOR A GENERAL FUND CASH TRANSFER; PROVIDING REQUIREMENTS FOR UTILIZATION OF MATCHING FUNDS; AND PROVIDING REQUIREMENTS REGARDING REALLOCATION OF PROJECT SAVINGS.

[S 1197](#) and [S 1198](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 179](#), as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[HCR 19](#), [HCR 20](#), and [HCR 21](#), by Education Committee, were introduced, read at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 164](#), [H 184](#), and [H 201](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), [S 1191](#), and [S 1192](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 244](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1177](#) and [S 1182](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 141](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[H 192](#) and [H 207](#), by Ways and Means Committee, were read the second time at length and filed for third reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [H 107](#), [S 1138](#), [H 118](#), as amended, [H 93](#), and [S 1178](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 107 AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 31, delete "account which is" and insert: "account, which is hereby".

On page 5, delete lines 38 through 42, and insert:

"(16)(a) ~~One Two~~ percent (~~+2~~%) shall be distributed to the ~~transportation expansion and congestion mitigation program established in section 40-720, Idaho Code as follows:~~

- (i) Sixty percent (60%) to the transportation expansion and congestion mitigation program fund established in section 40-720, Idaho Code; and

(ii) Forty percent (40%) to the bridge maintenance and replacement program fund established in section 40-720, Idaho Code.

(b) The distribution provided for in this subsection must immediately follow the distribution provided for in subsection (10) of this section.

AMENDMENT TO THE BILL

On page 5 of the printed bill, following line 42, insert:

"SECTION 2. That Section 40-720, Idaho Code, be, and the same is hereby amended to read as follows:

40-720. TRANSPORTATION EXPANSION AND CONGESTION MITIGATION PROGRAM – BRIDGE MAINTENANCE AND REPLACEMENT PROGRAM – FUNDS ESTABLISHED. (1) The Idaho transportation department shall establish and maintain a transportation expansion and congestion mitigation program.

(2) The transportation expansion and congestion mitigation program fund established pursuant to subsection (3) of this section shall finance projects that expand the state system to address and mitigate transportation congestion. The projects shall be evaluated by the Idaho transportation department and shall be chosen by the Idaho transportation board based on a policy that may include mitigation of traffic times, improvement to traffic flow and mitigation of traffic congestion.

(3) There is hereby established in the state treasury the transportation expansion and congestion mitigation fund, to which shall be deposited:

(a) All moneys distributed pursuant to section 63-2520, Idaho Code;

(b) All moneys distributed pursuant to section 63-3638, Idaho Code; and

(c) Any other appropriated moneys for funding the transportation expansion and congestion mitigation program.

(4) Interest earned on the investment of idle moneys in the transportation expansion and congestion mitigation program fund shall be paid to the fund. All moneys in the fund shall be used for the transportation expansion and congestion mitigation program.

(5) The local highway technical assistance council, established in section 40-2401, Idaho Code, shall establish and maintain a bridge maintenance and replacement program to repair or replace local bridges. The program shall include a grant program for local highway jurisdictions. The bridge maintenance and replacement program fund established pursuant to subsection (6) of this section shall be administered by the local highway technical assistance council and shall be used to finance the bridge maintenance and replacement program.

(6) There is hereby established in the state treasury the bridge maintenance and replacement program fund, to which shall be deposited:

(a) Moneys distributed pursuant to section 63-3638, Idaho Code, on and after July 1, 2020; and

(b) Any other appropriated moneys for funding the bridge maintenance and replacement program.

(7) Interest earned on the investment of idle moneys in the bridge maintenance and replacement program fund shall be paid to the fund. All moneys in the fund shall be used for the bridge maintenance and replacement program."

AMENDMENT TO THE BILL

On page 5 of the printed bill, following line 42, insert:

"SECTION 3. Section 1 of this act shall be in full force and effect on and after July 1, 2020. Section 2 of this act shall be in full force and effect on and after January 1, 2020."

CORRECTION TO TITLE

On page 1, delete lines 2 through 4, and insert:

"RELATING TO SALES TAX; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FUNDING FOR THE TRANSPORTATION EXPANSION AND CONGESTION MITIGATION FUND AND THE BRIDGE MAINTENANCE AND REPLACEMENT PROGRAM FUND AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-720, IDAHO CODE, TO PROVIDE FOR THE BRIDGE MAINTENANCE AND REPLACEMENT PROGRAM; AND PROVIDING EFFECTIVE DATES."

SENATE AMENDMENT TO S 1138

AMENDMENT TO SECTION 3

On page 4 of the printed bill, in line 10, delete "shall" and insert: "may upon application".

SENATE AMENDMENT TO H 118, as amended

AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, in line 11, following "used" insert: "by the builder"; delete lines 12 and 13, and insert: "idate the pretrial risk assessment tool and ongoing documents, data, records, and written policies outlining the usage and validation of the pretrial risk assessment tool shall"; in line 17, delete "his" and insert: "the defendant's"; in line 20, following "other" insert: "intellectual property"; also in line 20, following "discovery" insert: "of the materials described in paragraph (a) of this subsection"; in line 23, delete "process" and insert: "pretrial process"; in line 25, delete "to then classify a person into a par-"; in line 26, delete "ticular category of risk or"; also in line 26, delete "and" and insert: "or".

SENATE AMENDMENT TO H 93

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 4, following "states." insert: "The nontraditional educator preparation program may apply to the state department of education for available funding at the time one (1) or more teachers recruited by the program enters into an employment contract with a local education agency (LEA). The amount of funding per teacher provided by the department to the program shall not exceed twenty-five percent (25%) of each teacher's annual salary for each year the program is providing services in support of the teacher. Such funding is limited to two (2) academic years per teacher. In order for the program to obtain funding from the department:

(a) The program and the LEA shall provide to the department verification of each teacher's fulfillment of the annual employment contract; and

(b) The program and the LEA shall provide verification that the LEA is providing funding to the program for recruiting and training each teacher in an amount equal to at least ten percent (10%) of the amount the department is providing to the program."

SENATE AMENDMENT TO S 1178

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 24 and 25, and insert: "for use as a target consisting of a substance or substances capable of exploding or igniting when struck by a bullet or projectile."

The Committee also has [S 1106](#) and [H 162](#) under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

On motion by Senator Vick, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1138](#), as amended, and [S 1178](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 107](#), as amended in the Senate, [H 118](#), as amended, as amended in the Senate, and [H 93](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

[H 212](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 212](#) passed, title was approved, and the bill ordered returned to the House.

[S 1184](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1184](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1185](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1185](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 232](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 232](#) passed, title was approved, and the bill ordered returned to the House.

[H 234](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 234](#) passed, title was approved, and the bill ordered returned to the House.

[H 235](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 235](#) passed, title was approved, and the bill ordered returned to the House.

[H 236](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 236](#) passed, title was approved, and the bill ordered returned to the House.

[H 237](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 237](#) passed, title was approved, and the bill ordered returned to the House.

[H 238](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 238](#) passed, title was approved, and the bill ordered returned to the House.

[H 114](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 114](#) passed, title was approved, and the bill ordered returned to the House.

[H 117](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cheatham arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 117](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 137](#), as amended, retained its place on the Third Reading Calendar.

[H 181](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 181](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:28 a.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Burtenshaw, absent and formally excused by the Chair; and Senators Buckner-Webb, Harris, Johnson, Lee, Mortimer, Nelson, Stennett, and Thayn, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 14, 2019

The JUDICIARY AND RULES Committee reports that [SCR 110](#), [S 1197](#), and [S 1198](#) have been correctly printed.

LAKEY, Chairman

[SCR 110](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1197](#) and [S 1198](#) were referred to the Finance Committee.

March 14, 2019

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 107](#), [S 1138](#), [H 118](#), as amended, [H 93](#), and [S 1178](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 14, 2019

The JUDICIARY AND RULES Committee reports that [S 1138](#), as amended, and [S 1178](#), as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1138](#), as amended, and [S 1178](#), as amended, were filed for first reading.

March 14, 2019

The JUDICIARY AND RULES Committee reports that [S 1141](#), [S 1143](#), [S 1144](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), and [S 1158](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1141](#), [S 1143](#), [S 1144](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), and [S 1158](#) and ordered them transmitted to the House for the signature of the Speaker.

March 14, 2019

The TRANSPORTATION Committee reports out [S 1126](#) and [S 1175](#) with the recommendation that they do pass.

BRACKETT, Chairman

[S 1126](#) and [S 1175](#) were filed for second reading.

March 14, 2019

The TRANSPORTATION Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Mark H. Sweeney to the Aeronautics Advisory Board, term to expire January 31, 2024.

Robert Hoff to the Idaho Transportation Board, term to expire January 31, 2020.

BRACKETT, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Nelson was recorded present at this order of business.

March 14, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Gregory Donaca to the Idaho Health Insurance Exchange Board, term to expire April 10, 2021.

Nancy Merill to the Idaho Personnel Commission, term to expire July 1, 2024.

Rod Higgins to the State Insurance Fund Board, term to expire April 3, 2022.

PATRICK, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 14, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Thomas J. Wilford of Boise, Idaho, was appointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing March 12, 2019, and expiring April 1, 2020.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

Senators Buckner-Webb and Mortimer were recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 107](#), as amended in the Senate, by Transportation and Defense Committee, was read the first time at length and filed for second reading.

[H 118](#), as amended, as amended in the Senate, by Judiciary, Rules and Administration Committee, was read the first time at length and filed for second reading.

[H 93](#), as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

[S 1138](#), as amended, and [S 1178](#), as amended, by State Affairs Committee, were read the first time at length and filed for second reading.

Senators Harris, Johnson, and Lee were recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1182](#) 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 1182](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Guthrie, Harris, Heider, Johnson, Jordan, Lakey, Lee, Lent, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Woodward. Total - 1.

Absent and excused—Burtenshaw, Grow, Hill, Lodge, Thayn. Total - 5.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1182](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Woodward. Total - 1.

Absent and excused—Burtenshaw, Hill, Thayn. Total - 3.

Total - 35.

Whereupon the President declared [S 1182](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1180](#) 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 1180](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—None.

Absent and excused—Burtenshaw, Hill, Thayn. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1180](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Burtenshaw, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1180](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1193](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Burtenshaw, Thayn. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1193](#) was before the Senate for final consideration.

[S 1193](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Ward-Engelking, Winder, Woodward. Total - 31.

NAYS—Bayer, Den Hartog. Total - 2.

Absent and excused—Burtenshaw, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1193](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1194](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Ward-Engelking, Winder, Woodward.
Total - 33.

NAYS—None.

Absent and excused—Burtenshaw, Thayn. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1194](#) was before the Senate for final consideration.

[S 1194](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Ward-Engelking, Winder, Woodward.
Total - 33.

NAYS—None.

Absent and excused—Burtenshaw, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1194](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:09 p.m. until the hour of 11 a.m., Friday, March 15, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 15, 2019

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Cheatham, absent and formally excused by the Chair; and Senators Buckner-Webb, Lodge, and Stennett, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Lauren Pattee, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 14, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 111

BY STATE AFFAIRS 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 STATE'S METHODOLOGY FOR FUNDING PUBLIC SCHOOL CONSTRUCTION AND MAINTENANCE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is obligated pursuant to Section 1, Article IX of the Constitution of the State of Idaho to establish and maintain a general, uniform, and thorough system of public schools; and

WHEREAS, such obligation includes providing students with a safe environment conducive to learning; and

WHEREAS, the Legislature believes that a study and review of the state's methodology for funding public school construction and maintenance, in order to identify any inadequacies with the current funding methodology, would be beneficial to Idahoans and especially to Idaho students and educators.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of and make recommendations regarding the state's methodology for funding public school construction and maintenance. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice, and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the committee shall not be reimbursed from legislative funds for per diem, mileage, or other expenses.

BE IT FURTHER RESOLVED that the Legislative Services Office shall provide staff support to the committee.

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.

[SCR 111](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 15, 2019

The FINANCE Committee reports out [S 1197](#) and [S 1198](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1197](#) and [S 1198](#) were filed for second reading.

March 14, 2019

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Britt Raubenheimer to the Commission for the Blind and Visually Impaired, term to expire July 1, 2021.

MARTIN, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senators Buckner-Webb and Stennett were recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 13, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Dr. Michael D. Johnston of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing March 4, 2019, and expiring March 4, 2022.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 14, 2019

Dear Madam President:

I transmit herewith [H 206](#), [H 276](#), [H 254](#), [H 255](#), [H 256](#), and [H 257](#), which have passed the House.

MAULIN, Chief Clerk

[H 206](#), [H 276](#), [H 254](#), [H 255](#), [H 256](#), and [H 257](#) were filed for first reading.

March 14, 2019

Dear Madam President:

I return herewith [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](#), and [S 1037](#), as amended, which have passed the House.

MAULIN, Chief Clerk

[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](#), and [S 1037](#), as amended, were referred to the Judiciary and Rules Committee for enrolling.

March 14, 2019

Dear Madam President:

I transmit 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](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed 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 ordered them returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 206](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 276](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 254](#), [H 255](#), [H 256](#), and [H 257](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Lee, granted by unanimous consent, [H 78](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

[H 209](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 191](#) and [H 210](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1126](#) and [S 1175](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 107](#), as amended in the Senate, by Transportation and Defense Committee, was read the second time at length 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 at length and filed for third reading.

[H 93](#), as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

[S 1138](#), as amended, and [S 1178](#), as amended, by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

Senator Lodge was recorded present at this order of business.

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:42 a.m. until the hour of 10 a.m., Monday, March 18, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SEVENTY-FIRST LEGISLATIVE DAY
MONDAY, MARCH 18, 2019

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Lodge, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Alex Knowlton, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 15, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 18, 2019

The JUDICIARY AND RULES Committee reports that [SCR 111](#) has been correctly printed.

LAKEY, Chairman

[SCR 111](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 15, 2019

The JUDICIARY AND RULES Committee reports that [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](#), and [S 1037](#), as amended, have been correctly enrolled.

LAKEY, Chairman

The President signed 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](#), and [S 1037](#), as amended, and

ordered them transmitted to the House for the signature of the Speaker.

March 18, 2019

The FINANCE Committee reports out [H 254](#), [H 255](#), [H 256](#), and [H 257](#) with the recommendation that they do pass.

BAIR, Chairman

[H 254](#), [H 255](#), [H 256](#), and [H 257](#) were filed for second reading.

March 18, 2019

The JUDICIARY AND RULES Committee reports out [H 30](#) and [S 1124](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 30](#) and [S 1124](#) were filed for second reading.

March 18, 2019

The JUDICIARY AND RULES Committee reports out [H 139](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [H 139](#) was referred to the Fourteenth Order of Business, General Calendar.

March 15, 2019

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Dr. David McClusky to the State Board of Correction, term to expire January 30, 2025.

LAKEY, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 18, 2019

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Russell A. Ludlow to the Bingo-Raffle Advisory Board, term to expire January 31, 2025.

LODGE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 15, 2019

Dear Madam President:

I transmit herewith [H 260](#), [H 261](#), [H 262](#), [H 263](#), and [H 264](#), which have passed the House.

MAULIN, Chief Clerk

[H 260](#), [H 261](#), [H 262](#), [H 263](#), and [H 264](#) were filed for first reading.

March 18, 2019

Dear Madam President:

I return herewith [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](#), which have passed the House.

MAULIN, Chief Clerk

[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](#) were referred to the Judiciary and Rules Committee for enrolling.

March 15, 2019

Dear Madam President:

I transmit 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](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed 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 ordered them returned to the House.

March 15, 2019

Dear Madam President:

I return herewith Enrolled [S 1141](#), [S 1143](#), [S 1144](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), and [S 1158](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1141](#), [S 1143](#), [S 1144](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), and [S 1158](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, [HCR 17](#) retained its place on the calendar for one legislative day.

The President announced that [SCR 110](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Guthrie, seconded by Senator Ward-Engelking, [SCR 110](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that the Transportation Committee report relative to the Gubernatorial reappointment of Mark H. Sweeney was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Winder, the Gubernatorial reappointment of Mark H. Sweeney as a member of the Aeronautics Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Transportation Committee report relative to the Gubernatorial appointment of Robert Hoff was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Mortimer, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Robert Hoff as a member of the Idaho Transportation Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Gregory Donaca was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Nye, the Gubernatorial appointment of Gregory Donaca as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Nancy Merill was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Grow, seconded by Senator Burgoyne, the Gubernatorial appointment of Nancy Merill as a member of the Idaho Personnel Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Rod Higgins was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Lakey disclosed a possible conflict of interest under applicable law.

On motion by Senator Grow, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Rod Higgins as a member of the State Insurance Fund Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Britt Raubenheimer was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Jordan, the Gubernatorial reappointment of Britt Raubenheimer as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Lodge was recorded present at this order of business.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1199

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF INDEPENDENT COUNCILS, INDIRECT SUPPORT SERVICES, HEALTH CARE POLICY INITIATIVES, AND LICENSING AND CERTIFICATION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY; DIRECTING MEDICAID TRACKING REPORTS; REQUIRING REPORTS FOR THE MEDICAID PROGRAM INTEGRITY UNIT COLLECTIONS; DIRECTING PROGRAM TRANSFER REPORTS; REQUIRING A REPORT ON DEPARTMENT VACANCIES; REQUIRING REPORTS ON HEALTH CARE PAYMENT REFORM; AND REQUIRING REPORTS ON FACILITY LICENSING AND CERTIFICATION.

S 1200

**BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY; APPROPRIATING

ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2019; AND DECLARING AN EMERGENCY.

S 1201

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE APPORTIONMENT PROVISIONS REGARDING THE HIGHWAY DISTRIBUTION ACCOUNT.

[S 1199](#), [S 1200](#), and [S 1201](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 260](#), [H 261](#), [H 262](#), [H 263](#), and [H 264](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1197](#) and [S 1198](#), by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1187](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1187](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1188](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1188](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1189](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Crabtree, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Woodward. Total - 30.

NAYS—Bayer, Cheatham, Den Hartog, Vick, Winder. Total - 5.

Total - 35.

Whereupon the President declared [S 1189](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1190](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Mortimer, Nelson, Nye, Patrick, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—Martin. Total - 1.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1190](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1191](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1191](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1192](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Grow, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—Den Hartog, Guthrie. Total - 2.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1192](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1177](#) retained its place on the Third Reading Calendar for Wednesday, March 20, 2019.

[S 1126](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1126](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1175](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—Harris, Lee, Vick. Total - 3.

Total - 35.

Whereupon the President declared [S 1175](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1138](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1138](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1178](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lee, Lodge, Martin, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 27.

NAYS—Bair, Bayer, Crabtree, Den Hartog, Lakey, Lent, Mortimer, Vick. Total - 8.

Total - 35.

Whereupon the President declared [S 1178](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lee, granted by unanimous consent, [H 137](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:04 p.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Anthon and Johnson, absent and formally excused by the Chair; and Senator Thayn, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

SCR 112 BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND
AUTHORIZING THE LEGISLATIVE COUNCIL TO
APPOINT A COMMITTEE TO CONTINUE TO UNDERTAKE
A STUDY OF OCCUPATIONAL LICENSING AND
CERTIFICATION LAWS AND RULES IN IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Occupational Licensing and Certification Laws Interim Committee was authorized by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature for the purpose of undertaking and completing a review of relevant reports submitted to the Governor's office pursuant to Executive Order No. 2017-06 (the "Licensing Freedom Act of 2017") and to examine the necessity of such laws and rules; and

WHEREAS, Executive Order No. 2017-06 required the executive departments of the State of Idaho to submit results to the Governor's office by July 1, 2018, containing suggestions regarding occupational licensing requirements, including whether such requirements could be modified or eliminated; and

WHEREAS, the final results of Executive Order No. 2017-06 were not available until October 19, 2018, limiting the amount of time that the interim committee had to study such information; and

WHEREAS, the study of Idaho's occupational licensing and certification laws conducted by the interim committee identified necessary improvements to the law and recommendations for reform; and

WHEREAS, the work of the interim committee was instrumental in helping to bring forward legislation that would ease occupational licensing barriers for military members, veterans, and the spouses of such individuals; and

WHEREAS, issues related to occupational licensing and certification laws continue to arise and pose challenges, opportunities, and concerns for the future of Idaho and its citizens; and

WHEREAS, Governor Little issued Executive Order No. 2019-01 (the "Licensing Freedom Act of 2019"), further identifying as legislative priorities the addition of sunset and sunrise provisions in occupational licensing and certification laws; and

WHEREAS, further interim committee review of licensing and certification laws is deemed necessary, including but not limited to review and assessment of the final results of Executive Order No. 2017-06, the addition of sunrise and sunset provisions to occupational licensing and certification laws, and the review of occupational licensing and certification laws in general in order to determine, as applicable, how the Legislature may be able to ease occupational licensing barriers while still protecting the public health and safety.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to continue the efforts to undertake and complete a review of licensing and certification laws in Idaho, including the final results of Executive Order No. 2017-06, the necessity of occupational licensing laws and rules in Idaho, and the priorities identified in the Licensing Freedom Act of 2019, including sunset and sunrise provisions. 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 the committee shall report its findings, recommendations, and proposed legislation, if any, to the First Regular Session of the Sixty-sixth Idaho Legislature.

[SCR 112](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 18, 2019

The JUDICIARY AND RULES Committee reports that [S 1199](#), [S 1200](#), and [S 1201](#) have been correctly printed.

LAKEY, Chairman

[S 1199](#) and [S 1200](#) were referred to the Finance Committee.

[S 1201](#) was referred to the Transportation Committee.

March 18, 2019

The JUDICIARY AND RULES Committee reports that [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](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [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](#) and ordered them transmitted to the House for the signature of the Speaker.

March 18, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1141](#), [S 1143](#), [S 1144](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), and [S 1158](#) were delivered to the Office of the Governor at 11:25 a.m., March 18, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 18, 2019

The FINANCE Committee reports out [H 260](#), [H 261](#), [H 262](#), [H 263](#), [H 264](#), [S 1199](#), and [S 1200](#) with the recommendation that they do pass.

BAIR, Chairman

[H 260](#), [H 261](#), [H 262](#), [H 263](#), [H 264](#), [S 1199](#), and [S 1200](#) were filed for second reading.

March 18, 2019

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Betty Coppersmith to the Oil and Gas Conservation Commission, term to expire July 1, 2020.

Jeffery Allen to the Northwest Power and Conservation Council, term to expire February 19, 2022.

Scott Pugrud as the Administrator of the Office of Species Conservation, term to continue at the pleasure of the Governor.

HEIDER, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 18, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1143](#), [S 1144](#), [S 1147](#), [S 1148](#), [S 1149](#), and [S 1150](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [H 107](#), as amended in the Senate, retained its place on the Third Reading Calendar for Wednesday, March 20, 2019.

[H 118](#), as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Johnson. Total - 2.

Total - 35.

Whereupon the President declared [H 118](#), as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

[H 93](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Johnson. Total - 2.

Total - 35.

Whereupon the President declared [H 93](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

[H 97](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—Burgoyne. Total - 1.

Absent and excused—Anthon, Johnson. Total - 2.

Total - 35.

Whereupon the President declared [H 97](#) passed, title was approved, and the bill ordered returned to the House.

[H 180](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Guthrie, Harris, Heider, Hill, Jordan, Lee, Lodge, Martin, Nelson, Nye, Rice, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 22.

NAYS—Bair, Bayer, Crabtree, Den Hartog, Grow, Lakey, Lent, Mortimer, Patrick, Thayn, Woodward. Total - 11.

Absent and excused—Anthon, Johnson. Total - 2.

Total - 35.

Whereupon the President declared [H 180](#) passed, title was approved, and the bill ordered returned to the House.

[H 176](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Johnson. Total - 2.

Total - 35.

Whereupon the President declared [H 176](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 245](#) and [H 246](#) retained their place on the Third Reading Calendar for one legislative day.

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1197](#) 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 1197](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Johnson. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1197](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Johnson. Total - 2.

Total - 35.

Whereupon the President declared [S 1197](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1198](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Johnson. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1198](#) was before the Senate for final consideration.

[S 1198](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **S 1198** passed, title was approved, and the bill ordered transmitted to the House.

H 167 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 167** passed, title was approved, and the bill ordered returned to the House.

H 168 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 168** passed, title was approved, and the bill ordered returned to the House.

H 144 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Anthon, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 144** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, **H 192** was placed at the top of the Third Reading Calendar, followed by Senate bills, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:19 p.m. until the hour of 9:30 a.m., Tuesday, March 19, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SEVENTY-SECOND LEGISLATIVE DAY
TUESDAY, MARCH 19, 2019

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Buckner-Webb and Lee, absent and formally excused by the Chair; and Senator Patrick, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Taylor McMullin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 18, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 19, 2019

The JUDICIARY AND RULES Committee reports that [SCR 112](#) has been correctly printed.

LAKEY, Chairman

[SCR 112](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 18, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have appointed Christopher P. Mathias of Boise, Idaho, to be Acting State Senator for Legislative District 19, Ada, State of Idaho.

This appointment is effective March 19, 2019, and expiring March 22, 2019.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-917, *Idaho Code*, Cherie Buckner-Webb, State Senator, District 19, State of Idaho, has nominated Christopher P. Mathias of Boise, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 19.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Christopher P. Mathias to the office of State Senator, District 19, State of Idaho, for a term commencing on March 19, 2019, and expiring March 22, 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 Capital in Boise on this Eighteenth 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/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Mathias, and he was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 18, 2019

Dear Madam President:

I transmit herewith [H 122](#), [H 259](#), [H 267](#), [H 268](#), [H 266](#), and [HCR 23](#), which have passed the House.

MAULIN, Chief Clerk

[H 122](#), [H 259](#), [H 267](#), [H 268](#), [H 266](#), and [HCR 23](#) were filed for first reading.

March 18, 2019

Dear Madam President:

I return herewith [S 1155](#), [S 1119](#), [S 1097](#), [S 1011](#), [S 1170](#), and [S 1059](#), which have passed the House.

MAULIN, Chief Clerk

[S 1155](#), [S 1119](#), [S 1097](#), [S 1011](#), [S 1170](#), and [S 1059](#) were referred to the Judiciary and Rules Committee for enrolling.

March 18, 2019

Dear Madam President:

I transmit herewith Enrolled [H 212](#), [H 232](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 114](#), [H 117](#), and [H 181](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 212](#), [H 232](#), [H 234](#), [H 235](#), [H 236](#), [H 237](#), [H 238](#), [H 114](#), [H 117](#), and [H 181](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [HCR 17](#), having been held, was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Rice, seconded by Senator Jordan, [HCR 17](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [SCR 111](#) was before the Senate for final consideration.

On motion by Senator Winder, seconded by Senator Ward-Engelking, that [SCR 111](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Brackett, Burgoyne, Burtenshaw, Crabtree, Harris, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 26.

NAYS—Bair, Bayer, Cheatham, Den Hartog, Grow, Guthrie, Heider. Total - 7.

Absent and excused—Lee, Patrick. Total - 2.

Total - 35.

Whereupon the President declared [SCR 111](#) adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Lakey, granted by unanimous consent, the Joint Printing Committee report retained its place on the calendar.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Dr. David McClusky was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Jordan, the Gubernatorial reappointment of Dr. David McClusky as a member of the State Board of Correction was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Russell A. Ludlow was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Anthon, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Russell A. Ludlow as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Betty Coppersmith was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Nelson, the Gubernatorial appointment of Betty Coppersmith as a member of the Oil and Gas Conservation Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Jeffery Allen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Jordan, the Gubernatorial appointment of Jeffery Allen as a member of the Northwest Power and Conservation Council was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Scott Pugrud was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Stennett, the Gubernatorial appointment of Scott Pugrud as the Administrator of the Office of Species Conservation was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

[H 122](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 259](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 267](#) and [H 268](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 266](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[HCR 23](#), by Environment, Energy and Technology Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Burgoyne, granted by unanimous consent, [H 30](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Lakey, granted by unanimous consent, [S 1124](#) was referred to the Fourteenth Order of Business, General Calendar.

[H 254](#), [H 255](#), [H 256](#), [H 257](#), [H 260](#), [H 261](#), [H 262](#), [H 263](#), and [H 264](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1199](#) and [S 1200](#), by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 192](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 192](#) passed, title was approved, and the bill ordered returned to the House.

[H 245](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 245](#) passed, title was approved, and the bill ordered returned to the House.

[H 246](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 246](#) passed, title was approved, and the bill ordered returned to the House.

[H 177](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 177](#) passed, title was approved, and the bill ordered returned to the House.

[H 164](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 164](#) passed, title was approved, and the bill ordered returned to the House.

[H 184](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Thayn, Vick, Ward-Engelking, Woodward. Total - 29.

NAYS—Burgoyne, Den Hartog, Jordan, Stennett, Winder. Total - 5.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 184](#) passed, title was approved, and the bill ordered returned to the House.

[H 201](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 27.

NAYS—Burgoyne, Cheatham, Crabtree, Den Hartog, Lent, Vick, Woodward. Total - 7.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 201](#) passed, title was approved, and the bill ordered returned to the House.

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1199](#) 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 1199](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1199](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [S 1199](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1200](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1200](#) was before the Senate for final consideration.

[S 1200](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye,

Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS--None.

Absent and excused--Lee. Total - 1.

Total - 35.

Whereupon the President declared [S 1200](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 244](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS--Bayer, Patrick. Total - 2.

Absent and excused--Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 244](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Jordan, by voice vote the Senate recessed at 12:03 p.m. until the hour of 3:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Burtenshaw, Lee, and Stennett, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 19, 2019

The JUDICIARY AND RULES Committee reports that [S 1155](#), [S 1119](#), [S 1097](#), [S 1011](#), [S 1170](#), and [S 1059](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1155](#), [S 1119](#), [S 1097](#), [S 1011](#), [S 1170](#), and [S 1059](#) and ordered them transmitted to the House for the signature of the Speaker.

March 19, 2019

The FINANCE Committee reports out [H 267](#) and [H 268](#) with the recommendation that they do pass.

BAIR, Chairman

[H 267](#) and [H 268](#) were filed for second reading.

March 19, 2019

The TRANSPORTATION Committee reports out [H 208](#) and [S 1201](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 208](#) and [S 1201](#) were filed for second reading.

March 19, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 248](#) and [S 1195](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 248](#) and [S 1195](#) were filed for second reading.

March 19, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 149](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [H 149](#) was referred to the Fourteenth Order of Business, General Calendar.

March 19, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Bryan Mooney as the Director of the Department of Administration, term to continue at the pleasure of the Governor.

Chris Jensen as the Administrator of the Division of Building Safety, term to continue at the pleasure of the Governor.

Dean Cameron as the Director of the Department of Insurance, term to continue at the pleasure of the Governor.

Thomas Kealey as the Director of the Department of Commerce, term to continue at the pleasure of the Governor.

PATRICK, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 19, 2019

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

B.J. Stinger to the Commission for the Blind and Visually Impaired, term to expire July 1, 2021.

MARTIN, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 19, 2019

The EDUCATION Committee reports out [HCR 18](#) with the recommendation that it do pass.

MORTIMER, Chairman

[HCR 18](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 19, 2019

The EDUCATION Committee reports out [H 194](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [H 194](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 19, 2019

Dear Madam President:

I transmit herewith [H 274](#), which has passed the House.

MAULIN, Chief Clerk

[H 274](#) was filed for first reading.

March 19, 2019

Dear Madam President:

I return herewith [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](#), which have passed the House.

MAULIN, Chief Clerk

[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](#) were referred to the Judiciary and Rules Committee for enrolling.

March 19, 2019

Dear Madam President:

I return herewith [S 1108](#), which has failed to pass the House.

MAULIN, Chief Clerk

[S 1108](#) was ordered filed in the office of the Secretary of the Senate.

Senator Stennett was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having been held, the President announced that the Judiciary and Rules Committee report relative to the Joint Printing Committee's recommendations was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Moved by Senator Lakey, seconded by Senator Burgoyne, that the recommendation's of the Joint Printing Committee be adopted. The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Burtenshaw, Lee. Total - 2.

Total - 35.

The President declared the recommendation's of the Joint Printing Committee adopted, and ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

On request by Senator Anthon, granted by unanimous consent, [H 139](#) was filed for second reading.

The President declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [S 1106](#), [H 78](#), as amended, [H 137](#), as amended, and [H 30](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1106

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 26 through 28, and insert: "career technical education programs will receive the same added cost unit as any other eligible school on an actual approved cost basis not to exceed the per-student cost for a traditional instructional delivery method. All career".

AMENDMENT TO SECTION 2

On page 2, in line 34, delete ", irrespective of delivery"; in line 35, delete "method."; in line 40, following "methods." insert: "This term may also apply to virtual, blended, or other career technical education programs."; and in line 49, following "method" insert: ", as long as the chosen instructional delivery method is appropriate to the nature of the work as demonstrated by participation in a capstone course that meets recognized industry standards. Career technical education programs may be delivered by traditional, blended, or virtual models and must meet the required elements as outlined in the state standards for

secondary programs. Virtual programs will utilize post-capstone interviews conducted by industry professionals to demonstrate technical proficiency and to satisfy face-to-face requirements. Interviews will be based on students' needs and may be conducted face-to-face or electronically".

AMENDMENT TO SECTION 3

On page 3, delete lines 19 through 23, and insert:

"(3) The division of career technical education shall ~~may~~ coordinate with the Idaho digital learning academy to ~~provide approved online career technical education courses to any Idaho school district~~ develop any statewide virtual career technical education course delivery. Districts may choose to enroll in the course offered by the Idaho digital learning academy or may use their own curriculum providers.

(4) The division of career education shall maintain a list of secondary career technical education pathways that can be delivered by traditional means or entirely online, or a combination of both methods. The division of career technical education shall develop a methodology for the funding of each pathway delivery type. For those pathways that are able to be delivered entirely online, there shall be a presumption that they shall receive the same funding as for traditional career technical education pathways; however, actual funding shall be based upon actual approved costs, not to exceed the cost of delivering these pathways in a traditional setting."; in line 24, delete "(4)" and insert: "(4~~5~~)"; and in line 35, delete "(5)" and insert: "(~~5~~6)".

AMENDMENT TO SECTION 6

On page 8, delete lines 36 and 37, and insert: "activities or services. In order to be eligible for career technical education essential components funding, virtual schools may be required to offer some face-to-face instruction in order to meet industry standards, licensing requirements, work-based learning requirements, or other requirements set forth by the board."

SENATE AMENDMENT TO H 78, As Amended AMENDMENT TO SECTION 1

On page 3 of the engrossed bill, in line 20, delete "and" and insert: "~~and~~"; and in line 21, following "(f)" insert: "However, if you are admitted to a diversion program under section 19-3509, Idaho Code, you may be eligible for a restricted permit for the purpose of getting to and from work, school, medical appointments, or a treatment program, but only if you install, at your expense, a state-approved ignition interlock system on all motor vehicles you operate; and (g)".

On page 8, delete lines 2 through 9, and insert: "case orders to the contrary."

AMENDMENT TO SECTION 4

On page 15, in line 17, delete "pay for drug testing for an indigent di-"; and in line 18, delete "version participant or to".

AMENDMENT TO SECTION 7

On page 16, in line 16, following "program" insert: "created pursuant to sections 19-3508 and 19-3509, Idaho Code,"; delete lines 19 and 20, and insert: "enhances public safety and reduces recidivism, while also saving taxpayer dollars,"; in line 24, following "individuals," insert: "and"; in line 27, delete "; and" and insert: "."; and delete lines 28 through 30.

AMENDMENT TO SECTION 9

On page 17, in line 22, delete "A person" and insert: "All persons"; in line 23, delete "for an alcohol-related charge"; in line 28, following "shall" insert: ", in addition to installing and maintaining an ignition interlock system,"; in line 32, delete "or"

and insert: "."; in line 33, delete "to pay for drug testing."; and delete lines 44 through 47, and insert:

"(2) A prosecuting attorney may require, as a condition of entering a diversion program, that a person execute a sworn affidavit stating the facts that gave rise to the charge of driving under the influence. Such affidavit may be used as evidence of guilt during an adjudicative proceeding in a refiled case. No other statement made by the person in diversion activities or proceedings, such as in a counseling or therapy session, is admissible as evidence of guilt during an adjudicative proceeding in a refiled case."

On page 18, in line 32, following "(5)" insert: "A participant in a diversion program whose driving privileges have been suspended may be granted driving privileges by the administrator of the diversion program, in which case the participant shall be issued a restricted driving permit by the Idaho transportation department. Prior to being granted restricted driving privileges, the participant must show to the administrator proof of financial responsibility as defined and in the amounts specified in section 49-117, Idaho Code."; also in line 32, delete "due to a charge"; and in line 33, delete "involving alcohol" and insert: "under this section".

On page 19, delete lines 4 through 6.

CORRECTION TO TITLE

On page 1, delete lines 3 and 4, and insert: "TO PROVIDE THAT CERTAIN INFORMATION SHALL BE GIVEN TO PERSONS UNDERGOING EVIDENTIARY TESTING FOR ALCOHOL, DRUGS, OR OTHER INTOXICATING SUBSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING".

SENATE AMENDMENT TO H 137, As Amended AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, delete line 13, and insert: "dog if the person owns, possesses, or harbors a dangerous dog or"; in line 14, following "section" insert: "unless otherwise in compliance with the provisions of an order pursuant to subsection (7) of this section"; and in line 20, following "misdemeanor" insert: "unless otherwise in compliance with the provisions of an order pursuant to subsection (7) of this section".

On page 2, in line 41, delete "belonging to an owner" and insert: "~~belonging to an owner~~".

On page 3, in line 12, following "implantation" insert: "tattoo".

SENATE AMENDMENT TO H 30 AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 17 and 18, and insert:

"(9) ~~In addition to the psychiatrist or licensed psychologist, the court may appoint additional experts to examine the defendant. In the event a~~; following line 21, insert:

"(10) In addition to the psychiatrist, licensed psychologist, or evaluation committee, the court may appoint additional experts to examine the defendant."; in line 22, delete "(10)" and insert: "(11)"; in line 30, delete "(11)" and insert: "(12)"; and in line 36, delete "(1+2)" and insert: "(1+3)".

The Committee also has [H 162](#) under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

On motion by Senator Vick, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1106](#), as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 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 filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

[H 141](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Cheatham, Crabtree, Den Hartog, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 29.

NAYS—Burgoyne, Jordan, Mathias (Buckner-Webb). Total - 3.

Absent and excused—Burtenshaw, Grow, Lee. Total - 3.

Total - 35.

Whereupon the President declared [H 141](#) passed, title was approved, and the bill ordered returned to the House.

[H 207](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Cheatham, Crabtree, Den Hartog, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—None.

Absent and excused—Burtenshaw, Grow, Lee. Total - 3.

Total - 35.

Whereupon the President declared [H 207](#) passed, title was approved, and the bill ordered returned to the House.

[H 209](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Burgoyne, Cheatham, Crabtree, Den Hartog, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 28.

NAYS—Anthon, Johnson, Lent, Vick. Total - 4.

Absent and excused—Burtenshaw, Grow, Lee. Total - 3.

Total - 35.

Whereupon the President declared [H 209](#) passed, title was approved, and the bill ordered returned to the House.

[H 191](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Burgoyne, Cheatham, Crabtree, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Ward-Engelking, Winder, Woodward. Total - 29.

NAYS—Bayer, Den Hartog, Thayn. Total - 3.

Absent and excused—Burtenshaw, Grow, Lee. Total - 3.

Total - 35.

Whereupon the President declared [H 191](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 19, 2019

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1106](#), [H 78](#), as amended, [H 137](#), as amended, and [H 30](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 19, 2019

The JUDICIARY AND RULES Committee reports that [S 1106](#), as amended, has been correctly engrossed.

LAKEY, Chairman

[S 1106](#), as amended, was filed for first reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

[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, by Judiciary, Rules and Administration Committee, were read the first time at length and filed for second reading.

[S 1106](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[H 274](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:09 p.m. until the hour of 10:30 a.m., Wednesday, March 20, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SEVENTY-THIRD LEGISLATIVE DAY
WEDNESDAY, MARCH 20, 2019

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Grow, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Bret Bagley, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 19, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 113

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE, WITH EXCEPTIONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature by statute must approve temporary rules by adoption of a concurrent resolution approving the rule if the temporary rule is to remain in effect beyond the end of the current legislative session; and

WHEREAS, the expiration of temporary rules would occasion additional expense to state agencies in readopting and republishing temporary rules needed to conduct state business; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at the Legislature's request through the Office of the Administrative

Rules Coordinator for review during the 2019 legislative session, be, and the same are approved, with the exception of the following enumerated temporary rules:

IDAPA 25.01.01, the Idaho Outfitters and Guides Licensing Board, concerning Rules of the Idaho Outfitters and Guides Licensing Board, adopted as temporary rules under Docket Number 25-0101-1802, the entire rulemaking docket.

IDAPA 29.01.03, the Idaho Potato Commission, concerning Rules Governing Nominations for Appointment as a Commissioner to the Idaho Potato Commission, adopted as temporary rules under Docket Number 29-0103-1802, the entire rulemaking docket.

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the Second Regular Session of the Sixty-fifth Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules which are excepted from approval hereunder or which were not submitted to the Legislature for review during the 2019 legislative session shall expire by operation of statute upon adjournment of the First Regular Session of the Sixty-fifth Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

SCR 114

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH EXCEPTIONS, AND REJECTING CERTAIN AGENCY RULE DOCKETS THAT ARE NOT APPROVED.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 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 governing Rules of the Barber and Cosmetology Services Licensing Board are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain Rules of the Department of Parks and Recreation governing Rules Governing the Administration of Temporary Permits on Lands Owned by the Idaho Department of Parks and Recreation are not consistent with legislative intent; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending

administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2019 legislative session, which impose a fee or charge, be, and the same are approved, with the exception of the following enumerated pending fee rules:

IDAPA 24.28.01, Rules of the Bureau of Occupational Licenses, Rules of the Barber and Cosmetology Services Licensing Board, Section 851., Subsections 05., 06., and 07., only, adopted as pending fee rules under Docket Number 24-2801-1802.

IDAPA 26.01.10, Rules of the Department of Parks and Recreation, Rules Governing the Administration of Temporary Permits on Lands Owned by the Idaho Department of Parks and Recreation, adopted as pending fee rules under Docket Number 26-0110-1701, the entire rulemaking docket.

BE IT FURTHER RESOLVED that IDAPA 24.28.01, Rules of the Bureau of Occupational Licenses, Rules of the Barber and Cosmetology Services Licensing Board, Section 851., Subsections 05., 06., and 07., only, adopted as pending fee rules under Docket Number 24-2801-1802, and IDAPA 26.01.10, Rules of the Department of Parks and Recreation, Rules Governing the Administration of Temporary Permits on Lands Owned by the Idaho Department of Parks and Recreation, adopted as pending fee rules under Docket Number 26-0110-1701, the entire rulemaking docket, are hereby rejected and not approved, and thereby pursuant to Section 67-5291 and Section 67-5224, Idaho Code, are declared null, void, and of no force and effect.

BE IT FURTHER RESOLVED that rule provisions imposing fees or charges that were not submitted through the Office of Rules Coordinator for legislative review or that otherwise are not included and approved in this concurrent resolution shall be null, void, and of no force and effect unless approved by adoption of a separate concurrent resolution by both houses of the Legislature as provided in Section 67-5224, Idaho Code.

SCR 115

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO CONTINUE TO STUDY ISSUES RELATING TO CAMPAIGN FINANCE REFORM AND TO MAKE RECOMMENDATIONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Speaker of the House of Representatives and the President Pro Tempore of the Senate authorized in 2018 a legislative interim study committee to study campaign finance issues and to make recommendations to the Legislature; and

WHEREAS, the study committee proposed campaign finance reform recommendations to the Legislature during the 2019 legislative session; and

WHEREAS, it is the opinion of the study committee that numerous issues remain to be studied including, but not limited

to, the modernization and simplification of the sunshine laws relating to campaign finance disclosures by candidates, lobbyists, and political committees, technology requirements for a single database to be operated through the Secretary of State's website, and increasing the transparency of the campaign process in Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to continue and complete a two-year study of issues relating to campaign finance reform. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice, and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage, or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations, and proposed legislation, if any, to the Second Regular Session of the Sixty-fifth Idaho Legislature and to the First Regular Session of the Sixty-sixth Idaho Legislature.

[SCR 113](#), [SCR 114](#), and [SCR 115](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 19, 2019

The JUDICIARY AND RULES Committee reports that [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](#) have been correctly enrolled.

LAKEY, Chairman

The President signed 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](#) and ordered them transmitted to the House for the signature of the Speaker.

March 20, 2019

The FINANCE Committee reports out [H 274](#) with the recommendation that it do pass.

BAIR, Chairman

[H 274](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 19, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1141 and S 1158

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 19, 2019

Dear Madam President:

I return 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 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, S 1096, and S 1136, which have been signed by the Speaker.

MAULIN, Chief Clerk

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 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, S 1096, and S 1136 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that SCR 112 was before the Senate for final consideration.

Moved by Senator Patrick, seconded by Senator Stennett, that SCR 112 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Guthrie, Harris, Heider, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Grow, Hill. Total - 2.

Total - 35.

Whereupon the President declared SCR 112 adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that HCR 18 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Acting Senator Mathias, HCR 18 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Bryan Mooney was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Guthrie, the Gubernatorial appointment of Bryan Mooney as the Director of the Department of Administration was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Chris Jensen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Nye, the Gubernatorial reappointment of Chris Jensen as the Administrator of the Division of Building Safety was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Dean Cameron retained its place on the calendar for one legislative day.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Thomas Kealey was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Patrick, the Gubernatorial appointment of Thomas Kealey as the Director of the Department of Commerce was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of B.J. Stinger was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Nelson, the Gubernatorial appointment of B.J. Stinger as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1202
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AMENDING SECTION 63-102, IDAHO CODE, TO INCREASE THE SALARIES OF THE STATE TAX COMMISSIONERS; AND PROVIDING REAPPROPRIATION AUTHORITY.

**S 1203
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2020; APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2020; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REQUIREMENTS FOR THE JOBCORPS PILOT PROJECT.

**S 1204
BY STATE AFFAIRS 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 CONDUCT CERTAIN RESEARCH AND APPLY FOR CERTAIN WAIVERS, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-254, IDAHO CODE, TO REVISE PROVISIONS REGARDING ELIGIBILITY FOR MEDICAL ASSISTANCE AND TO PROVIDE FOR NOTIFICATION REGARDING OPPORTUNITIES TO ENROLL IN AN EMPLOYMENT AND TRAINING PROGRAM; AMENDING SECTION 56-255, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 56-267, IDAHO CODE, TO PROVIDE THAT ELIGIBILITY FOR MEDICAID SHALL NOT BE DELAYED FOR WAIVER CONSIDERATION, NEGOTIATION, OR 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 FOR A CERTAIN REVIEW, AND TO MAKE TECHNICAL CORRECTIONS; PROVIDING FOR THE APPOINTMENT OF A TASK FORCE; AND PROVIDING SEVERABILITY.

[S 1202](#), [S 1203](#), and [S 1204](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 267](#) and [H 268](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 208](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[S 1201](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 248](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[S 1195](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 139](#), [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, by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[S 1106](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [S 1177](#) retained its place on the Third Reading Calendar for Friday, March 22, 2019.

On request by Senator Brackett, granted by unanimous consent, [H 107](#), as amended in the Senate, retained its place on the Third Reading Calendar for one legislative day.

[H 210](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 210](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 254](#) retained its place on the Third Reading Calendar.

[H 255](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 255](#) passed, title was approved, and the bill ordered returned to the House.

[H 256](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 256](#) passed, title was approved, and the bill ordered returned to the House.

[H 257](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 257](#) passed, title was approved, and the bill ordered returned to the House.

[H 260](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 30.

NAYS—Burgoyne, Cheatham, Jordan, Mathias (Buckner-Webb), Stennett. Total - 5.

Total - 35.

Whereupon the President declared [H 260](#) passed, title was approved, and the bill ordered returned to the House.

[H 261](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 261](#) passed, title was approved, and the bill ordered returned to the House.

[H 262](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 262](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:01 p.m. until the hour of 3:15 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Agenbroad and Lodge, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 20, 2019

The JUDICIARY AND RULES Committee reports that [SCR 113](#), [SCR 114](#), [SCR 115](#), [S 1202](#), [S 1203](#), and [S 1204](#) have been correctly printed.

LAKEY, Chairman

[SCR 113](#), [SCR 114](#), and [SCR 115](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1202](#) and [S 1203](#) were referred to the Finance Committee.

[S 1204](#) was referred to the Health and Welfare Committee.

March 20, 2019

The JUDICIARY AND RULES Committee reports that 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 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](#), [S 1096](#), and [S 1136](#) were delivered to the Office of the Governor at 2:05 p.m., March 20, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 20, 2019

The STATE AFFAIRS Committee reports out [S 1159](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1159](#) was referred to the Fourteenth Order of Business, General Calendar.

March 20, 2019

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Thomas J. Wilford to the Idaho Endowment Fund Investment Board, term to expire April 1, 2020.

LODGE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 20, 2019

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Dustin Miller as the Director of the Department of Lands, term to expire January 10, 2019.

Dustin Miller to the Oil and Gas Conservation Commission, term to continue at the pleasure of the Governor.

Linda Mitchell to the Lake Pend Oreille Basin Commission, term to expire July 24, 2021.

HEIDER, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 20, 2019

The JUDICIARY AND RULES Committee reports out [H 266](#) with the recommendation that it do pass.

LAKEY, Chairman

[H 266](#) was filed for second reading.

March 20, 2019

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Dr. Michael D. Johnston to the Sexual Offender Management Board, term to expire March 4, 2022.

Dr. David McClusky to the State Board of Correction, term to expire January 30, 2025.

LAKEY, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1205

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO ADMINISTRATIVE RULES; CONTINUING CERTAIN RULES IN FULL FORCE AND EFFECT UNTIL JULY 1, 2020; CONTINUING RULES APPROVED OR EXTENDED BY ADOPTION OF A CONCURRENT RESOLUTION OF THE FIRST REGULAR SESSION OF THE SIXTY-FIFTH IDAHO LEGISLATURE IN FULL FORCE AND EFFECT UNTIL JULY 1, 2020, OR UNTIL SUCH TIME AS THEY SHALL EXPIRE; PROVIDING THAT RULES REJECTED BY CONCURRENT RESOLUTION SHALL BE NULL, VOID, AND OF NO FORCE AND EFFECT; AUTHORIZING AGENCIES TO AMEND OR REPEAL CERTAIN RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURE ACT, AND DECLARING THE EFFECT OF THIS ACT UPON ADMINISTRATIVE RULES; AND PROVIDING SEVERABILITY.

[S 1205](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Lodge was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1201](#) 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 1201](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burtenshaw, Crabtree, Den Hartog, Grow, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Patrick, Rice, Souza, Stennett, Vick, Winder, Woodward. Total - 25.

NAYS—Burgoyne, Cheatham, Guthrie, Jordan, Mathias (Buckner-Webb), Mortimer, Nye, Thayn, Ward-Engelking. Total - 9.

Absent and excused—Agenbrood. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1201](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bayer, Brackett, Crabtree, Den Hartog, Grow, Harris, Heider, Lakey, Lee, Lodge, Martin, Nelson, Patrick, Rice, Souza, Vick, Winder, Woodward. Total - 19.

NAYS—Bair, Burgoyne, Burtenshaw, Cheatham, Guthrie, Hill, Johnson, Jordan, Lent, Mathias (Buckner-Webb), Mortimer, Nye, Stennett, Thayn, Ward-Engelking. Total - 15.

Absent and excused—Agenbrood. Total - 1.

Total - 35.

Whereupon the President declared [S 1201](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 20, 2019

The FINANCE Committee reports out [S 1202](#) and [S 1203](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1202](#) and [S 1203](#) were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:45 p.m. until the hour of 10 a.m., Thursday, March 21, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SEVENTY-FOURTH LEGISLATIVE DAY
THURSDAY, MARCH 21, 2019

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Burgoyne, absent and formally excused by the Chair; and Senators Agenbroad and Lodge, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Makenna Moore, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 20, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

Senators Burgoyne and Lodge were recorded present at this order of business.

The President declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [S 1124](#), [H 149](#), [H 194](#), and [S 1159](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1124 AMENDMENT TO SECTION 2

On page 1 of the printed bill, in line 23, delete "when access to such children"; delete line 24, and insert: ". The"; delete lines 30 and 31, and insert: "rights with a child."; and in line 32, delete "As used in" and insert: "For purposes of".

On page 2, in line 6, delete "'Parent" may include a stepparent"; delete lines 7 and 8; following line 12, insert:

"(6) "Visitation" means contact with a grandchild or great-grandchild, whether in-person contact, phone contact, electronic mail contact, social media contact, or other means of in-person or virtual contact. "Visitation" does not include legal or physical custody rights over the child and does not include decision-making authority over the health, safety, education, or general welfare of the child."; delete lines 15 and 16, and insert: "rights with the child."; delete lines 17 through 30, and insert:

"(2) The district court shall apply a rebuttable presumption in favor of a fit parent's decision regarding visitation, which presumption can only be overcome by clear and convincing evidence that visitation would be in the best interests of the child, in accordance with the factors set forth in section 32-1804, Idaho Code.

(3) The district court shall give the parent's decision special weight when considering the parent's evidence and the petitioner's rebuttal evidence.

(4) The district court shall not substitute its opinion on visitation for that of a fit parent.

(5) The district court may grant a petition and issue an order establishing reasonable visitation rights if the court finds that such visitation is in the best interests of the child.

(6) In cases where both parents have custodial time with the child, the district court shall award visitation only during the scheduled custody time of the parent to whom the petitioner is a parent or grandparent, as defined in this chapter.

(7) The district court may award reasonable attorney fees to the parent when the court finds that the petition was brought or pursued unreasonably, frivolously, or without foundation.

(8) The district court shall make findings of fact and conclusions of law in support of visitation awards made under this chapter.":

in line 31, following "determining" insert: "whether visitation would be in"; in line 36, following "length" insert: ", nature,."; in line 40, delete "detriments and"; also in line 40, delete "or"; in line 41, delete "denying"; and in line 42, delete "or denying".

On page 3, delete lines 1 through 3, and insert:

"(8) The character and fitness of the petitioner;

(9) The relationship between the parent and the petitioner; and

(10) The wishes and preferences of the parent regarding visitation.".

SENATE AMENDMENT TO H 149 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 28 through 32, and insert: "eral agency thereof, the state, or any county of this state.".

SENATE AMENDMENT TO H 194 AMENDMENT TO THE BILL

On page 3 of the printed bill, following line 5, insert: "SECTION 2. This act shall be in full force and effect on and after July 1, 2020.".

CORRECTION TO TITLE

On page 1, in line 5, following "CORRECTION" insert: "; AND PROVIDING AN EFFECTIVE DATE".

SENATE AMENDMENT TO S 1159 AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 26, delete "receive" and insert: "receive have received both the fiscal impact statement from the division of financial management and".

AMENDMENT TO SECTION 3

On page 3, in line 29, delete "~~county legislative district~~" and insert: "county".

AMENDMENT TO SECTION 5

On page 4, delete lines 5 through 9, and insert: "shall be prepared for an initiative as provided in this section. A petitioner who desires to proceed with the sponsorship of an initiative shall, within fifteen (15) working days of receiving the certificate of review provided for in section 34-1809, Idaho Code, provide a copy of the certificate of review and a copy of the initiative petition to the division of financial management. Within ten (10) working days of receiving the certificate of review and initiative petition, the division of financial management shall issue a fiscal impact statement in accordance with this section."

CORRECTION TO TITLE

On page 1, in line 12, delete "EACH QUALIFYING" and insert: "A".

The Committee also has [H 162](#) under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

On motion by Senator Vick, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1124](#), as amended, and [S 1159](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 149](#), as amended in the Senate, and [H 194](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 21, 2019

The JUDICIARY AND RULES Committee reports that [S 1205](#) has been correctly printed.

LAKEY, Chairman

[S 1205](#) was referred to the Judiciary and Rules Committee.

March 21, 2019

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1124](#), [H 149](#), [H 194](#), and [S 1159](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 21, 2019

The JUDICIARY AND RULES Committee reports that [S 1124](#), as amended, and [S 1159](#), as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1124](#), as amended, and [S 1159](#), as amended, were filed for first reading.

March 21, 2019

The STATE AFFAIRS Committee reports out [H 169](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [H 169](#) was referred to the Fourteenth Order of Business, General Calendar.

March 21, 2019

The JUDICIARY AND RULES Committee reports out [S 1205](#) with the recommendation that it do pass.

LAKEY, Chairman

[S 1205](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 20, 2019

Dear Madam President:

I transmit herewith [H 270](#), [H 251](#), [H 183](#), [H 189](#), as amended, [H 202](#), as amended, [H 199](#), as amended, [H 229](#), as amended, and [H 258](#), which have passed the House.

MAULIN, Chief Clerk

[H 270](#), [H 251](#), [H 183](#), [H 189](#), as amended, [H 202](#), as amended, [H 199](#), as amended, [H 229](#), as amended, and [H 258](#) were filed for first reading.

March 20, 2019

Dear Madam President:

I return herewith [SCR 103](#), [SJM 102](#), [SJM 104](#), [S 1139](#), and [S 1140](#), which have passed the House.

MAULIN, Chief Clerk

[SCR 103](#), [SJM 102](#), [SJM 104](#), [S 1139](#), and [S 1140](#) were referred to the Judiciary and Rules Committee for enrolling.

March 20, 2019

Dear Madam President:

I transmit herewith Enrolled [H 97](#), [H 180](#), [H 176](#), [H 167](#), [H 168](#), and [H 144](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 97](#), [H 180](#), [H 176](#), [H 167](#), [H 168](#), and [H 144](#) and ordered them returned to the House.

March 20, 2019

Dear Madam President:

I return herewith Enrolled [S 1155](#), [S 1119](#), [S 1097](#), [S 1011](#), [S 1170](#), and [S 1059](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1155](#), [S 1119](#), [S 1097](#), [S 1011](#), [S 1170](#), and [S 1059](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having been held, the President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Dean Cameron was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Stennett, the Gubernatorial reappointment of Dean Cameron as the Director of the Department of Insurance was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Thomas J. Wilford was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Burgoyne, the Gubernatorial appointment of Thomas J. Wilford as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Dustin Miller was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Dustin Miller as the Director of the Department of Lands was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Dustin Miller was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Nelson, the Gubernatorial appointment of Dustin Miller as a member of the Oil and Gas Conservation Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial

reappointment of Linda Mitchell was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Woodward, seconded by Acting Senator Mathias, the Gubernatorial reappointment of Linda Mitchell as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Dr. Michael D. Johnston was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Nye, the Gubernatorial reappointment of Dr. Michael D. Johnston as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Dr. David McClusky was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Brackett, the Gubernatorial reappointment of Dr. David McClusky as a member of the State Board of Correction was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 149](#), as amended in the Senate, and [H 194](#), as amended in the Senate, by Education Committee, were read the first time at length and filed for second reading.

[S 1124](#), as amended, and [S 1159](#), as amended, by State Affairs Committee, were read the first time at length and filed for second reading.

[H 270](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 251](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 183](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 189](#), as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 202](#), as amended, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 199](#), as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 229](#), as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 258](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 274](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 266](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[S 1202](#) and [S 1203](#), by Finance Committee, were read the second time at length and filed for third reading.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 3:15 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Johnson, absent and formally excused by the Chair; and President Pro Tempore Hill and Senators Anthon, Bair, Grow, and Lakey, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [H 169](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 169 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 13 through 19, and insert: "federalism, which shall consist of ten (10) members, with five (5) members from the senate as appointed by the president pro tempore of the senate, one (1) of whom shall be a member of the minority party and one (1) of whom shall be cochair of the committee, and five (5) members from the house of representatives as appointed by the speaker of the house of representatives, one (1) of whom shall be a member of the minority party and one (1) of whom shall be cochair of the committee. Members shall be appointed based on knowledge of"; in line 27, following "federalism." insert: "The cochairs of the committee may create subcommittees to study various federal matters including, but not limited to, health care, transportation, agriculture, education, and federal lands, and for each subcommittee may appoint one (1) sub-cochair from the senate and one (1) sub-cochair from the house of representatives to act as cochairs of a subcommittee. The sub-cochairs of each subcommittee may appoint ad hoc legislative members and other advisors to serve on the subcommittee but in no event shall a subcommittee have more than seven (7) members, including the sub-cochairs. Any advisors to the subcommittee 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 subcommittee's recommendations and proposed legislation. The subcommittees shall report any recommendations or proposed legislation to the committee as a whole."; in line 30, delete "Five (5)" and insert: "Six (6)"; and delete lines 36 and 37, and insert: "committee, acting through the cochairs, may utilize".

The Committee also has [H 162](#) under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

On motion by Senator Vick, seconded by Senator Stennett, the report was adopted by voice vote.

[H 169](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

President Pro Tempore Hill and Senators Bair and Lakey were recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 21, 2019

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 169](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 21, 2019

The JUDICIARY AND RULES Committee reports that [SCR 103](#), [SJM 102](#), [SJM 104](#), [S 1139](#), and [S 1140](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [SCR 103](#), [SJM 102](#), [SJM 104](#), [S 1139](#), and [S 1140](#) and ordered them transmitted to the House for the signature of the Speaker.

March 21, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1155](#), [S 1119](#), [S 1097](#), [S 1011](#), [S 1170](#), and [S 1059](#) were delivered to the Office of the Governor at 2:15 p.m., March 21, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 21, 2019

The TRANSPORTATION Committee reports out [H 179](#), as amended, with the recommendation that it do pass.

BRACKETT, Chairman

[H 179](#), as amended, was filed for second reading.

March 21, 2019

The TRANSPORTATION Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

James R. Thompson to the Idaho Transportation Board, term to expire January 31, 2025.

BRACKETT, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 21, 2019

The FINANCE Committee reports out [H 258](#) with the recommendation that it do pass.

BAIR, Chairman

[H 258](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 21, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1058](#)

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 2:05 p.m. on March 20, 2019.

Charter schools offer many benefits to Idaho families, particularly greater choice in education. When public charter schools (PCS) were created in Idaho in 1998, the expectation was these schools would be laboratories for innovation in student achievement and successful learning - a model that schools across Idaho would be able to learn from.

With the increased flexibility of this new certificate, there is a clear expectation that there be more evidence of charter school innovation and, most importantly, that these innovative approaches in teaching and learning will have a positive impact for all Idaho's public schools. Our traditional public schools serve the vast majority of Idaho kids and represent our constitutional obligation for a free, thorough, and uniform system of education across Idaho.

Additionally, the school leaders we choose do matter. Authorizing this alternative certificate for PCS administrators presupposes this question: If more expanded, non-traditional leadership options are good enough for charters and their boards to consider, why cannot public school districts and their boards consider this same kind of option for public schools?

Finally, I have listened closely to those concerned about the consequences of this bill and I will be closely watching its impacts.

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 21, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1004](#), [S 1005](#), as amended, [S 1012](#), [S 1013](#),
[S 1018](#), as amended, [S 1019](#), [S 1021](#), [S 1037](#),
as amended, [S 1053](#), [S 1054](#), [S 1055](#), [S 1069](#),
[S 1079](#), [S 1080](#), [S 1081](#), [S 1082](#), [S 1083](#),
[S 1096](#), [S 1111](#), [S 1112](#), [S 1117](#), [S 1125](#),
[S 1127](#), [S 1135](#), [S 1136](#), [S 1145](#), [S 1165](#),
[S 1167](#), [S 1168](#), [S 1169](#), and [S 1172](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

March 21, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 217](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, [H 217](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:14 p.m. until the hour of 9:15 a.m., Friday, March 22, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SEVENTY-FIFTH LEGISLATIVE DAY
FRIDAY, MARCH 22, 2019

Senate Chamber

President McGeachin called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senator Johnson, absent and formally excused by the Chair; and Senator Brackett, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Lauren Pattee, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 21, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 116

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THAT THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE DIRECT THE OFFICE OF PERFORMANCE EVALUATIONS TO MANAGE AN INDEPENDENT EVALUATION REGARDING THE IMPLEMENTATION OF A COUNTYWIDE HIGHWAY DISTRICT SYSTEM AND THE ROLE OF THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Idaho Code currently provides for the administration of local highways by counties, cities, voter-approved countywide highway districts, and highway districts comprising areas smaller than the boundary of a single county; and

WHEREAS, Idaho has nearly three hundred unique local highway jurisdictions, including cities, counties, and highway districts; and

WHEREAS, some Idaho counties have no highway districts, while others contain several small highway districts within their boundaries; and

WHEREAS, several of Idaho's highway districts were formed over one hundred years ago; and

WHEREAS, many components of Idaho's current system of secondary highway administration may have evolved over time; and

WHEREAS, technology has advanced considerably since the development of Idaho's system of secondary highway administration; and

WHEREAS, Idaho's weather, terrain, and remote regions present unique challenges that must be addressed; and

WHEREAS, the majority of highway miles and bridges in Idaho are administered by local highway jurisdictions; and

WHEREAS, the Local Highway Technical Assistance Council (LHTAC) was established under Chapter 24, Title 40, Idaho Code, by the Idaho Legislature in 1994; and

WHEREAS, the mission of LHTAC is to help Idaho's local highway jurisdictions utilize the available resources for maintenance and construction of Idaho's local highway system in the most efficient and effective manner possible; and

WHEREAS, LHTAC has been granted the authority to act for local jurisdictions, including the execution of contracts and the expenditure of funds; and

WHEREAS, LHTAC has administered state transportation funds, including Strategic Initiatives Program funds, to local highway jurisdictions through grant programs; and

WHEREAS, through its role as a resource for local highway jurisdictions, LHTAC has collected and published data regarding Idaho's local highway system; and

WHEREAS, according to a 2014 study by LHTAC, the local transportation system has 33,276 miles of roadways with 13% in fair condition and 27% in poor condition; and

WHEREAS, according to 2019 data collected by LHTAC, Idaho's local highway system contains 2,417 bridges, 857 of which are at least fifty years old, 362 of which are load posted or closed, and 181 of which are in poor condition; and

WHEREAS, repair, replacement, and construction of local highway infrastructure is critical to public safety; and

WHEREAS, Idaho's transportation funding shortfall complicates the repair, replacement, and construction of highway infrastructure; and

WHEREAS, the Legislature desires to learn more about the efficiencies that could be gained through implementation of a countywide approach to local highway administration; and

WHEREAS, the Legislature further desires to learn more about LHTAC, its current role with respect to the local highway system, how LHTAC may be best utilized in the future, and whether, and to what extent, the implementation of a countywide highway system would enhance or minimize LHTAC's role as a resource for such countywide jurisdictions; and

WHEREAS, the Legislature has the responsibility to ensure that all resources of the State of Idaho are expended as efficiently as possible.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Joint Legislative Oversight Committee is requested to direct the Office of Performance Evaluations to manage an independent evaluation of efficiencies that could be obtained through implementation of a countywide approach to local highway administration throughout Idaho, including analysis of

LHTAC's role. Such evaluation shall be conducted by a qualified out-of-state consultant or consultants without current contractual relationships with any Idaho political subdivisions, local highway jurisdictions, the Idaho Transportation Department, LHTAC, or any consultant or contractor who works for or with any of the aforementioned individuals or entities. The evaluation shall, at a minimum, address the following:

(1) Whether cost-efficiencies and enhancements to public safety could be gained through implementation of a countywide approach to secondary highway administration, including the consolidation of local highway jurisdictions;

(2) Whether Idaho's transportation system would benefit from or suffer any adverse consequences as a result of a countywide approach to local highway administration;

(3) Whether, on balance, the benefits that could be obtained through implementation of a countywide approach to secondary highway administration, including the consolidation of local highway districts into single countywide highway districts, would outweigh any adverse effects; and

(4) LHTAC's current role with respect to local highway administration and whether, and to what extent, the implementation of a countywide highway system should enhance or minimize LHTAC's role.

BE IT FURTHER RESOLVED that the independent evaluation shall appropriately address Idaho's unique weather, terrain, size, and many remote regions.

BE IT FURTHER RESOLVED that the Joint Legislative Oversight Committee is requested to direct the Office of Performance Evaluations to develop and submit a report to the Legislature regarding the findings of the evaluation no later than the First Regular Session of the Sixty-sixth Idaho Legislature. At the conclusion of the consultant's work, the Joint Legislative Oversight Committee is requested to submit the completed results of the independent evaluation to the Legislature. The results so reported are to include action-item recommendations upon which the Legislature can act to improve local highway administration.

SCR 116 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senator Brackett was recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 21, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 193**, as amended, with the recommendation that it do pass.

RICE, Chairman

H 193, as amended, was filed for second reading.

March 21, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 259** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, **H 259** was referred to the Fourteenth Order of Business, General Calendar.

March 22, 2019

The RESOURCES AND ENVIRONMENT Committee reports out **H 189**, as amended, with the recommendation that it do pass.

HEIDER, Chairman

H 189, as amended, was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 21, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1107

Within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 2:05 p.m. on March 20, 2019.

In my State of the State address, I spoke about utilizing all budgeting mechanisms that "ensure our state remains fiscally sound over the long-term." One key component of making sure we remain fiscally sound in state government is maintaining accurate fiscal notes for legislation.

In the statement of purpose for S 1107, there is a sunset provision in section 33-1004 which allows school districts and public charter schools to receive salary-based apportionment based on adjusted mid-term support units, if the best 28-week units are at least 3-percent greater than mid-term support units. According to the most recent State Department of Education's calculations, that sunset would save the state approximately \$1.94 million, which is based on 19 support units at \$102,100 for each support unit in the next fiscal year.

S 1107 would remove the sunset. So, it stands to reason that eliminating this sunset will affect the general fund by a similar amount. This was not reflected in the fiscal note for S 1107.

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 21, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1162

Within the time prescribed by the law, the same having arrived in the Office of the Governor at the hour of 2:05 p.m. on March 20, 2019.

We have tremendous difficulty filling positions at the Idaho Department of Correction (IDOC) during boom economic times and rapid turnover among probation officers. It will be hard to fill the 17 positions – 10 probation officers and seven support staff – authorized in this bill because these positions will have to be advertised as ending in one year. It will be especially difficult to fill the 10 probation officer vacancies because those positions require some POST training. The new, one-time probation officers will finish their training with little more than half of a year left of the one-time appropriation. Ironically, because of the frequent turnover in these positions, IDOC will probably be able to manage this year with this one-time appropriation. But structuring the appropriation in this manner is not helpful to the personnel issues IDOC is facing.

My hope is that next year the legislature will make these 17 positions permanent as we work together to solve personnel issues at IDOC.

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 21, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1022, S 1042, S 1043, S 1044, S 1048,
S 1059, S 1084, S 1085, S 1097, S 1142,
S 1155, S 1164, and S 1170

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 21, 2019

Dear Madam President:

I transmit herewith H 277 and H 265, which have passed the House.

MAULIN, Chief Clerk

H 277 and H 265 were filed for first reading.

March 21, 2019

Dear Madam President:

I return herewith 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, which have passed the House.

MAULIN, Chief Clerk

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 were referred to the Judiciary and Rules Committee for enrolling.

March 21, 2019

Dear Madam President:

I transmit 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, for the signature of the President.

MAULIN, Chief Clerk

The President signed 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 ordered them returned to the House.

March 21, 2019

Dear Madam President:

I return 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, which have been signed by the Speaker.

MAULIN, Chief Clerk

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 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 277, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 265, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1205, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 149, as amended in the Senate, by Business Committee, was read the second time at length and filed for third reading.

H 194, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

S 1124, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1159](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[H 179](#), as amended, by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 258](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 169](#), as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1204](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1159](#), as amended, be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1159](#), as amended, be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mathias (Buckner-Webb), Mortimer, Nelson, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 30.

NAYS—Burgoyne, Nye. Total - 2.

Absent and excused—Bair, Johnson, Vick. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1159](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Burtenshaw, Cheatham, Grow, Harris, Heider, Hill, Lakey, Lee, Lodge, Mortimer, Patrick, Rice, Souza, Thayn, Vick, Winder. Total - 18.

NAYS—Agenbroad, Bayer, Brackett, Burgoyne, Crabtree, Den Hartog, Guthrie, Johnson, Jordan, Lent, Martin, Mathias (Buckner-Webb), Nelson, Nye, Stennett, Ward-Engelking, Woodward. Total - 17.

Paired and voting included in roll call:

AYE - Vick

NAY - Johnson

Total - 35.

Whereupon the President declared [S 1159](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Memorial Service.

MEMORIAL SERVICE

The Service was conducted by Memorial Service Committee Co-chairmen Senator Van T. Burtenshaw and Senator Don Cheatham. The Invocation was delivered by Pro Tempore Brent Hilll. "Ave Maria" was performed by Patti Syme. The Service was coordinated by Tyler Leenknecht, Secretary to the Secretary of the Senate.

IN THE SENATE A SENATE MEMORIAL

WHEREAS, the late Senator H. DEAN SUMMERS passed on since the close of the Second Regular Session of the Sixty-fourth Legislature to wit, January 9th, 2018.

WHEREAS, the late Senator H. DEAN SUMMERS served in the interest of Ada County during the Thirty-ninth through the Forty-third Legislature of the State of Idaho.

NOW, THEREFORE BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-fifth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator H. DEAN SUMMERS; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-fifth Idaho Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the H. DEAN SUMMERS family.

On motion by Senator Winder, seconded by Senator Cheatham, the Memorial to the late Senator Dean Summers was adopted by voice vote.

"Amazing Grace" was performed by the Lisa Dalmas. The Benediction was offered by Chaplin Montie Ralstin and the Memorial Service was dissolved.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 22, 2019

The FINANCE Committee reports out [H 265](#) with the recommendation that it do pass.

BAIR, Chairman

[H 265](#) was filed for second reading.

March 22, 2019

The STATE AFFAIRS Committee reports out [H 199](#), as amended, [H 205](#), [H 251](#), and [H 270](#) with the recommendation that they do pass.

LODGE, Chairman

[H 199](#), as amended, [H 205](#), [H 251](#), and [H 270](#) were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1206

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE SUPREME COURT FOR FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2020; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1207

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE SUPREME COURT FOR FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE SUPREME COURT PROGRAM FOR FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE COURT OF APPEALS PROGRAM FOR FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE DISTRICT COURTS PROGRAM FOR FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE MAGISTRATE DIVISION PROGRAM FOR FISCAL YEAR 2020; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

[S 1206](#) and [S 1207](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:20 p.m. until the hour of 9:30 a.m., Monday, March 25, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SEVENTY-EIGHTH LEGISLATIVE DAY
MONDAY, MARCH 25, 2019

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Buckner-Webb and Burgoyne, absent and formally excused by the Chair.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Bret Bagley, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 22, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:11 p.m. until the hour of 3 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except President Pro Tempore Hill and Senators Buckner-Webb, Lodge and Souza, absent and excused.

Prior to recess the Senate was at the Third Order of Business, Reading and Correction of Journal.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 25, 2019

The JUDICIARY AND RULES Committee reports that SCR 116, S 1206, and S 1207 have been correctly printed.

LAKEY, Chairman

SCR 116 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1206 and S 1207 were referred to the Finance Committee.

President Pro Tempore Hill and Senator Souza were recorded present at this order of business.

March 22, 2019

The JUDICIARY AND RULES Committee reports that 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 have been correctly enrolled.

LAKEY, Chairman

The President signed 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 and ordered them transmitted to the House for the signature of the Speaker.

March 22, 2019

The JUDICIARY AND RULES Committee reports that 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 were delivered to the Office of the Governor at 2:35 p.m., March 22, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 25, 2019

The STATE AFFAIRS Committee reports out H 206 with the recommendation that it do pass.

LODGE, Chairman

H 206 was filed for second reading.

March 25, 2019

The STATE AFFAIRS Committee reports out H 122 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, H 122 was referred to the Fourteenth Order of Business, General Calendar.

March 25, 2019

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 183 with the recommendation that it do pass.

RICE, Chairman

H 183 was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 25, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have appointed Yvonne McCoy of Boise, Idaho, to be Acting State Senator for Legislative District 19, Ada, State of Idaho.

This appointment is effective March 25, 2019, and will continue until such time as Senator Cherie Buckner-Webb is able to resume her duties.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-917, *Idaho Code*, Cherie Buckner-Webb, State Senator, District 19, State of Idaho, has nominated Yvonne McCoy of Boise, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 19.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Yvonne McCoy to the office of State Senator, District 19, State of Idaho, for a term commencing on March 25, 2019 through the end of the 2019 legislative session.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this twenty-fifth 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/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator McCoy, and she was recorded present at this order of business.

March 22, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1011](#), [S 1086](#), and [S 1119](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 22, 2019

Dear Madam President:

The House had under consideration the recommendations of the Joint Printing Committee, and report them adopted.

MAULIN, Chief Clerk

The recommendation's were ordered filed in the office of the Secretary of the Senate.

March 22, 2019

Dear Madam President:

I transmit herewith [H 275](#), which has passed the House.

MAULIN, Chief Clerk

[H 275](#) was filed for first reading.

March 22, 2019

Dear Madam President:

I return herewith [S 1156](#), [S 1105](#), [S 1188](#), [S 1189](#), [S 1074](#), as amended, [S 1152](#), [S 1182](#), and [S 1151](#), which have passed the House.

MAULIN, Chief Clerk

[S 1156](#), [S 1105](#), [S 1188](#), [S 1189](#), [S 1074](#), as amended, [S 1152](#), [S 1182](#), and [S 1151](#) were referred to the Judiciary and Rules Committee for enrolling.

March 22, 2019

Dear Madam President:

I return herewith [S 1029](#), which has failed to pass the House.

MAULIN, Chief Clerk

[S 1029](#) was ordered filed in the office of the Secretary of the Senate.

March 22, 2019

Dear Madam President:

I transmit herewith Enrolled [HCR 18](#), [H 210](#), [H 255](#), [H 256](#), [H 257](#), [H 260](#), [H 261](#), and [H 262](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 18](#), [H 210](#), [H 255](#), [H 256](#), [H 257](#), [H 260](#), [H 261](#), and [H 262](#) and ordered them returned to the House.

March 22, 2019

Dear Madam President:

I return herewith Enrolled [SCR 103](#), [SJM 102](#), and [SJM 104](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 103](#), [SJM 102](#), and [SJM 104](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 22, 2019

Dear Madam President:

I return herewith Enrolled [S 1139](#) and [S 1140](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1139](#) and [S 1140](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1208

BY FINANCE COMMITTEE

AN ACT

RELATING TO ENCUMBERING APPROPRIATIONS; REPEALING SECTION 67-3521, IDAHO CODE, RELATING TO ENCUMBERING APPROPRIATIONS; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3521, IDAHO CODE, TO PROVIDE FOR THE PURPOSES, REQUIREMENTS, LIMITATIONS, AND APPROVAL PROCESS FOR ENCUMBERING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE.

S 1209

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-432, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE FOR CERTAIN REGISTRATION AND MILEAGE USE FEES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-436, IDAHO CODE, TO SPECIFY CERTAIN REQUIREMENTS REGARDING QUARTERLY REPORTS AND RECORDKEEPING, AND TO PROVIDE PENALTIES; AMENDING SECTION 49-439, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

[S 1208](#) and [S 1209](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 275](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 193](#), as amended, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 189](#), as amended, by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 265](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 199](#), as amended, and [H 205](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 251](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 270](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:20 p.m. until the hour of 9:30 a.m., Tuesday, March 26, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

SEVENTY-NINTH LEGISLATIVE DAY
TUESDAY, MARCH 26, 2019

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Johnson, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Jakob Alt, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 25, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 26, 2019

The JUDICIARY AND RULES Committee reports that [S 1208](#) and [S 1209](#) have been correctly printed.

LAKEY, Chairman

[S 1208](#) was referred to the Finance Committee.

[S 1209](#) was referred to the Transportation Committee.

March 25, 2019

The JUDICIARY AND RULES Committee reports that [S 1156](#), [S 1105](#), [S 1188](#), [S 1189](#), [S 1074](#), as amended, [S 1152](#), [S 1182](#), and [S 1151](#) have been correctly enrolled.

LAKEY, Chairman

The President Pro Tempore signed Enrolled [S 1156](#), [S 1105](#), [S 1188](#), [S 1189](#), [S 1074](#), as amended, [S 1152](#), [S 1182](#), and [S 1151](#) and ordered them transmitted to the House for the signature of the Speaker.

March 25, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 103](#), [SJM 102](#), and [SJM 104](#) were delivered to the Office of the Secretary of State at 4:21 p.m., March 25, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 25, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1139](#) and [S 1140](#) were delivered to the Office of the Governor at 4:11 p.m., March 25, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 25, 2019

The FINANCE Committee reports out [S 1206](#) and [S 1207](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1206](#) and [S 1207](#) were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 25, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1050](#), [S 1071](#), [S 1075](#), as amended, [S 1078](#),
[S 1087](#), [S 1088](#), as amended, [S 1093](#), [S 1116](#),
[S 1122](#), [S 1123](#), [S 1129](#), as amended, [S 1134](#),
[S 1139](#), [S 1193](#), and [S 1194](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 25, 2019

Dear Mr. President:

I transmit herewith [H 281](#), [H 282](#), [H 283](#), [H 284](#), [H 285](#),
[H 286](#), [H 287](#), and [H 288](#), which have passed the House.

MAULIN, Chief Clerk

[H 281](#), [H 282](#), [H 283](#), [H 284](#), [H 285](#), [H 286](#), [H 287](#), and [H 288](#) were filed for first reading.

March 25, 2019

Dear Mr. President:

I return herewith [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, which have passed the House.

MAULIN, Chief Clerk

[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, were referred to the Judiciary and Rules Committee for enrolling.

March 25, 2019

Dear Mr. President:

I return herewith [S 1113](#), as amended in the House, [S 1057](#), as amended in the House, and [S 1060](#), as amended, as amended in the House, which have passed the House.

MAULIN, Chief Clerk

On request by Senator Lodge, granted by unanimous consent, [S 1113](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

On request by Senator Crabtree, granted by unanimous consent, [S 1057](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

On request by Senator Thayn, granted by unanimous consent, [S 1060](#), as amended, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the House amendments to [S 1113](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1113](#), as amended in the House?"

On request by Senator Lodge, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1113](#), as amended in the House.

[S 1113](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President Pro Tempore announced that the House amendments to [S 1057](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1057](#), as amended in the House?"

On request by Senator Crabtree, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1057](#), as amended in the House.

[S 1057](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President Pro Tempore announced that the House amendments to [S 1060](#), as amended, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1060](#), as amended, as amended in the House?"

On request by Senator Thayn, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1060](#), as amended, as amended in the House.

[S 1060](#), as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President Pro Tempore announced that the Transportation Committee report relative to the Gubernatorial appointment of James R. Thompson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Woodward, seconded by Senator Nelson, the Gubernatorial appointment of James R. Thompson as a member of the Idaho Transportation Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that [SCR 116](#) was before the Senate for final consideration.

Moved by Senator Brackett, seconded by Senator Ward-Engelking, that [SCR 116](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Burtenshaw, Crabtree, Den Hartog, Grow, Harris, Heider, Hill, Lakey, Lee, Lodge, Martin, Nelson, Patrick, Rice, Winder, Woodward. Total - 20.

NAYS—Bayer, Burgoyne, Cheatham, Guthrie, Jordan, Lent, McCoy (Buckner-Webb), Mortimer, Nye, Souza, Stennett, Thayn, Vick, Ward-Engelking. Total - 14.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 116](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 281](#), [H 282](#), [H 283](#), [H 284](#), [H 285](#), [H 286](#), [H 287](#), and [H 288](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 206, by State Affairs Committee, was read the second time at length and filed for third reading.

H 183, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out **H 217** and **H 259**, without recommendation, amended as follows:

SENATE AMENDMENT TO H 217 AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 7 through 41, and insert:

"SECTION 1. That Section 50-2905A, Idaho Code, be, and the same is hereby amended to read as follows:

50-2905A. ELECTION NECESSARY
FOR EXPENDITURES ON CERTAIN
PROJECTS. (1) Notwithstanding any other provision of this chapter, on and after July 1, 2016 the effective date of this act, it shall be unlawful for an urban renewal agency to expend revenue collected under this chapter on project costs when either the amount of revenue collected under this chapter, or the amount of revenue collected under this chapter plus any other public funds, not including federal funds or federal funds administered by a public body, contributes to fifty-one percent (51%) or more of the total project cost and the project is for construction of a municipal building that will not be subject to property taxation or a multipurpose sports stadium complex, or the remodel of such a building or complex, with a total project cost exceeding one million dollars (\$1,000,000) unless such construction project is first approved in an election by sixty percent (60%) of the participating qualified electors residing within the borders of the qualified municipality. An election pursuant to this section shall be in accordance with the provisions of chapter 1, title 34, Idaho Code. The total project cost described in this subsection shall not include the cost of any infrastructure or belowground improvements including, but not limited to, water, sewer, storm drainage, electrical, natural gas, telecommunication, or other similar systems and lines, streets, roads, curbs, gutters, sidewalks, walkways, parking facilities, or unoccupied auxiliary structures. This section shall not be construed to require an election regarding bonds issued prior to the effective date of this act.

(2) For purposes of this section, the following terms shall have the following meanings:

(a) "Multipurpose sports stadium complex" means a place or venue for indoor or outdoor sports, concerts, or other events that contains a field or other playing surface or area

either partly or completely surrounded by a tiered structure designed to allow spectators to stand or sit and view the event;

(b) "Municipal building" means only an administrative building, city hall, library, courthouse, public safety or law enforcement buildings, other judicial buildings, fire stations, jails, and detention facilities that are not subject to property taxation whether they are, or are intended to be, owned or operated by or leased to a public body for the public's benefit;

(bc) "Project costs" shall have the same meaning as provided in section 50-2903(14), Idaho Code;

(d) "Public body" shall have the same meaning as provided in section 50-2018(3), Idaho Code;

(e) "Public funds" shall mean the funds collected or received by a public body but shall not include grants or donations from private entities or individuals to the public body."

On page 2, delete lines 1 through 3.

CORRECTION TO TITLE

On page 1, in line 4, delete "IMPROVEMENTS, TO DEFINE A TERM" and insert: "EXCEPTIONS, TO DEFINE TERMS"; and in line 5, delete "; AND DECLARING AN EMERGENCY".

SENATE AMENDMENT TO H 259 AMENDMENT TO SECTION 4

On page 4 of the printed bill, in line 24, delete "subsection (2) of"; in line 25, delete "All" and insert: "From June 1, 2019, through June 30, 2024, all"; after line 34, insert:

"(3) On and after July 1, 2024, all state sales and use taxes described in subsection (1) of this section shall be distributed by the state tax commission as follows:

(a) An amount of money shall be distributed to the state refund account sufficient to pay current refund claims under this section. All refunds authorized for payment by the state tax commission shall be paid through the state refund account, and those moneys are continuously appropriated; and

(b) The remaining funds shall be distributed through the distribution formula set forth for other sales and use tax revenue in section 63-3638, Idaho Code, except that the remainder after distribution shall not be paid to the general fund pursuant to section 63-3638(15), Idaho Code, but shall instead be paid to the tax relief fund established in section 57-811, Idaho Code.;"

and in line 35, delete "(3)" and insert: "(4)".

CORRECTION TO TITLE

On page 1, in line 14, following "FORMULA" insert: "FOR A PERIOD OF TIME".

The Committee also has **H 162** and **H 122** under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

On motion by Senator Vick, seconded by Senator Jordan, the report was adopted by voice vote.

H 217, as amended in the Senate, and **H 259**, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Martin, granted by unanimous consent, [S 1204](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Lodge, granted by unanimous consent, [S 1177](#) was referred to the State Affairs Committee.

On request by Senator Lakey, granted by unanimous consent, [S 1124](#), as amended, was referred to the Judiciary and Rules Committee.

[S 1202](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1202](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1203](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1203](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1205](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [S 1205](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 78](#), as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 78](#), as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 137](#), as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 137](#), as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 30](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 30](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 149](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 149](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 194](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cheatham, Den Hartog, Grow, Guthrie, Heider, Hill, Johnson, Lakey, Lent, Martin, McCoy (Buckner-Webb), Mortimer, Nye, Patrick, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 25.

NAYS—Brackett, Crabtree, Harris, Jordan, Lee, Lodge, Nelson, Rice, Stennett, Woodward. Total - 10.

Total - 35.

Whereupon the President Pro Tempore declared [H 194](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 169](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Rice, Souza, Thayn, Vick, Winder, Woodward. Total - 26.

NAYS—Brackett, Burgoyne, Jordan, McCoy (Buckner-Webb), Nelson, Nye, Patrick, Stennett, Ward-Engelking. Total - 9.

Total - 35.

Whereupon the President Pro Tempore declared [H 169](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 26, 2019

The JUDICIARY AND RULES Committee reports that [S 1113](#), as amended in the House, [S 1057](#), as amended in the House, and [S 1060](#), as amended, as amended in the House, have been correctly engrossed.

LAKEY, Chairman

[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.

March 26, 2019

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 217](#) and [H 259](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 217](#), as amended in the Senate, and [H 259](#), as amended in the Senate, by Revenue and Taxation Committee, were read the first time at length and filed for second reading.

[S 1113](#), as amended in the House, by State Affairs Committee, was read the first time at length 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 read the first time at length and filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:19 p.m. until the hour of 2:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present except Senators Bair, Brackett, Lee, Martin, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 26, 2019

The JUDICIARY AND RULES Committee reports that [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, have been correctly enrolled.

LAKEY, Chairman

The President Pro Tempore signed Enrolled [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, and ordered them transmitted to the House for the signature of the Speaker.

March 26, 2019

The FINANCE Committee reports out [H 281](#), [H 282](#), [H 283](#), [H 284](#), [H 285](#), [H 286](#), [H 287](#), and [H 288](#) with the recommendation that they do pass.

BAIR, Chairman

[H 281](#), [H 282](#), [H 283](#), [H 284](#), [H 285](#), [H 286](#), [H 287](#), and [H 288](#) were filed for second reading.

March 26, 2019

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 275](#) with the recommendation that it do pass.

PATRICK, Chairman

[H 275](#) was filed for second reading.

Senator Bair was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 254](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Burgoyne, Burtenshaw, Crabtree, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder, Woodward. Total - 30.

NAYS—Bayer, Cheatham, Den Hartog, Mortimer, Vick. Total - 5.

Total - 35.

Whereupon the President Pro Tempore declared [H 254](#) passed, title was approved, and the bill ordered returned to the House.

[H 263](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 263](#) passed, title was approved, and the bill ordered returned to the House.

[H 264](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, McCoy (Buckner-Webb), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 31.

NAYS—Grow, Martin, Mortimer. Total - 3.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 264](#) passed, title was approved, and the bill ordered returned to the House.

[H 267](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 267](#) passed, title was approved, and the bill ordered returned to the House.

[H 268](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 268](#) passed, title was approved, and the bill ordered returned to the House.

[H 208](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 208](#) passed, title was approved, and the bill ordered returned to the House.

[H 248](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 248](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 139](#) retained its place on the Third Reading Calendar for one legislative day.

[H 274](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 274](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 266](#) retained its place on the Third Reading Calendar.

[H 179](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Brackett, Burgoyne, Burtenshaw, Den Hartog, Grow, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Stennett, Ward-Engelking, Winder. Total - 23.

NAYS—Bayer, Cheatham, Crabtree, Guthrie, Harris, Rice, Souza, Thayn, Vick, Woodward. Total - 10.

Absent and excused—Anthon, McCoy (Buckner-Webb). Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 179](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 266](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 266](#) passed, title was approved, and the bill ordered returned to the House.

[H 258](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 258](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 193](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

[H 189](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 189](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 265](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 265](#) passed, title was approved, and the bill ordered returned to the House.

[H 199](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President Pro Tempore declared [H 199](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 205](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Patrick, Souza, Thayn, Vick, Winder, Woodward. Total - 26.

NAYS—Burgoyne, Jordan, McCoy (Buckner-Webb), Nelson, Nye, Rice, Stennett, Ward-Engelking. Total - 8.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 205](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 251](#) retained its place on the Third Reading Calendar for one legislative day.

[H 270](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Brackett, Burtenshaw, Crabtree, Den Hartog, Grow, Harris, Heider, Hill, Johnson, Lakey, Lodge, Martin, Mortimer, Nelson, Nye, Stennett, Vick, Ward-Engelking, Winder, Woodward. Total - 22.

NAYS—Bayer, Burgoyne, Cheatham, Guthrie, Jordan, Lee, Lent, McCoy (Buckner-Webb), Patrick, Rice, Souza, Thayn. Total - 12.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 270](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:42 p.m. until the hour of 10 a.m., Wednesday, March 27, 2019.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

EIGHTIETH LEGISLATIVE DAY
WEDNESDAY, MARCH 27, 2019

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Johnson, absent and formally excused by the Chair.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Katie Angell, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 26, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 117

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

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 AND REGARDING RELATED ISSUES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, on November 6, 2018, the Idaho electorate passed Proposition 2, expanding eligibility for Medicaid to persons with a modified adjusted gross income at or below 133% of the federal poverty level; and

WHEREAS, it is anticipated that Medicaid eligibility expansion will reduce or eliminate the need for existing programs that serve medically indigent individuals, including the county medically indigent program and the catastrophic health care costs program; and

WHEREAS, federal financial participation for Medicaid eligibility expansion is set at 90%, with the state providing the remainder of the funds needed for expansion; and

WHEREAS, funds currently reserved for the county medically indigent program and the catastrophic health care costs program have been identified as a potential source of funding for Medicaid eligibility expansion; and

WHEREAS, a study is necessary to determine:

(1) The impacts of Medicaid eligibility expansion on existing programs that serve medically indigent individuals;

(2) Options to reduce, phase out, or eliminate the county medically indigent program and the catastrophic health care costs program;

(3) The savings to each county and the state from reduction or elimination of each program;

(4) An equitable means to assess each county for its share of state funding for Medicaid eligibility expansion; and

(5) An effective means for the state to collect Medicaid eligibility expansion assessments from the counties.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study and to make recommendations regarding the effects of Medicaid eligibility expansion on existing programs that serve medically indigent individuals and regarding related issues identified in this resolution. 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 the cochairs of the committee who are appointed by the Legislative Council shall appoint, as a nonvoting member of the committee, a person representing the Idaho Association of Counties.

BE IT FURTHER RESOLVED that other nonlegislative members of the committee may be appointed by the cochairs. Nonlegislative members of the committee shall not be reimbursed from legislative funds for per diem, mileage, or other expenses.

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.

SCR 117 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 25, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have appointed Ray Mosman of Craigmont, Idaho, to be Acting State Senator for Legislative District 6, State of Idaho.

This appointment is effective March 27, 2019, and will expire at the end of the 2019 legislative session.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-917, *Idaho Code*, Dan G. Johnson, State Senator, District 6, State of Idaho, has nominated Ray Mosman of Craigmont, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 6.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Ray Mosman to the office of State Senator, District 6, State of Idaho, for a term commencing on March 27, 2019, through the end of the 2019 legislative session.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capital in Boise on this Twenty-seventh 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 and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Mosman, and he was recorded present at this order of business.

March 26, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1140

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 26, 2019

Dear Madam President:

I return herewith **S 1166**, **S 1187**, **S 1006**, **S 1138**, as amended, **SCR 107**, **SCR 108**, **SCR 109**, and **SJM 105**, which have passed the House.

MAULIN, Chief Clerk

S 1166, **S 1187**, **S 1006**, **S 1138**, as amended, **SCR 107**, **SCR 108**, **SCR 109**, and **SJM 105** were referred to the Judiciary and Rules Committee for enrolling.

March 26, 2019

Dear Madam President:

I return herewith **S 1178**, as amended, which has failed to pass the House.

MAULIN, Chief Clerk

S 1178, as amended, was ordered filed in the office of the Secretary of the Senate.

March 26, 2019

Dear Madam President:

I transmit herewith Enrolled **H 118**, as amended, as amended in the Senate, and **H 93**, as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled **H 118**, as amended, as amended in the Senate, and **H 93**, as amended in the Senate, and ordered them returned to the House.

March 26, 2019

Dear Madam President:

I return 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**, which have been signed by the Speaker.

MAULIN, Chief Clerk

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** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1206 and **S 1207**, by Finance Committee, were read the second time at length and filed for third reading.

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 at length and filed for third reading.

S 1113, as amended in the House, by State Affairs Committee, was read the second time at length 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 at length and filed for third reading.

[H 281](#), [H 282](#), [H 283](#), [H 284](#), [H 285](#), [H 286](#), [H 287](#), and [H 288](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 275](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 139](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Mosman (Johnson), Nelson, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—Jordan, McCoy (Buckner-Webb), Nye. Total - 3.

Total - 35.

Whereupon the President declared [H 139](#) passed, title was approved, and the bill ordered returned to the House.

[H 193](#), as amended, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Thayne, Vick, Winder, Woodward. Total - 31.

NAYS—Burgoyne, McCoy (Buckner-Webb), Stennett, Ward-Engelking. Total - 4.

Total - 35.

Whereupon the President declared [H 193](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 251](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Harris, Hill, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Rice, Souza, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 24.

NAYS—Brackett, Burgoyne, Guthrie, Heider, Jordan, McCoy (Buckner-Webb), Mosman (Johnson), Nelson, Nye, Patrick, Stennett. Total - 11.

Total - 35.

Whereupon the President declared [H 251](#) passed, title was approved, and the bill ordered returned to the House.

[H 206](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Mosman (Johnson), Patrick, Rice, Souza, Thayne, Vick, Winder, Woodward. Total - 28.

NAYS—Burgoyne, Jordan, McCoy (Buckner-Webb), Nelson, Nye, Stennett, Ward-Engelking. Total - 7.

Total - 35.

Whereupon the President declared [H 206](#) passed, title was approved, and the bill ordered returned to the House.

[H 183](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—Brackett, Mosman (Johnson). Total - 2.

Total - 35.

Whereupon the President declared [H 183](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Vick, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Vick, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Vick, seconded by Senator Stennett, by voice vote the Senate recessed at 11:58 a.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Lakey, absent and formally excused by the Chair; and Senator Thayne, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 27, 2019

The JUDICIARY AND RULES Committee reports that [SCR 117](#) has been correctly printed.

LAKEY, Chairman

[SCR 117](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 27, 2019

The JUDICIARY AND RULES Committee reports that [S 1166](#), [S 1187](#), [S 1006](#), [S 1138](#), as amended, [SCR 107](#), [SCR 108](#), [SCR 109](#), and [SJM 105](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1166](#), [S 1187](#), [S 1006](#), [S 1138](#), as amended, [SCR 107](#), [SCR 108](#), [SCR 109](#), and [SJM 105](#) and ordered them transmitted to the House for the signature of the Speaker.

March 27, 2019

The JUDICIARY AND RULES Committee reports that 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](#) were delivered to the Office of the Governor at 1:30 p.m., March 27, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

On request by Senator Harris, granted by unanimous consent, [H 162](#) was referred to the Resources and Environment Committee.

The President declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [H 122](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 122

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 18 through 39.

On page 2, delete lines 1 through 14, and insert:

"22-1702. LEGISLATIVE INTENT. (1) It is the policy of this state to allow and encourage the 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 eliminated barriers at the federal level to hemp research and development. It is the policy of this state to immediately regulate the interstate transport of hemp. It is also the policy of this state that, through the negotiated rulemaking process, the director shall develop and submit by a date certain a state plan to the secretary of agriculture that allows for the production of hemp in Idaho to the greatest extent allowed in compliance with the agriculture improvement act of 2018.

(2) 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, 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.

22-1703. DEFINITIONS. As used in this chapter:

(1) "Chief law enforcement officer" means the director of the Idaho state police.

(2) "Director" means the director of the Idaho state department of agriculture.

(3) "Hemp" means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis, as defined in the federal agriculture improvement act of 2018. It does not include any approved cannabidiol drugs listed on schedule V in section 37-2713, Idaho Code.

(4) "Person" means any individual, partnership, corporation, association, grower, farm, or any other business unit.

22-1704. INTERSTATE TRANSPORT. (1) No person shall move, convey, or transport hemp through the state without a permit issued by the director based on documentation from the equivalent foreign state authorizing body in compliance with the agriculture improvement act of 2018. Hemp is exempted from the provisions of chapter 27, title 37, Idaho Code, for the purpose of interstate transport when being moved, conveyed, or transported pursuant to a permit and in compliance with the agriculture improvement act of 2018.

(2) The director shall expeditiously promulgate rules, in consultation with the chief law enforcement officer, regulating the transport of hemp through the state. The director may assess fees for permits created in this chapter and civil penalties for violations of this chapter or any rules promulgated under this chapter.

(3) Any person transporting hemp through the state has the duty to keep and furnish upon request by the director or a peace officer any permits required by this chapter.

(4) Any hemp transported through the state must be free of pests as defined in chapter 20, title 22, Idaho Code.

(5) The chief law enforcement officer may establish check stations at ports of entry or other locations as established by rule as necessary to carry out the provisions of this chapter.

(6) No person shall proceed past or travel through any established check station at a port of entry or other location as

established by rule during hours of operations when required by rule to stop for inspection while transporting hemp.

(7) The director or the chief law enforcement officer may issue hold orders to take prompt regulatory action on hemp transported through the state when either reasonably believes hemp is transported in violation of this chapter or the federal agriculture improvement act of 2018 or any rules promulgated thereunder. The hold order shall contain contact information, the reason for the hold order, and the conditions for release.

(8) It shall be the duty of all peace officers within the state, as defined by section 19-5101(d), Idaho Code, to enforce the provisions of this chapter by making a complaint or citation as described in section 19-3901, Idaho Code.

(9) A peace officer may inspect any vehicle transporting hemp presented at a check station at a port of entry or other location as established by rule or during lawful traffic enforcement contacts and collect reasonably sized samples selected by the peace officer for testing.

(10) If a peace officer has probable cause to believe that a person is transporting hemp without permits required in this chapter, the peace officer may seize and impound the hemp, provided however, if permits that were valid at the time of seizure and impoundment are subsequently furnished, the peace officer shall immediately release the hemp.

(11) Except when hemp is transported through this state in compliance with the permits required in this section, nothing in this section shall inhibit or restrict any peace officer from enforcing to the fullest extent the laws of this state prohibiting marijuana as provided in chapter 27, title 37, Idaho Code.

22-1705. STATE PLAN. (1) The director shall prepare a plan through negotiated rulemaking and submit the plan to the secretary of agriculture by November 1, 2019, or immediately upon the date after which the United States department of agriculture is ready to accept state plans, whichever is later. The plan shall be created through the negotiated rulemaking process, in consultation with the governor and the chief law enforcement officer of the state, and shall allow for the research and production of hemp in Idaho to the greatest extent allowed under federal law.

(2) As part of the state plan, the director, in consultation with the governor and the chief law enforcement officer of the state, shall prepare by rule and submit to the secretary of agriculture a corrective action plan consistent with the federal agriculture improvement act of 2018.

(3) If approved by the secretary of agriculture, the state plan and the corrective action plan will not take effect until enacted in Idaho Code.

22-1706. HEMP DEVELOPMENT FUND. There shall be established in the dedicated fund in the state treasury the hemp development fund to which shall be credited the revenues derived from fees and penalties collected as authorized by this chapter and the rules promulgated under this chapter. Moneys in the fund shall be used solely for carrying out the provisions of this chapter. The director is charged with the administration of moneys appropriated from the fund unless otherwise provided by law. All interest or other income accruing from moneys deposited to the fund shall be redeposited and accrue to the fund.

22-1707. EXCEPTIONS. Hemp shall not be subject to inspection or indemnification pursuant to chapter 51, title 22, Idaho Code, or chapter 2 or 5, title 69, Idaho Code."

AMENDMENT TO THE BILL

On page 2, delete lines 15 through 47.

Delete pages 3 through 15, and insert:

"SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

CORRECTION TO TITLE

On page 1, delete lines 3 through 9, and insert: "CHAPTER 17, TITLE 22, IDAHO CODE, TO PROVIDE FOR THE HEMP RESEARCH AND DEVELOPMENT ACT, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO PROVIDE FOR INTERSTATE TRANSPORT, TO PROVIDE FOR A STATE PLAN, TO PROVIDE FOR THE HEMP DEVELOPMENT FUND, AND TO PROVIDE EXCEPTIONS; AND DECLARING AN EMERGENCY."

The Committee also has [S 1204](#) under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

On motion by Senator Vick, seconded by Senator Stennett, the report was adopted by voice vote.

[H 122](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1206](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1206](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Lakey, Thayn. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1206](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Lee and Nye disclosed a possible conflict of interest under applicable law.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:14 p.m. until the hour of 9:30 a.m., Thursday, March 28, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

EIGHTY-FIRST LEGISLATIVE DAY
THURSDAY, MARCH 28, 2019

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Brackett, Martin, and Rice, absent and excused.

Prayer was offered by Senator Dean Mortimer.

The Pledge of Allegiance was led by Jakob Alt, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 27, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 27, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1023](#), [S 1131](#), as amended, [S 1185](#), [S 1190](#),
[S 1191](#), [S 1192](#), [S 1197](#), and [S 1198](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 27, 2019

Dear Madam President:

I transmit herewith [H 289](#), which has passed the House.

MAULIN, Chief Clerk

[H 289](#) was filed for first reading.

March 27, 2019

Dear Madam President:

I return herewith [S 1153](#) and [S 1174](#), which have passed the House.

MAULIN, Chief Clerk

[S 1153](#) and [S 1174](#) were referred to the Judiciary and Rules Committee for enrolling.

Senator Martin was recorded present at this order of business.

March 27, 2019

Dear Madam President:

I return 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, [S 1003](#), as amended, [S 1146](#), [S 1110](#), as amended, [S 1199](#), [S 1180](#), and [S 1056](#), as amended, which have been signed by the Speaker.

MAULIN, Chief Clerk

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, [S 1003](#), as amended, [S 1146](#), [S 1110](#), as amended, [S 1199](#), [S 1180](#), and [S 1056](#), as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 27, 2019

Dear Madam President:

I return herewith Enrolled [SCR 106](#), [SCR 112](#), and [SJM 106](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 106](#), [SCR 112](#), and [SJM 106](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [SCR 117](#) was before the Senate for final consideration.

Moved by President Pro Tempore Hill, seconded by Senator Jordan, that [SCR 117](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [SCR 117](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 289](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 122](#), as amended in the Senate, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [H 259](#), as amended in the Senate, retained its place on the Third Reading Calendar.

[S 1113](#), as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1113](#), as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

[S 1057](#), as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1057](#), as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

[S 1060](#), as amended, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [S 1060](#), as amended, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

[H 281](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Brackett, Burgoyne, Burtenshaw, Cheatham, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 30.

NAYS—Agenbroad, Crabtree, Den Hartog. Total - 3.

Absent and excused—Bayer, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [H 281](#) passed, title was approved, and the bill ordered returned to the House.

[H 282](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Souza, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [H 282](#) passed, title was approved, and the bill ordered returned to the House.

[H 283](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 283](#) passed, title was approved, and the bill ordered returned to the House.

[H 259](#), as amended in the Senate, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burtenshaw, Cheatham, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Lakey, Lee, Lent, Lodge, Martin, Mosman (Johnson), Nye, Patrick, Rice, Souza, Thayn, Vick, Winder. Total - 24.

NAYS—Agenbroad, Brackett, Burgoyne, Crabtree, Jordan, McCoy (Buckner-Webb), Mortimer, Nelson, Stennett, Ward-Engelking, Woodward. Total - 11.

Total - 35.

Whereupon the President declared [H 259](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 284](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 284](#) passed, title was approved, and the bill ordered returned to the House.

[H 285](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Lee disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 285](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:10 a.m. until the hour of 10 a.m., Friday, March 29, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

EIGHTY-SECOND LEGISLATIVE DAY
FRIDAY, MARCH 29, 2019

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Burgoyne, absent and formally excused by the Chair.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Taylor McMullin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 28, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 28, 2019

The JUDICIARY AND RULES Committee reports that [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, have been correctly enrolled.

LAKEY, Chairman

The President signed 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, and ordered them transmitted to the House for the signature of the Speaker.

March 29, 2019

The JUDICIARY AND RULES Committee reports that 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, [S 1003](#), as amended, [S 1146](#), [S 1110](#), as amended, [S 1199](#), [S 1180](#), and [S 1056](#), as amended, were delivered to the Office of the Governor at 11:10 a.m., March 28, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 29, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 106](#), [SCR 112](#), and [SJM 106](#) were delivered to the Office of the Secretary of State at 11:15 a.m., March 28, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 28, 2019

The FINANCE Committee reports out [H 289](#) with the recommendation that it do pass.

BAIR, Chairman

[H 289](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 28, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1091](#), as amended, [S 1163](#), and [S 1152](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 28, 2019

Dear Madam President:

I return herewith [S 1106](#), as amended, and [SCR 110](#), which have passed the House.

MAULIN, Chief Clerk

[S 1106](#), as amended, and [SCR 110](#) were referred to the Judiciary and Rules Committee for enrolling.

March 28, 2019

Dear Madam President:

I transmit 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](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed 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 ordered them returned to the House.

March 28, 2019

Dear Madam President:

I return herewith Enrolled [S 1166](#), [S 1187](#), [S 1006](#), and [S 1138](#), as amended, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1166](#), [S 1187](#), [S 1006](#), and [S 1138](#), as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 28, 2019

Dear Madam President:

I return herewith Enrolled [SCR 107](#), [SCR 108](#), [SCR 109](#), and [SJM 105](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 107](#), [SCR 108](#), [SCR 109](#), and [SJM 105](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 286](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 286](#) passed, title was approved, and the bill ordered returned to the House.

[H 287](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 287](#) passed, title was approved, and the bill ordered returned to the House.

[H 288](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 288](#) passed, title was approved, and the bill ordered returned to the House.

[H 275](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 275](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 10:47 a.m. until the hour of 9 a.m., Monday, April 1, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

EIGHTY-FIFTH LEGISLATIVE DAY
MONDAY, APRIL 1, 2019

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9 a.m.

Roll call showed all members present except Senator Crabtree, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Alex Knowlton, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 29, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [S 1204](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1204 AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 16, following "(9)" insert: "The director shall, in cooperation with the director of the department of insurance, seek waivers from the federal government to provide the ability to receive, at a person's option, if such person is eligible for medicaid pursuant to section 56-267, Idaho Code, and has a modified adjusted gross income at one hundred percent (100%) of the federal poverty level or greater, 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, as an alternative to enrolling in medicaid."
(10)".

CORRECTION TO TITLE

On page 1, in line 5, delete "APPLY FOR" and insert: "SEEK".

SENATE AMENDMENT TO S 1204 AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 16, following "(9)" insert: "The director shall seek a waiver from the federal government consistent with the provisions of this subsection.

(a) A person participating in medicaid pursuant to section 56-267, Idaho Code, must be:

(i) Working at least twenty (20) hours per week, averaged monthly, or earning wages equal to or greater than the federal minimum wage for twenty (20) hours of work per week;

(ii) Participating in and complying with the requirements of a work training program at least twenty (20) hours per week, as determined by the department;

(iii) Volunteering at least twenty (20) hours per week, as determined by the department;

(iv) Enrolled at least half-time in postsecondary education or another recognized education program, as determined by the department, and remaining enrolled and attending classes during normal class cycles;

(v) Meeting any combination of working, volunteering, and participating in a work program for a total of at least twenty (20) hours per week, as determined by the department; or

(vi) Subject to and complying with the requirements of the work program for temporary assistance for needy families (TANF) or participating and complying with the requirements of a workfare program in the supplemental nutrition assistance program (SNAP).

(b) A person is exempt from the provisions of paragraph (a) of this subsection if the person is:

(i) Under the age of nineteen (19) years;

(ii) Over the age of fifty-nine (59) years;

(iii) Physically or intellectually unfit for employment;

(iv) Pregnant;

(v) A parent or caretaker who is the primary caregiver of a dependent child under the age of eighteen (18) years, as determined by the department;

(vi) A parent or caretaker personally providing care for a person with serious medical conditions or with a disability, as determined by the department;

(vii) Applying for or receiving unemployment compensation and complying with work requirements that are part of the federal-state unemployment insurance program;

(viii) Applying for social security disability benefits, until such time eligibility is determined;

(ix) Participating in a drug addiction or alcohol treatment and rehabilitation program, as determined by the department; or

(x) An American Indian or Alaska native who is eligible for services through the Indian health service or through a tribal health program pursuant to the Indian self-determination and education assistance act and the Indian health care improvement act.

(c) A person who fails to comply with paragraph (a) of this subsection shall be subject to a copayment on covered medicaid services to the maximum extent permissible for a

period of six (6) months or until the person complies with paragraph (a) of this subsection, whichever is earlier.

(d) Compliance reporting required for persons subject to paragraph (a) of this subsection shall be consistent with compliance reporting requirements for persons participating in a SNAP workfare program.

(e) The department shall implement the waiver described in this subsection as soon as possible once federal approval has been obtained.

(10)".

AMENDMENT TO THE BILL

On page 2, delete lines 18 through 48.

Delete pages 3 through 6.

On page 7, delete lines 1 through 48; and renumber subsequent sections accordingly.

On page 9, following line 14, insert:

"SECTION 5. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

CORRECTION TO TITLE

On page 1, in line 5, delete "APPLY FOR" and insert: "SEEK"; in line 6, delete "56-254,"; delete lines 7 through 10; in line 11, delete "TION"; in line 16, delete "AND"; also in line 16, following "SEVERABILITY" insert: "; AND DECLARING AN EMERGENCY".

SENATE AMENDMENT TO S 1204

AMENDMENT TO SECTION 4

On page 8 of the printed bill, following line 29, insert:

"(6) No later than January 31 in the 2023 legislative session, the senate and house of representatives health and welfare committees shall review all fiscal, health, and other impacts of medicaid eligibility expansion pursuant to this section and shall make a recommendation to the legislature as to whether such expansion should remain in effect."

CORRECTION TO TITLE

On page 1, in line 15, delete "A"; and also in line 15, delete "REVIEW" and insert: "REVIEWS AND RECOMMENDATIONS".

SENATE AMENDMENT TO S 1204

AMENDMENT TO SECTION 4

On page 8 of the printed bill, following line 29, insert:

"(6) The department:

(a) Shall place all persons participating in medicaid pursuant to this section in a care management program authorized under section 56-265(5), Idaho Code, or in another managed care program to improve the quality of their care, to the extent possible; and

(b) Is authorized to seek any federal approval necessary to implement the provisions of this subsection."

AMENDMENT TO THE BILL

On page 8, before line 30, insert:

"SECTION 5. That Section 56-263, Idaho Code, be, and the same is hereby amended to read as follows:

56-263. MEDICAID MANAGED CARE PLAN. (1) The department shall present to the legislature on the first day of the second session of the sixty-first Idaho legislature a plan

for medicaid managed care with focus on high-cost populations including, but not limited to:

(a) Dual eligibles; and

(b) High-risk pregnancies.

(2) The medicaid managed care plan shall include, but not be limited to, the following elements:

(a) Improved coordination of care through primary care medical homes.

(b) Approaches that improve coordination and provide case management for high-risk, high-cost disabled adults and children that reduce costs and improve health outcomes, including mandatory enrollment in special needs plans, and that consider other managed care approaches.

(c) Managed care contracts to pay for behavioral health benefits as described in executive order number 2011-01 and in any implementing legislation. At a minimum, the system should include independent, standardized, statewide assessment and evidence-based benefits provided by businesses that meet national accreditation standards.

(d) The elimination of duplicative practices that result in unnecessary utilization and costs.

(e) Contracts based on gain sharing, risk-sharing or a capitated basis.

(f) Medical home development with focus on populations with chronic disease using a tiered case management fee.

(3) The department shall seek federal approval or a waiver to require that a medicaid participant who has a medical home as required in section 56-255(5)(b), Idaho Code, and who seeks family planning services or supplies from a provider outside the participant's medical home, must have a referral to such outside provider. The provisions of this subsection shall apply to medicaid participants upon such approval or the granting of such a waiver."

On page 8, in line 30, delete "5" and insert: "6".

On page 9, in line 10, delete "6" and insert: "7".

CORRECTION TO TITLE

On page 1, in line 15, following "REVIEW," insert: "TO PROVIDE THAT PERSONS PARTICIPATING IN MEDICAID PURSUANT TO THE SECTION BE PLACED IN MANAGED CARE TO THE EXTENT POSSIBLE,"; and also in line 15, following "CORRECTIONS;" insert: "AMENDING SECTION 56-263, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL SEEK CERTAIN APPROVAL OR A WAIVER AND TO PROVIDE APPLICABILITY;"

SENATE AMENDMENT TO S 1204

AMENDMENT TO SECTION 4

On page 8 of the printed bill, in line 19, following "plan." insert: "The department shall not implement any waiver that would result in a reduction in federal financial participation for persons identified in subsection (1) of this section below the ninety percent (90%) commitment described in section 1905(y) of the social security act."

CORRECTION TO TITLE

On page 1, in line 12, following "APPROVAL," insert: "TO PROVIDE THAT A WAIVER SHALL NOT BE IMPLEMENTED IF IT WOULD RESULT IN A REDUCTION IN FEDERAL FINANCIAL PARTICIPATION FOR CERTAIN PERSONS,"

SENATE AMENDMENT TO S 1204

AMENDMENT TO SECTION 4

On page 8 of the printed bill, in line 29, following "effect." insert: "The review and recommendation described in this subsection shall be conducted by the date of adjournment of

the regular legislative session following the date of reduction in federal financial participation."

VICK, Chairman

On motion by Senator Vick, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1204](#), as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 1, 2019

The JUDICIARY AND RULES Committee reports that [S 1106](#), as amended, and [SCR 110](#) have been correctly enrolled.

LAKEY, Chairman

The President Pro Tempore signed Enrolled [S 1106](#), as amended, and [SCR 110](#) and ordered them transmitted to the House for the signature of the Speaker.

April 1, 2019

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1204](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 1, 2019

The JUDICIARY AND RULES Committee reports that [S 1204](#), as amended, has been correctly engrossed.

LAKEY, Chairman

[S 1204](#), as amended, was filed for first reading.

March 29, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1166](#), [S 1187](#), [S 1006](#), and [S 1138](#), as amended, were delivered to the Office of the Governor at 10:50 a.m., March 29, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 29, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 107](#), [SCR 108](#), [SCR 109](#), and [SJM 105](#) were delivered to the Office of the Secretary of State at 10:53 a.m., March 29, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 28, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1003](#), as amended, [S 1073](#), [S 1074](#), as amended, [S 1133](#), [S 1146](#), [S 1151](#), [S 1156](#), [S 1188](#), [S 1189](#), [S 1199](#), and [S 1200](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 29, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1006](#), [S 1056](#), as amended, [S 1104](#), as amended, [S 1105](#), and [S 1166](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 29, 2019

Dear Mr. President:

I transmit herewith [H 296](#), which has passed the House.

MAULIN, Chief Clerk

[H 296](#) was filed for first reading.

March 29, 2019

Dear Mr. President:

I return herewith [S 1159](#), as amended, which has passed the House.

MAULIN, Chief Clerk

[S 1159](#), as amended, was referred to the Judiciary and Rules Committee for enrolling.

March 29, 2019

Dear Mr. President:

I transmit herewith Enrolled [H 139](#), [H 193](#), as amended, [H 251](#), [H 206](#), and [H 183](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 139](#), [H 193](#), as amended, [H 251](#), [H 206](#), and [H 183](#) and ordered them returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[S 1204](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[H 296](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 289](#), by Appropriations Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 122](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Guthrie, Harris, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 32.

NAYS—Grow, Heider, Patrick. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 122](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:31 a.m. until the hour of 3 p.m. of this day.

RECESS 3 P.M. AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present except Senators Brackett and Guthrie, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 1, 2019

The JUDICIARY AND RULES Committee reports that [S 1159](#), as amended, has been correctly enrolled.

LAKEY, Chairman

The President Pro Tempore signed Enrolled [S 1159](#), as amended, and ordered it transmitted to the House for the signature of the Speaker.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 289](#) 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 289](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended.

[H 289](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Burtenshaw, Cheatham, Grow, Hill, Lakey, Lee, Mortimer, Nye, Rice, Souza, Ward-Engelking, Winder, Woodward. Total - 17.

NAYS—Bayer, Burgoyne, Crabtree, Den Hartog, Guthrie, Harris, Heider, Jordan, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mosman (Johnson), Nelson, Patrick, Stennett, Thayn, Vick. Total - 18.

Total - 35.

Whereupon the President declared that [H 289](#) had failed to pass the Senate and ordered the bill returned to the House.

On motion by Senator Winder, seconded by Senator Vick, by voice vote the Senate recessed at 4:04 p.m. until the hour of 4:45 p.m. of this day.

RECESS
4:45 P.M. AFTERNOON SESSION

The Senate reconvened at 4:45 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:52 p.m. until the hour of 10 a.m., Tuesday, April 2, 2019.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

**EIGHTY-SIXTH LEGISLATIVE DAY
TUESDAY, APRIL 2, 2019**

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.
Roll call showed all members present.
Prayer was offered by Chaplain Montie Ralstin.
The Pledge of Allegiance was led by Taylor McMullin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 1, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 2, 2019

The STATE AFFAIRS Committee reports out [H 296](#) with the recommendation that it do pass.

LODGE, Chairman

[H 296](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 1, 2019

Dear Madam President:

I transmit herewith [H 291](#) and [H 293](#), which have passed the House.

MAULIN, Chief Clerk

[H 291](#) and [H 293](#) were filed for first reading.

April 1, 2019

Dear Madam President:

I return herewith [S 1202](#), [S 1201](#), [S 1203](#), [S 1206](#), [S 1207](#), [SCR 113](#), and [SCR 114](#), which have passed the House.

MAULIN, Chief Clerk

[S 1202](#), [S 1201](#), [S 1203](#), [S 1206](#), [S 1207](#), [SCR 113](#), and [SCR 114](#) were referred to the Judiciary and Rules Committee for enrolling.

April 1, 2019

Dear Madam President:

I transmit herewith Enrolled [H 281](#), [H 282](#), [H 283](#), [H 284](#), and [H 285](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 281](#), [H 282](#), [H 283](#), [H 284](#), and [H 285](#) and ordered them returned to the House.

April 1, 2019

Dear Madam President:

I return 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, which have been signed by the Speaker.

MAULIN, Chief Clerk

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, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 291](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 293](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1204](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 10:44 a.m. until the hour of 2 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 2 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 2, 2019

The JUDICIARY AND RULES Committee reports that [S 1202](#), [S 1201](#), [S 1203](#), [S 1206](#), [S 1207](#), [SCR 113](#), and [SCR 114](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1202](#), [S 1201](#), [S 1203](#), [S 1206](#), [S 1207](#), [SCR 113](#), and [SCR 114](#) and ordered them transmitted to the House for the signature of the Speaker.

April 2, 2019

The FINANCE Committee reports out [H 291](#) with the recommendation that it do pass.

BAIR, Chairman

[H 291](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 2, 2019

Dear Madam President:

I return herewith [S 1065](#), which has passed the House.

MAULIN, Chief Clerk

[S 1065](#) was referred to the Judiciary and Rules Committee for enrolling.

April 2, 2019

Dear Madam President:

I transmit 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, for the signature of the President.

MAULIN, Chief Clerk

The President signed 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 ordered them returned to the House.

April 2, 2019

Dear Madam President:

I return herewith Enrolled [S 1106](#), as amended, and [S 1159](#), as amended, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1106](#), as amended, and [S 1159](#), as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 2, 2019

Dear Madam President:

I return herewith Enrolled [SCR 110](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 110](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1204](#), as amended, be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1204](#), as amended, be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Mosman (Johnson), Patrick, Rice, Souza, Stennett, Thayn, Vick, Winder, Woodward. Total - 29.

NAYS—Burgoyne, Jordan, McCoy (Buckner-Webb), Nelson, Nye, Ward-Engelking. Total - 6.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1204](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Winder, granted by unanimous consent, the following typographical corrections were made to [S 1204](#), as amended, pursuant to Senate Rule 9(F):

On page 3, line 32, change "10", to "11".

On page 4, line 28, change "6", to "7".

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Burtenshaw, Cheatham, Den Hartog, Grow, Harris, Heider, Hill, Lakey, Lent, Lodge, Mortimer, Patrick, Rice, Souza, Thayn, Vick, Winder. Total - 20.

NAYS—Agenbroad, Brackett, Burgoyne, Crabtree, Guthrie, Jordan, Lee, Martin, McCoy (Buckner-Webb), Mosman (Johnson), Nelson, Nye, Stennett, Ward-Engelking, Woodward. Total - 15.

Total - 35.

Whereupon the President declared [S 1204](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:13 p.m. until the hour of 9:30 a.m., Wednesday, April 3, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

EIGHTY-SEVENTH LEGISLATIVE DAY
WEDNESDAY, APRIL 3, 2019

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Den Hartog, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Makenna Moore, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 2, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 2, 2019

The JUDICIARY AND RULES Committee reports that [S 1065](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1065](#) and ordered it transmitted to the House for the signature of the Speaker.

April 2, 2019

The JUDICIARY AND RULES Committee reports that 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, were delivered to the Office of the Governor at 12:45 p.m., April 2, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 2, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1106](#), as amended, and [S 1159](#), as amended, were delivered to the Office of the Governor at 4:35 p.m., April 2, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

Senator Den Hartog was recorded present at this order of business.

April 2, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 110](#) was delivered to the Office of the Secretary of State at 4:37 p.m., April 2, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 3, 2019

The EDUCATION Committee reports out [H 293](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 293](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 2, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1057](#), as amended in the House, [S 1110](#), as amended, [S 1182](#), and [S 1187](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 2, 2019

Dear Madam President:

I return herewith [S 1061](#), as amended, as amended in the House, and [S 1126](#), as amended in the House, which have passed the House.

MAULIN, Chief Clerk

On request by Senator Thayn, granted by unanimous consent, [S 1061](#), as amended, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

[S 1126](#), as amended in the House, was referred to the Transportation Committee for consideration as to possible concurrence in the House amendments.

April 2, 2019

Dear Madam President:

I return herewith [SCR 117](#), which has passed the House.

MAULIN, Chief Clerk

[SCR 117](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to [S 1061](#), as amended, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1061](#), as amended, as amended in the House?"

On request by Senator Thayn, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1061](#), as amended, as amended in the House.

[S 1061](#), as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 296](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 291](#), by Appropriations Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Vick, that all rules of the Senate interfering with the immediate passage 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 be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Mosman (Johnson), Patrick, Rice, Souza, Thayn, Vick, Winder, Woodward. Total - 28.

NAYS—Burgoyne, Jordan, McCoy (Buckner-Webb), Nelson, Nye, Stennett, Ward-Engelking. Total - 7.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 296](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 24(B), Senator Guthrie requested the Secretary to read the history of the bill.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cheatham, Den Hartog, Grow, Heider, Hill, Lakey, Lee, Lent, Lodge, Mortimer, Rice, Souza, Thayn, Vick, Winder. Total - 20.

NAYS—Brackett, Burgoyne, Crabtree, Guthrie, Harris, Jordan, Martin, McCoy (Buckner-Webb), Mosman (Johnson), Nelson, Nye, Patrick, Stennett, Ward-Engelking, Woodward. Total - 15.

Total - 35.

Whereupon the President declared [H 296](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 291](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 291](#) was before the Senate for final consideration.

[H 291](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder, Woodward. Total - 35.

Whereupon the President declared [H 291](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

April 3, 2019

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:03 p.m. until the hour of 2:30 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 2:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Ward-Engelking, absent and formally excused by the Chair; and President Pro Tempore Hill and Senators Lee and Thayn, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 3, 2019

The JUDICIARY AND RULES Committee reports that [SCR 117](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [SCR 117](#) and ordered it transmitted to the House for the signature of the Speaker.

April 3, 2019

The TRANSPORTATION Committee reports that it has had under consideration the House amendments to [S 1126](#), as amended in the House, and recommends that the Senate concur in the House amendments.

BRACKETT, Chairman

[S 1126](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 2, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1113](#), as amended in the House, and [S 1174](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1153](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 3, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1180](#)

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 11:10 a.m. on March 28, 2019.

I agree with the spirit of this bill - that we have a moral obligation to support public education and to ensure every dollar spent on education is used effectively. I also believe we have a moral obligation to protect the financial stability and soundness of all public institutions, especially public education institutions.

In my consideration of this bill, I had concerns that the bill may implicate Idaho's constitutional prohibition on long term indebtedness found in Article III, Section 8. I chose to approve this bill because I concluded that the obligation of the state to appropriate funds in the case of a default is not mandatory, is at most a potential liability, and can only occur if funds are available in that year, the legislature appropriates such funds, and the Governor approves that appropriation.

I will be closely watching and expect to see the mechanisms within this bill strictly followed. I expect the Idaho Housing and Finance Association (IHFA) to rigorously enforce the high standards for qualifying into the public charter schools facilities program. IHFA must also strictly oversee the requirement that public charter schools approved and participating in this program deposit and maintain a minimum of twelve months of principal interest payments in a restricted debt service account held by the bondholder or trustee.

All involved must also closely monitor the public charter school facilities program fund, which serves as another backstop in this process. The treasurer will have the ability and the obligation to ensure public charter schools within this program are properly depositing their required fees into this fund.

Further, additional analysis and law may be required, and consultation with the State Department of Education, to ensure

the intercept provision is consistent with current state fiscal practices.

Please be advised that if each of these mechanisms are not strictly followed, I will not support any additional appropriations from the state into the public charter school facilities fund.

Thank you for considering this letter and for your continued support of public education in Idaho.

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 293](#) 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 293](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Jordan, Lakey, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Winder, Woodward.
Total - 31.

NAYS—None.

Absent and excused—Hill, Lee, Thayn, Ward-Engelking.
Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 293](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Patrick, Rice, Souza, Stennett, Vick, Winder, Woodward.
Total - 33.

NAYS—None.

Absent and excused—Thayn, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [H 293](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:25 p.m. until the hour of 9:30 a.m., Thursday, April 4, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

EIGHTY-EIGHTH LEGISLATIVE DAY
THURSDAY, APRIL 4, 2019

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Lauren Pattee, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 3, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 3, 2019

The JUDICIARY AND RULES Committee reports that [S 1061](#), as amended, as amended in the House, has been correctly engrossed.

LAKEY, Chairman

[S 1061](#), as amended, as amended in the House, was filed for first reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 3, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1138](#), as amended

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 3, 2019

Dear Madam President:

I transmit herewith Enrolled [H 194](#), as amended in the Senate, [H 169](#), as amended in the Senate, and [H 149](#), as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 194](#), as amended in the Senate, [H 169](#), as amended in the Senate, and [H 149](#), as amended in the Senate, and ordered them returned to the House.

April 3, 2019

Dear Madam President:

I return herewith Enrolled [S 1202](#), [S 1201](#), [S 1203](#), [S 1206](#), [S 1207](#), and [S 1065](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1202](#), [S 1201](#), [S 1203](#), [S 1206](#), [S 1207](#), and [S 1065](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 3, 2019

Dear Madam President:

I return herewith Enrolled [SCR 113](#) and [SCR 114](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 113](#) and [SCR 114](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to [S 1126](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1126](#), as amended in the House?"

On request by Senator Brackett, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1126](#), as amended in the House.

[S 1126](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

[S 1061](#), as amended, as amended in the House, by Education Committee, was read the first time at length.

On request by Senator Mortimer, granted by unanimous consent, [S 1061](#), as amended, as amended in the House, was referred to the Education Committee.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Jordan, by voice vote the Senate recessed at 10:22 a.m. until the hour of 1:30 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 1:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except President Pro Tempore Hill and Senator Rice, absent and formally excused by the Chair.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 4, 2019

The JUDICIARY AND RULES Committee reports that [S 1126](#), as amended in the House, has been correctly engrossed.

LAKEY, Chairman

[S 1126](#), as amended in the House, was filed for first reading.

April 4, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1202](#), [S 1201](#), [S 1203](#), [S 1206](#), [S 1207](#), and [S 1065](#) were delivered to the Office of the Governor at 10:50 a.m., April 4, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 4, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 113](#) and [SCR 114](#) were delivered to the Office of the Secretary of State at 10:47 a.m., April 4, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 3, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have appointed Eric W. Erickson of Rexburg, Idaho, to be Acting State Senator for Legislative District 34, State of Idaho.

This appointment is effective April 4, 2019, and will continue for as long as necessary.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-917, *Idaho Code*, Brent Hill, State Senator, District 34, State of Idaho, has nominated Eric W. Erickson of Rexburg, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 34.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Eric W. Erickson to the office of State Senator, District 34, State of Idaho, for a term commencing on April 4, 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, this Third 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/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Erickson, and he was recorded present at this order of business.

April 4, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1060](#), as amended, as amended in the House, and [S 1106](#), as amended

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

[S 1126](#), as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 2 p.m. until the hour of 4 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 4 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Grow, Lakey, Lodge, Rice, and Souza, absent and excused.

Prior to recess the Senate was at the Eleventh Order of Business, Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials.

**S 1210
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF 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.

**S 1211
BY FINANCE 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.

**S 1212
BY FINANCE 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; PROVIDING FOR THE ACQUISITION OF AVAILABLE PROPERTIES; PROVIDING FOR CAPITOL MALL PROPERTY; AND DECLARING AN EMERGENCY.

**S 1213
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2019; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2020; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2020; AND DECLARING AN EMERGENCY.

[S 1210](#), [S 1211](#), [S 1212](#), and [S 1213](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:53 p.m. until the hour of 9:30 a.m., Friday, April 5, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

**EIGHTY-NINTH LEGISLATIVE DAY
FRIDAY, APRIL 5, 2019**

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Heider and Martin, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Jakob Alt, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 4, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 5, 2019

The JUDICIARY AND RULES Committee reports that [S 1210](#), [S 1211](#), [S 1212](#), and [S 1213](#) have been correctly printed.

LAKEY, Chairman

[S 1210](#), [S 1211](#), [S 1212](#), and [S 1213](#) were referred to the Finance Committee.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 4, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1065](#), [S 1201](#), [S 1202](#), [S 1203](#), [S 1206](#), and
[S 1207](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 4, 2019

Dear Madam President:

I return herewith [S 1204](#), as amended, as amended in the House, which has passed the House.

MAULIN, Chief Clerk

[S 1204](#), as amended, as amended in the House, was referred to the Health and Welfare Committee for consideration as to possible concurrence in the House amendments.

April 4, 2019

Dear Madam President:

I transmit herewith Enrolled [H 217](#), as amended in the Senate, [H 259](#), as amended in the Senate, [H 291](#), and [H 296](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 217](#), as amended in the Senate, [H 259](#), as amended in the Senate, [H 291](#), and [H 296](#) and ordered them returned to the House.

April 4, 2019

Dear Madam President:

I return herewith Enrolled [SCR 117](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 117](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1126](#), as amended in the House, by State Affairs Committee, was read the second time at length and filed for third reading.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 5, 2019

The HEALTH AND WELFARE Committee reports out [S 1204](#), as amended, as amended in the House, with the recommendation that the Senate not concur in the House amendments.

MARTIN, Chairman

[S 1204](#), as amended, as amended in the House, and the committee report were referred to the Tenth Order of Business, Motions and Resolutions.

April 5, 2019

The FINANCE Committee reports out [S 1210](#), [S 1211](#), [S 1212](#), and [S 1213](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1210](#), [S 1211](#), [S 1212](#), and [S 1213](#) were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On motion by Senator Winder, seconded by Senator Jordan, by voice vote the Senate recessed at 11:47 a.m. until the hour of 1:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Brackett and Thayn, absent and excused.

Prior to recess the Senate was at the Tenth Order of Business, Motions and Resolutions.

The Senate now has before it [S 1204](#), as amended, as amended in the House, and the Health and Welfare Committee report recommending that the Senate not concur in the House amendments.

Moved by Senator Martin, seconded by Senator Jordan, that the Health and Welfare Committee report be adopted. The question being, "Shall the motion prevail?"

A substitute motion was made by Senator Souza, seconded by Senator Grow, that the Senate concur with the House amendments to [S 1204](#), as amended, as amended in the House.

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Stennett. Senators Burgoyne, Jordan, and Ward-Engelking stood in support of the roll call request.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cheatham, Crabtree, Den Hartog, Erickson (Hill), Grow, Lakey, Lent, Lodge, Mortimer, Mosman (Johnson), Rice, Souza, Vick, Winder, Woodward. Total - 20.

NAYS—Burgoyne, Guthrie, Harris, Heider, Jordan, Lee, Martin, McCoy (Buckner-Webb), Nelson, Nye, Patrick, Stennett, Ward-Engelking. Total - 13.

Absent and excused—Brackett, Thayn. Total - 2.

Total - 35.

Whereupon the president declared the substitute motion to concur with the House amendments to [S 1204](#), as amended, as amended in the House prevailed.

[S 1204](#), as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 5, 2019

The JUDICIARY AND RULES Committee reports that [S 1204](#), as amended, as amended in the House, has been correctly engrossed.

LAKEY, Chairman

[S 1204](#), as amended, as amended in the House, was filed for first reading.

April 5, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 117](#) was delivered to the Office of the Secretary of State at 1:09 p.m., April 5, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 5, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I hereby advise you that I am returning to you, without my approval, disapproved and vetoed, the following Senate Bill, to wit:

[S 1159](#), as amended

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 4:35 p.m. on April 2, 2019.

I reluctantly vetoed S 1159 and plan to veto H 296 because I question the constitutional sufficiency of the bills and the unintended consequences of their passage. The bills invite legal challenges that likely will result in the Idaho initiative process being determined by the liberal Ninth Circuit Court of Appeals - the same Circuit that recently decided Idaho should pay for gender reassignment surgery for a transgender inmate serving time for molesting a child. We need to do all we can to control the rules of our initiative process.

I have lived in rural Idaho my whole life. I appreciate and support our Legislature seeking ways to ensure the rights of all Idahoans - not just those in urban areas - have a voice in Idaho's initiative process. Just because you live in a rural area does not mean your view should be ignored.

Although S 1159 and its companion, H 296, attempt to give rural Idahoans a greater voice in the initiative process, I believe these bills could give a lone federal judge the only voice in defining our initiative process. I cannot in good conscience let that happen.

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

—————
NINETY-SECOND LEGISLATIVE DAY
MONDAY, APRIL 8, 2019

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Harris and Thayn, absent and formally excused by the Chair; and Senators Rice and Souza, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Bret Bagley, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 5, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 8, 2019

The JUDICIARY AND RULES Committee reports that [S 1157](#), [S 1184](#), and [S 1204](#), as amended, as amended in the House, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1157](#), [S 1184](#), and [S 1204](#), as amended, as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 5, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have appointed Tracy Walton of Emmett, Idaho, to be Acting State Senator for Legislative District 8, State of Idaho.

This appointment is effective April 8, 2019, and will expire on April 12, 2019.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-917, *Idaho Code*, Steven P. Thayn, State Senator, District 8, State of Idaho, has nominated Tracy Walton of Emmett, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 8.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Tracy Walton to the office of State Senator, District 8, county, State of Idaho, for a term commencing on April 8, 2019, and will expire on April 12, 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, this Fifth 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 and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Walton, and he was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1210](#), [S 1211](#), [S 1212](#), and [S 1213](#), by Finance Committee, were read the second time at length and filed for third reading.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 9:48 a.m. until the hour of 11:15 a.m. of this day.

RECESS
11:15 A.M. SESSION

The Senate reconvened at 11:15 a.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Souza, absent and formally excused by the Chair; and Senator Harris, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 8, 2019

The STATE AFFAIRS Committee reports out [H 300](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [H 300](#) was referred to the Fourteenth Order of Business, General Calendar.

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:34 a.m. until the hour of 2 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 2 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Ward-Engelking, absent and formally excused by the Chair; and Senators Grow, Harris, Rice, and Souza, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 8, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have appointed Beth Oppenheimer of Boise, Idaho, to be Acting State Senator for Legislative District 18, State of Idaho.

This appointment is effective April 8, 2019, and will continue for as long as necessary.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-917, *Idaho Code*, Janie Ward-Engelking, State Senator, District 18, State of Idaho, has nominated Beth Oppenheimer of Boise, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 18.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Beth Oppenheimer to the office of State Senator, District 18, State of Idaho, for a term commencing on 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, this Eighth 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 and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Oppenheimer, and she was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 8, 2019

Dear Madam President:

I return herewith Enrolled [S 1157](#), [S 1184](#), and [S 1204](#), as amended, as amended in the House, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1157](#), [S 1184](#), and [S 1204](#), as amended, as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [H 300](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO H 300
AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 10, following "OF" insert: "INDUSTRIAL"; in line 20, following "2018" insert: ", commonly known as industrial hemp"; in line 28, delete "hemp" and insert: "industrial hemp"; in line 30, following "state" insert: "or foreign country"; in line 31, delete "Hemp" and insert: "Industrial hemp"; in line 37, delete "hemp" and insert: "industrial hemp"; and in line 40, delete "hemp" and insert: "industrial hemp".

On page 2, in line 1, delete "hemp" and insert: "industrial hemp"; in line 2, following "Code" insert: ", which shall be enforced by the director"; in line 9, delete "hemp" and insert: "industrial hemp"; in line 11, delete "hemp" and insert: "industrial hemp"; in line 12, delete "hemp" and insert: "industrial hemp"; in line 20, delete "hemp" and insert: "industrial hemp"; in line 25, delete "hemp" and insert: "industrial hemp"; in line 26, delete "hemp" and insert: "industrial hemp"; in line 29, delete "hemp" and insert: "industrial hemp"; in line 30, delete "hemp" and insert: "industrial hemp"; in line 34, following "Code." insert:

"However, the provisions of this section shall not be construed to apply to any material or product derived from hemp that contains no quantity of delta-9 tetrahydrocannabinol concentration, as described in section 37-2705(d)(27), Idaho Code, and is not derived from the prohibited parts of the marijuana plant, as provided in section 37-2701(t), Idaho Code."; in line 36, delete "hemp" and insert: "industrial hemp"; and in line 37, following "fees and" insert: "civil".

AMENDMENT TO THE BILL

On page 2, following line 42, insert:

"SECTION 2. LEGISLATIVE INTENT. Because the federal Agriculture Improvement Act of 2018, P.L. 115-334, allows states to have primary regulatory authority over the production of industrial hemp, it is the intent of the Legislature that through the negotiated rulemaking process, and in consultation with the Governor and the director of the Idaho State Police, the director of the Idaho state Department of Agriculture shall develop and submit a state plan to the Secretary of Agriculture by November 1, 2019, or immediately upon the date after which the United States Department of Agriculture is ready to accept state plans, whichever is later, to allow for the research and production of industrial hemp in Idaho to the greatest extent allowed under federal law. As part of the state plan, the director of the Idaho state Department of Agriculture, in consultation with the Governor and the director of the Idaho State Police, shall prepare by rule and submit to the Secretary of Agriculture a corrective action plan consistent with the federal Agriculture Improvement Act of 2018.

SECTION 3. LEGISLATIVE INTENT. Because industrial hemp has numerous commercial uses, has the potential to be an alternate crop, and presents the possibility of creating jobs in production, processing, transportation, and research of industrial hemp in Idaho, the Idaho state Department of Agriculture and the Idaho State Police are authorized to take regulatory action in preparation to allow for the cultivation, growing, and production of industrial hemp in the 2020 growing season to the maximum extent allowed under federal law. Further, 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.";

and renumber subsequent section accordingly.

CORRECTION TO TITLE

On page 1, in line 2, delete "HEMP" and insert: "INDUSTRIAL HEMP"; in line 4, delete "OF HEMP" and insert: "OF INDUSTRIAL HEMP"; also in line 4, delete "THE HEMP" and insert: "THE INDUSTRIAL HEMP"; and in line 5, following "FUND;" insert: "PROVIDING LEGISLATIVE INTENT;".

VICK, Chairman

On motion by Senator Vick, seconded by Senator Stennett, the report was adopted by voice vote.

H 300, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

Senator Rice was recorded present at this order of business.

April 8, 2019

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 300** have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 8, 2019

The JUDICIARY AND RULES Committee reports that Enrolled **S 1157**, **S 1184**, and **S 1204**, as amended, as amended in the House, were delivered to the Office of the Governor at 2:40 p.m., April 8, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 300, as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Bair, granted by unanimous consent, **S 1213** was recommitted to the Finance Committee.

On request by Senator Brackett, granted by unanimous consent, **S 1126**, as amended in the House, was recommitted to the Transportation Committee.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:30 p.m. until the hour of 10 a.m., Tuesday, April 9, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

NINETY-THIRD LEGISLATIVE DAY
TUESDAY, APRIL 9, 2019

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Harris and Souza, absent and formally excused by the Chair.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Paige Evans, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 8, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 300, as amended in the Senate, by Ways and Means Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of **H 300**, 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 300**, as amended in the Senate, be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Erickson (Hill), Grow, Guthrie, Heider, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Oppenheimer (Ward-Engelking), Patrick, Rice, Stennett, Vick, Walton (Thayn), Winder, Woodward. Total - 33.

NAYS—None.

Absent and excused—Harris, Souza. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 300, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Erickson (Hill), Guthrie, Heider, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Oppenheimer (Ward-Engelking), Patrick, Rice, Stennett, Vick, Walton (Thayn), Woodward. Total - 31.

NAYS—Grow. Total - 1.

Absent and excused—Harris, Souza, Winder. Total - 3.

Total - 35.

Whereupon the President declared **H 300**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 10:40 a.m. until the hour of 2:30 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Harris and Souza, absent and formally excused by the Chair.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 9, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1204](#), as amended, as amended in the House

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 2:40 p.m. on April 8, 2019.

I appreciate the Idaho Legislature's innovative approach to expanding Medicaid to individuals under 138 percent of the federal poverty level while pursuing options that enable working Idahoans on private insurance to choose their healthcare and remain on private coverage. I value the success of Your Health Idaho and believe our citizens deserve the choice to access private insurance. The negotiations with the federal government will be challenging, but I have confidence in my directors of the Department of Health and Welfare and the Department of Insurance and their ability to work with our federal partners and pursue the waiver required to implement this approach.

I also strongly support the goal to incentivize unemployed and underemployed individuals to engage in work training opportunities to build financial stability. We must encourage self-sufficiency among those receiving public assistance. However, I have concerns regarding the work and training reporting requirements in this bill. Similar requirements have resulted in costly lawsuits and were recently struck down in federal courts.

As I said in my State of the State and Budget address, we need "spring in our safety net" so that Idahoans have pathways out of poverty; employment is a critical component of that. Unfortunately, this bill fails to utilize our existing work and training program, which focuses on outcomes to help individuals find employment, complete training programs, and enroll in education programs to increase employment and enhance wages. Utilization of the program also would streamline more efficient and accurate reporting. Additionally, the reporting activities required in this bill risk eligibility sanctions associated with reporting errors and result in an unnecessary administrative burden that requires the same reporting for individuals who are working.

I am troubled the fiscal impact does not accurately represent the increased administrative costs associated with the work reporting activities. In the future, I strongly urge the Legislature to evaluate the work requirement set forth in this bill and ensure it is the most effective and efficient way to connect Idahoans to employment opportunities while providing access to healthcare.

I strongly encourage the Legislature to revisit the key tenets of this bill in the interim and early next session to address these issues.

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 9, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1157](#) and [S 1184](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 9, 2019

Dear Madam President:

I return herewith [S 1173](#) and [S 1171](#), which have passed the House.

MAULIN, Chief Clerk

[S 1173](#) and [S 1171](#) were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:45 p.m. until the hour of 9 a.m., Wednesday, April 10, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

**NINETY-FOURTH LEGISLATIVE DAY
WEDNESDAY, APRIL 10, 2019**

Senate Chamber

President McGeachin called the Senate to order at 9 a.m.

Roll call showed all members present except Senators Brackett, Harris, and Souza, absent and formally excused by the Chair.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Alex Knowlton, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 9, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1214 BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2020; AND PROVIDING REQUIREMENTS FOR WAIVER FUNDING.

[S 1214](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 10, 2019

The JUDICIARY AND RULES Committee reports that [S 1214](#) has been correctly printed.

LAKEY, Chairman

[S 1214](#) was referred to the Finance Committee.

April 9, 2019

The JUDICIARY AND RULES Committee reports that [S 1173](#) and [S 1171](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1173](#) and [S 1171](#) and ordered them transmitted to the House for the signature of the Speaker.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:33 a.m. until the hour of 2 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 2 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Brackett, Guthrie, Heider, Souza, and Woodward, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 10, 2019

The FINANCE Committee reports out [S 1214](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1214](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 10, 2019

Dear Madam President:

I return herewith Enrolled [S 1173](#) and [S 1171](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1173](#) and [S 1171](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Guthrie was recorded present at this order of business.

April 10, 2019

Dear Madam President:

I transmit herewith [H 297](#) and [H 303](#), which have passed the House.

MAULIN, Chief Clerk

[H 297](#) and [H 303](#) were filed for first reading.

April 10, 2019

Dear Madam President:

I return herewith [S 1205](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Lakey, granted by unanimous consent, [S 1205](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

April 10, 2019

Dear Madam President:

I return herewith [S 1072](#), which has passed the House.

MAULIN, Chief Clerk

[S 1072](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to [S 1205](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1205](#), as amended in the House?"

On motion by Senator Lakey, seconded by Senator Den Hartog, that the Senate not concur in the House amendments to [S 1205](#), as amended in the House.

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Rice. Senators Anthon, Burgoyne, Den Hartog, Lakey, and Winder stood in support.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Erickson (Hill), Grow, Guthrie, Harris, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Oppenheimer (Ward-Engelking), Patrick, Rice, Stennett, Vick, Walton (Thayn), Winder. Total - 31.

NAYS—None.

Absent and excused—Brackett, Heider, Souza, Woodward. Total - 4.

Total - 35.

Whereupon the president declared the motion to not concur with the House amendments to [S 1205](#), as amended in the House, prevailed.

[S 1205](#), as amended in the House, was filed in the Office of the Secretary of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 297](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 303](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Anthon, that all rules of the Senate interfering with the immediate passage of [S 1214](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1214](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Erickson (Hill), Grow, Guthrie, Harris, Jordan, Lakey, Lee, Lent, Lodge, Martin, McCoy (Buckner-Webb), Mortimer, Mosman (Johnson), Nelson, Nye, Oppenheimer (Ward-Engelking), Patrick, Rice, Stennett, Vick, Walton (Thayn), Winder. Total - 31.

NAYS—None.

Absent and excused—Brackett, Heider, Souza, Woodward. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1214](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cheatham, Crabtree, Den Hartog, Erickson (Hill), Grow, Harris, Lakey, Lee, Lent, Lodge, Mortimer, Patrick, Rice, Vick, Walton (Thayn), Winder. Total - 21.

NAYS—Burgoyne, Guthrie, Jordan, Martin, McCoy (Buckner-Webb), Mosman (Johnson), Nelson, Nye, Oppenheimer (Ward-Engelking), Stennett. Total - 10.

Absent and excused—Brackett, Heider, Souza, Woodward. Total - 4.

Total - 35.

Whereupon the President declared [S 1214](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 10, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1173](#) and [S 1171](#) were delivered to the Office of the Governor at 2:17 p.m., April 10, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:20 p.m. until the hour of 10 a.m., Thursday, April 11, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

NINETY-FIFTH LEGISLATIVE DAY
THURSDAY, APRIL 11, 2019

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Nelson, Nye, and Souza, absent and formally excused by the Chair; and Senators Heider, Stennett, and Woodward, and Acting Senator Erickson, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Alex Knowlton, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 10, 2019, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 10, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have appointed Eva Nye of Pocatello, Idaho, to be Acting State Senator for Legislative District 29, State of Idaho.

This appointment is effective April 11, 2019, and will expire April 16, 2019.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-917, *Idaho Code*, Mark Nye, State Senator, District

29, State of Idaho, has nominated Eva Nye of Pocatello, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 29.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Eva Nye to the office of State Senator, District 29, State of Idaho, for a term commencing on April 11, 2019, and will expire April 16, 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, this Tenth 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 and of the Statehood of Idaho the one hundred twenty-ninth.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Nye, and she was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1215
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO ADMINISTRATIVE RULES; CONTINUING CERTAIN RULES IN FULL FORCE AND EFFECT UNTIL JULY 1, 2020; CONTINUING RULES APPROVED OR EXTENDED BY ADOPTION OF A CONCURRENT RESOLUTION OF THE FIRST REGULAR SESSION OF THE SIXTY-FIFTH IDAHO LEGISLATURE IN FULL FORCE AND EFFECT UNTIL JULY 1, 2020, OR UNTIL SUCH TIME AS THEY SHALL EXPIRE; PROVIDING THAT RULES REJECTED BY CONCURRENT RESOLUTION SHALL BE NULL, VOID, AND OF NO FORCE AND EFFECT; AUTHORIZING AGENCIES TO AMEND OR REPEAL CERTAIN RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURE ACT, AND DECLARING THE EFFECT OF THIS ACT UPON ADMINISTRATIVE RULES; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

[S 1215](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 11, 2019

The JUDICIARY AND RULES Committee reports that [S 1215](#) has been correctly printed.

LAKEY, Chairman

April 11, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1072](#) was delivered to the Office of the Governor at 2:20 p.m., April 11, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 11, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1171](#) and [S 1173](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 11, 2019

Dear Madam President:

I transmit herewith Enrolled [H 297](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 297](#) and ordered it returned to the House.

April 11, 2019

Dear Madam President:

I return herewith Enrolled [S 1214](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1214](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 11, 2019

The JUDICIARY AND RULES Committee reports that Enrolled [S 1214](#) was delivered to the Office of the Governor at 4:05 p.m., April 11, 2019.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, the President appointed a committee consisting of Senator Patrick, Chairman, and Senators Bayer and Burgoyne to notify the House of Representatives that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

On request by Senator Winder, granted by unanimous consent, the President appointed a committee consisting of Senator Mortimer, Chairman, and Senators Burtenshaw and Jordan to notify the Governor that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

The committee appointed to wait upon the House of Representatives returned and reported that it had delivered the Senate's message. The committee conveyed the Speaker's response to the President and the members of the Senate.

The President thanked and discharged the committee.

The committee appointed to wait upon the Governor returned and reported that it had delivered the Senate's message. The committee conveyed the Governor's response to the President and the members of the Senate.

The President thanked and discharged the committee.

On request by Senator Winder, granted by unanimous consent, the President appointed a committee consisting of Senator Guthrie, Chairman, and Acting Senator McCoy to escort the committee from the House of Representatives into the Senate Chamber.

Representatives Berch, Ellis, and Green informed the Senate that the House was ready to adjourn *Sine Die*.

The President thanked and discharged the committee.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Jordan, by voice vote the First Regular Session of the Sixty-fifth Legislature of the Idaho Senate adjourned *Sine Die* at 4:20 p.m., Thursday, April 11, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

[Note: The following is action recorded after Senate *Sine Die*:]

April 12, 2019

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1072](#) and [S 1214](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

CERTIFICATE

State of Idaho)
)
Senate Chamber, Boise, Idaho)

We, JANICE MCGEACHIN, President of the Senate, and JENNIFER NOVAK, Secretary of the Senate, do hereby certify and attest as follows:

That the daily Senate Journal of the proceedings of April 11th, 2019, the Ninety-fifth Legislative Day, has been read and approved:

And, said Journal contains a true, complete, and accurate record of all Senate proceedings of said day, including final actions by the Senate and the Governor of the State of Idaho, as statutorily mandated.

IN WITNESS WHEREOF, we have hereunto set our hand this 15th day of April, 2019.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL INDEX

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 - FIRST REGULAR SESSION -

SIXTY-FIFTH IDAHO LEGISLATURE - 2019

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SECTION I-O

SIXTY-FIFTH LEGISLATURE - ORGANIZATIONAL SESSION - 2019
OFFICERS AND ADMINISTRATION OF THE SENATE

Name	Address
LITTLE, BRAD Lieutenant Governor/President of the Senate	Emmett
HILL, BRENT President Pro Tempore	Rexburg
WINDER, CHUCK Majority Leader	Boise
VICK, STEVE Assistant Majority Leader	Dalton Gardens
ANTHON, KELLY ARTHUR Majority Caucus Chair	Burley
STENNETT, MICHELLE Minority Leader	Ketchum
BUCKNER-WEBB, CHERIE Assistant Minority Leader	Boise
JORDAN, MARYANNE Minority Caucus Chair	Boise
NOVAK, JENNIFER Secretary of the Senate	Boise
JONES, MARY SUE Chief of Staff to President Pro Tem	Boise
GALLIANI, ANNIKA Minority Chief of Staff	Boise
MCDONALD, SARAH JANE Sergeant-at-Arms	Boise
RALSTIN, MONTIE Chaplain	Boise

SECTION II-O

SENATE COMMITTEE ASSIGNMENTS
2019 LEGISLATURE

[Organizational Session: December 6, 2018]

Agricultural Affairs (9)

Guthrie, Chairman
Den Hartog, Vice Chairman

Patrick
Bayer
Harris
Mortimer
Lent

Jordan
Nelson

Lodge
Anthon
Thayn
Grow
Cheatham

Judiciary and Rules (9)

Lakey, Chairman
Lee, Vice Chairman

Burgoyne
Nye

Commerce and Human Resources (9)

Patrick, Chairman
Agenbroad, Vice Chairman

Martin
Lakey
Guthrie
Thayn
Souza

Ward-Engelking
Burgoyne

Hill
Vick
Guthrie
Anthon
Grow

Local Government and Taxation (9)

Rice, Chairman
Bayer, Vice Chairman

Burgoyne
Nye

Education (9)

Mortimer, Chairman
Thayn, Vice Chairman

Winder
Den Hartog
Cheatham
Woodward
Lent

Buckner-Webb
Ward-Engelking

Bair
Bayer
Johnson
Mortimer
Patrick

Resources and Environment (9)

Heider, Chairman
Brackett, Vice Chairman

Stennett
Jordan

Finance (10)

Bair, Chairman
Johnson, Vice Chairman

Lee
Agenbroad
Crabtree
Grow
Burtenshaw
Woodward

Ward-Engelking
Nye

Hill
Winder
Vick
Anthon
Souza

State Affairs (9)

Lodge, Chairman
Harris, Vice Chairman

Stennett
Buckner-Webb

Health and Welfare (9)

Martin, Chairman
Souza, Vice Chairman

Heider
Lee
Harris
Crabtree
Burtenshaw

Jordan
Nelson

Winder
Den Hartog
Lodge
Rice
Burtenshaw

Buckner-Webb
Nelson

Transportation (9)

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Crabtree, Vice Chairman

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2019 LEGISLATIVE SESSION

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HILL, BRENT President Pro Tempore	Rexburg
WINDER, CHUCK Majority Leader	Boise
VICK, STEVE Assistant Majority Leader	Dalton Gardens
ANTHON, KELLY ARTHUR Majority Caucus Chair	Burley
STENNETT, MICHELLE Minority Leader	Ketchum
BUCKNER-WEBB, CHERIE Assistant Minority Leader	Boise
JORDAN, MARYANNE Minority Caucus Chair	Boise
NOVAK, JENNIFER Secretary of the Senate	Boise
LEENKNECHT, TYLER Secretary to the Secretary of the Senate	Meridian
ROURK, JACOB Journal Clerk	Boise
GOODWIN, JESSICA Assistant Clerk	Boise
JONES, MARY SUE Chief of Staff to President Pro Tem	Boise
COCHEMS, CAMERON Assistant to the Majority Leader	Boise
SMITH, JENNY Assistant to the Assistant Majority Leader	Boise
MOYER, PEGGY Assistant to the Majority Caucus Chairman	Meridian
GALLIANI, ANNIKA Minority Chief of Staff	Boise
MCDONALD, SARAH JANE Sergeant-at-Arms	Boise
CSUTORAS, JERRY Assistant Sergeant-at-Arms	Boise

HENDERSON, AL Boise
Doorkeeper

RALSTIN, MONTIE Boise
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Den Hartog, Vice ChairmanPatrick
Harris
Mortimer
Lent
BayerJordan
NelsonLodge
Anthon
Thayn
Grow
Cheatham**Judiciary and Rules (9)**Lakey, Chairman
Lee, Vice ChairmanBurgoyne
Nye**Commerce and Human Resources (9)**Patrick, Chairman
Agenbroad, Vice ChairmanMartin
Lakey
Guthrie
Thayn
SouzaWard-Engelking
BurgoyneHill
Vick
Anthon
Lakey
Cheatham**Local Government and Taxation (9)**Rice, Chairman
Grow, Vice ChairmanBurgoyne
Nye**Education (9)**Mortimer, Chairman
Thayn, Vice ChairmanWinder
Den Hartog
Crabtree
Woodward
LentBuckner-Webb
Ward-EngelkingBair
Johnson
Mortimer
Patrick
GuthrieStennett
Jordan**Resources and Environment (9)**Heider, Chairman
Brackett, Vice Chairman**State Affairs (9)**Lodge, Chairman
Harris, Vice ChairmanStennett
Buckner-Webb**Finance (10)**Bair, Chairman
Johnson, Vice ChairmanLee
Agenbroad
Crabtree
Grow
Burtenshaw
WoodwardWard-Engelking
NyeHill
Winder
Vick
Anthon
Souza**Transportation (9)**Brackett, Chairman
Crabtree, Vice ChairmanBuckner-Webb
Nelson**Health and Welfare (9)**Martin, Chairman
Souza, Vice ChairmanHeider
Lee
Harris
Burtenshaw
BayerJordan
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BENNETT, GAYE	Transportation Committee Secretary
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BROCK, TYLER	Resources and Environment Committee Secretary
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COCHEMS, CAMERON	Assistant to the Majority Leader
COWAN, OLIVER	Minority Staff Assistant
CSUTORAS, JERRY	Assistant Sergeant-at-Arms
DELAY, BRYCE	Majority Staff Assistant
EVANS, PAIGE	*Page
GALLIANI, ANNIKA	**Minority Chief of Staff
GARNER, JACOB	Agricultural Affairs Committee Secretary
GOODWIN, JESSICA	Assistant Clerk
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HAMILTON, MACHELE	Local Government and Taxation Committee Secretary
HENDERSON, AL	Doorkeeper
JONES, MARY SUE	**Chief of Staff to President Pro Tem
KAMBEITZ, LINDA	Commerce and Human Resources Committee Secretary
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LEEDY, ELAINE	Finance Committee Secretary
LEENKNECHT, TYLER	Secretary to the Secretary of the Senate
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MAJOR, MARGARET	Health and Welfare Committee Secretary
MCDONALD, SARAH JANE	Sergeant-at-Arms
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MELTON, TWYLA	State Affairs Committee Secretary
MOHR, LEANN	Education Committee Secretary
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MOYER, PEGGY	Assistant to the Majority Caucus Chairman

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Attache sworn in January 10, 2019

* Attache sworn in February 21, 2019

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NUMERICAL INDEX OF SENATE BILLS

The following index lists in numerical order all bills which were introduced in the Senate, together with the name of the author and a brief description of the subject matter. The numbers in the Introduction column cite the page where the complete title may be found and the date of introduction of the bill. The numbers in the Vote or Disposition columns cite the page where the Senate's Final Vote or Final Disposition can be found. Amendments to a bill are noted at the bottom of the subject matter and the number opposite is the page in the Journal where the Senate amendments are recorded. Session Law chapter numbers for bills which became law are also noted. House amendments to Senate bills can be found in the House Journal.

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1003	Judiciary and Rules	LAW	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..... Amended in the Senate..... Session Law Chapter No. 257	31 171	- 191	276
1004	Judiciary and Rules	LAW	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..... Session Law Chapter No. 142	31	53	243
1005	Judiciary and Rules	LAW	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..... Amended in the Senate..... Session Law Chapter No. 143	32 98	- 117	243
1006	Commerce and Human Resources	LAW	UNIFORM SECURITIES ACT - Amends existing law to revise the requirements for notice filings for certain federal covered securities..... Session Law Chapter No. 260	34	117	276
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1017	Finance	LAW	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Relates to the appropriation to the Public Utilities Commission for fiscal year 2019..... Session Law Chapter No. 6	36	53	80
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1022	Judiciary and Rules	LAW	JURIES - Repeals existing law relating to the penalty for evasion of jury service..... Session Law Chapter No. 184	39	74	248
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1024	Agricultural Affairs	LAW	CROP RESIDUE BURNING - Amends existing law to revise provisions regarding payment of a fee..... Session Law Chapter No. 32	42	74	132
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1035	Commerce and Human Resources	S Com/HuRes	ELECTRICAL CONTRACTORS - Amends existing law to provide that an electrical inspector may be certified by the International Association of Electrical Inspectors or the International Code Council pursuant to certain requirements.	55	-	59
1036	Commerce and Human Resources	S Com/HuRes	UNDERGROUND FACILITIES DAMAGE PREVENTION - Amends existing law to revise provisions regarding violations, to authorize the board to affirm, reject, decrease, or increase training or penalties imposed, and to provide that the administrator may impose certain penalties.	55	-	59
1037	Commerce and Human Resources	LAW	ENGINEERS AND LAND SURVEYORS - Amends existing law to clarify that private land surveyors may access private land. Amended in the Senate Session Law Chapter No. 149	55 141	- 154	243
1038	Commerce and Human Resources	S Com/HuRes	EMPLOYMENT OF FIREFIGHTERS - Amends existing law regarding appointment of a third member of a fact-finding commission and completion of the fact-finding process.	55	-	59
1039	Resources and Environment	LAW	IDAHO WOLF DEPREDATION CONTROL BOARD - Amends and repeals existing law to remove a sunset date. Session Law Chapter No. 37	55	78	140
1040	State Affairs	S St Aff	ALCOHOL - Amends, repeals, and adds to existing law to revise provisions regarding the retail sale of liquor by the drink; to revise provisions governing the sale of beer; to revise provisions governing the County Option Kitchen and Table Wine Act; and to provide for clerk and server training.	56	-	59
1041	Resources and Environment	LAW	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. Session Law Chapter No. 33	60	78	132
1042	Judiciary and Rules	LAW	MAGISTRATES - Amends existing law to revise a provision regarding a certain requirement for a magistrate. Session Law Chapter No. 185	60	86	248

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1043	Judiciary and Rules	LAW	JUDGES - Amends existing law to revise provisions regarding the number of district judges of the Fourth Judicial District..... Session Law Chapter No. 186	60	102	248
1044	Judiciary and Rules	LAW	SPECIAL PROCEEDINGS - Amends existing law to revise provisions regarding an amount in damages..... Session Law Chapter No. 187	60	109	248
1045	Judiciary and Rules	H Jud	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.	60	112	112
1046	Transportation	LAW	HIGHWAY DISTRICTS - Amends existing law to raise the dollar value of property that may be sold or disposed of..... Session Law Chapter No. 59	63	85	181
1047	Commerce and Human Resources	LAW	PURCHASING BY POLITICAL SUBDIVISIONS - Adds to and repeals existing law to provide for cooperative purchasing..... Session Law Chapter No. 67	63	101	189
1048	Commerce and Human Resources	LAW	CREDIT UNIONS - Amends existing law to revise provisions regarding credit unions. Session Law Chapter No. 188	63	131	248
1049	State Affairs	LAW	ABORTION - Amends existing law to revise provisions regarding partial-birth abortion. Session Law Chapter No. 60	63	102	181
1050	Resources and Environment	LAW	WATER - Amends existing law to revise a provision regarding the diversion and use of water, with or without a water right..... Session Law Chapter No. 211	69	177	254
1051	Transportation	S Transp	TRANSPORTATION - Amends existing law to implement a cost per mile user fee for vehicles weighing more than 60,000 pounds.	73	-	75
1052	Transportation	S Transp	TRANSPORTATION - Amends existing law to implement a cost per mile user fee for vehicles weighing more than 60,000 pounds.	73	-	75
1053	Commerce and Human Resources	LAW	BARBER AND COSMETOLOGY SERVICES - Amends existing law to establish apprenticeship for barbers and barber-stylists..... Session Law Chapter No. 150	73	117	243
1054	Health and Welfare	LAW	HEALTH - Amends existing law to revise provisions regarding the appointing authority for regional behavioral health boards..... Session Law Chapter No. 151	73	117	243
1055	Health and Welfare	LAW	MARRIAGE - Repeals existing law regarding an educational pamphlet on AIDS..... Session Law Chapter No. 152	73	117	243

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1056	Resources and Environment	LAW	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..... Amended in the Senate..... Session Law Chapter No. 261	76 172	- 192	276
1057	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding continuous improvement plans for school districts and public charter schools. Amended in the House (See House Journal) Session Law Chapter No. 265	76	127 270	282
1058	Education	LAW	EDUCATION - Amends existing law to establish provisions regarding certificates for charter school administrators..... Session Law Chapter No. 197	77	121	243
1059	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding mastery-based education. Session Law Chapter No. 189	77	136	248
1060	Education	LAW	EDUCATION - Adds to existing law to provide flexible schedules and early graduation opportunities for college and career ready students. Amended in the Senate..... Amended in the House (See House Journal) Session Law Chapter No. 297	77 116	- 137 270	287
1061	Education	S Educ	EDUCATION - Amends existing law to revise provisions regarding school levies. Amended in the Senate..... Amended in the House (See House Journal)	77 172	- 191	287
1062	Health and Welfare	S Health/Wel	DENTISTS - Amends existing law to provide for dental therapists.	77	-	79
1063	Transportation	S Transp	TRANSPORTATION FUNDING - Amends existing law to extend the sunset date for the Strategic Initiatives Program and to extend the current version of the Budget Stabilization Fund for five years.....	80	-	83
1064	Transportation	S FAILED	MOTOR VEHICLES - Repeals and adds to existing law to prohibit persons from operating a motor vehicle while using a mobile electronic device.....	80	110	110
1065	Transportation	LAW	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. Session Law Chapter No. 307	81	131	289
1066	Transportation	S Transp	TRANSPORTATION - Amends existing law to implement a cost per mile user fee for vehicles weighing more than 60,000 pounds.	81	-	83

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1067	Transportation	S Transp	TRANSPORTATION - Amends existing law to implement a cost per mile user fee for vehicles weighing more than 60,000 pounds.	81	-	83
1068	Commerce and Human Resources	H Health/Wel	INSURANCE - Adds to existing law to provide for certain requirements for pharmacy benefit managers. Amended in the Senate	81 172	- 192	192
1069	Commerce and Human Resources	LAW	INSURANCE - Amends existing law to revise provisions regarding contracts with providers of dental services. Session Law Chapter No. 153	81	136	243
1070	Commerce and Human Resources	H Com/HuRes	PUBLIC EMPLOYEE RETIREMENT SYSTEM - Amends existing law to allow a member receiving disability retirement benefits to volunteer or work under certain conditions. Amended in the Senate	81 116	- 137	137
1071	Commerce and Human Resources	LAW	CIVIL ACTIONS - Amends existing law to revise the definition of a licensing authority..... Session Law Chapter No. 212	81	143	254
1072	Commerce and Human Resources	LAW	ADMINISTRATIVE PROCEDURE - Amends existing law to revise provisions regarding publication fees to prohibit such fees for rule removal. Session Law Chapter No. 329	81	144	303
1073	Commerce and Human Resources	LAW	UNDERGROUND FACILITIES DAMAGE PREVENTION - Amends existing law to define terms and to provide for who shall and shall not locate and mark service laterals..... Session Law Chapter No. 256	81	191	276
1074	Health and Welfare	LAW	COUNTY JAILS - Amends existing law to revise provisions regarding reception and board of inmates..... Amended in the Senate Session Law Chapter No. 255	82 173	- 192	276
1075	Health and Welfare	LAW	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. Amended in the Senate Session Law Chapter No. 213	82 143	- 160	254
1076	State Affairs	H St Aff	LIQUOR STORES - Amends and adds to existing law to authorize sample tastings of liquor in liquor stores, with certain requirements.....	84	137	137
1077	Finance	LAW	APPROPRIATIONS - BOARD OF TAX APPEALS - Relates to the appropriation to the Board of Tax Appeals for fiscal year 2019. Session Law Chapter No. 39	88	110	156
1078	State Affairs	LAW	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..... Session Law Chapter No. 214	88	150	254
1079	State Affairs	LAW	VETERANS - Amends existing law to revise financial relief and assistance provisions..... Session Law Chapter No. 154	88	150	243

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1080	State Affairs	LAW	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. Session Law Chapter No. 155	88	150	243
1081	State Affairs	LAW	VETERANS - Repeals existing law relating to transportation of wheelchair-bound veterans. Session Law Chapter No. 156	88	150	243
1082	State Affairs	LAW	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. Session Law Chapter No. 157	88	136	243
1083	Resources and Environment	LAW	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. Session Law Chapter No. 158	88	136	243
1084	Resources and Environment	LAW	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. Session Law Chapter No. 190	88	127	248
1085	Resources and Environment	LAW	IRRIGATION DISTRICTS - Amends existing law to revise provisions regarding meetings of irrigation district boards of directors. Session Law Chapter No. 191	89	127	248
1086	Resources and Environment	LAW	IRRIGATION AND DRAINAGE - Amends existing law to revise provisions regarding rights associated with rights-of-way and encroachments onto easements and rights-of-way. Session Law Chapter No. 183	89	127	252
1087	Resources and Environment	LAW	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. Session Law Chapter No. 215	89	177	254
1088	Resources and Environment	LAW	FISH AND GAME - Amends existing law to revise provisions regarding the issuance of free permits and tags to military veterans with disabilities. Amended in the Senate Session Law Chapter No. 216	89 141	- 154	254
1089	Resources and Environment	S Res/Env	FISH AND GAME - Amends existing law to prohibit interference with certain lands, highways, and navigable streams.	89	-	92

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1090	Judiciary and Rules	S Jud	CRITICAL INFRASTRUCTURE - Adds to existing law to provide for the crimes of impeding critical infrastructure and critical infrastructure trespass.	89	-	92
1091	Judiciary and Rules	LAW	HOSPITALIZATION OF MENTALLY ILL - Amends existing law to revise a provision regarding a continuance for a certain hearing..... Amended in the Senate..... Session Law Chapter No. 244	89 172	- 192	272
1092	Judiciary and Rules	S Jud	CHILD PROTECTIVE ACT - Amends existing law to revise terminology regarding Indian children.	89	-	92
1093	Judiciary and Rules	LAW	PRETRIAL SUPERVISION - Adds to and amends existing law to provide for certain pretrial release supervision services and pretrial release supervision fees. Session Law Chapter No. 217	89	127	254
1094	Judiciary and Rules	S Jud	CHILDREN AND FAMILIES LEGAL SERVICES FUND - Adds to existing law to create the Children and Families Legal Services Fund, to provide for what moneys shall be in the fund, to provide for how moneys in the fund may be expended, and to provide for Children and Legal Services Fund grants.	90	-	92
1095	Health and Welfare	S Health/Wel	HEALTH AND WELFARE - Adds to existing law to establish provisions regarding an employment and training program for persons with income at or below 185% of the federal poverty level and for persons formerly receiving public assistance.	90	-	92
1096	Health and Welfare	LAW	RESIDENTIAL CARE AND ASSISTED LIVING FACILITIES - Amends existing law to provide an alternative to regular compliance inspections of residential care and assisted living facilities..... Session Law Chapter No. 159	90	132	243
1097	Health and Welfare	LAW	INSURANCE - Adds to existing law to provide for coverage under a health benefit plan for participants in clinical trials..... Session Law Chapter No. 192	90	137	248
1098	Health and Welfare	H Health/Wel	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.	90	117	117
1099	Health and Welfare	H Health/Wel	HEALTH - Amends existing law to provide for temporary alcohol-drug abuse treatment facilities..... Amended in the Senate.....	90 142	- 160	160
1100	Health and Welfare	S Health/Wel	MEDICAID - Amends existing law to provide for optional enrollment in an employment and training program for certain Medicaid participants, to provide for premium assistance for qualified health plans, to provide for research on waiver opportunities, to provide for a review of Medicaid eligibility expansion, and to provide that expansion will be null and void if federal financial participation is reduced below a certain rate.	90	-	92

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1101	Education	S Educ	EDUCATION - Amends and adds to existing law to revise provisions regarding reading instruction and intervention, reading assessments, and literacy intervention, and to establish provisions regarding a performance metric.	90	-	92
1102	Education	S Educ	EDUCATION - Amends existing law to revise provisions regarding facilities funds for public charter schools.....	90	-	92
1103	Education	S Educ	EDUCATION - Adds to existing law to establish the Public Charter School Facilities Program.	91	-	92
1104	Education	LAW	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..... Amended in the Senate..... Session Law Chapter No. 262	91 171	- 191	276
1105	Education	LAW	EDUCATION - Amends existing law to provide advanced opportunities funding for career technical education workforce training. Session Law Chapter No. 263	91	126	276
1106	Education	LAW	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. Amended in the Senate..... Session Law Chapter No. 298	91 228	- 244	287
1107	Education	LAW	EDUCATION - Repeals a future effective law to retain it as it currently exists. Session Law Chapter No. 174	91	126	247
1108	Education	H FAILED	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.....	91	132	228
1109	Judiciary and Rules	S FAILED	MOTORCYCLES - Adds to existing law to provide that law enforcement shall not engage in motorcycle profiling. Amended in the Senate.....	96 141	- 154	154
1110	Judiciary and Rules	LAW	BAIL ENFORCEMENT AGENTS - Amends and adds to existing law to provide requirements for bail enforcement agents. Amended in the Senate..... Session Law Chapter No. 266	96 171	- 191	282
1111	State Affairs	LAW	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. Session Law Chapter No. 160	96	137	243
1112	State Affairs	LAW	CODIFIER'S CORRECTIONS - Amends existing law to make codifier's corrections. Session Law Chapter No. 161	96	138	243

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1113	State Affairs	LAW	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. Amended in the House (See House Journal) Session Law Chapter No. 288	97	132 270	284
1114	State Affairs	S St Aff	CAMPAIGN FINANCE - Amends existing law to revise definitions and reporting requirements for electioneering communications and independent expenditures.	97	-	99
1115	Finance	LAW	APPROPRIATIONS - LEGISLATIVE BRANCH - Relates to the appropriation to the Legislative Branch for fiscal year 2019. Session Law Chapter No. 61	100	126	181
1116	Judiciary and Rules	LAW	LIQUOR ACCOUNT - Amends existing law to revise provisions regarding appropriations for certain fiscal years. Session Law Chapter No. 218	100	126	254
1117	Judiciary and Rules	LAW	MALICIOUS HARASSMENT - Amends existing law to revise provisions regarding the granting of protection orders and ex parte temporary protection orders. Session Law Chapter No. 162	100	127	243
1118	Judiciary and Rules	S Jud	SENTENCING - Amends existing law to revise the sentencing criteria for placing a defendant on probation or imposing imprisonment.	100	-	103
1119	Judiciary and Rules	LAW	CIVIL ACTIONS - Amends existing law to provide for an order of renewal for an execution on certain judgments. Session Law Chapter No. 175	100	126	252
1120	Judiciary and Rules	S Jud	BAIL - Amends existing law to provide that bail shall be exonerated in certain instances.	100	-	103
1121	Judiciary and Rules	S Jud	HOSPITALIZATION OF THE MENTALLY ILL - Amends existing law to provide that certain patients may be committed when determined to be dangerous and mentally ill.	100	-	103
1122	Judiciary and Rules	LAW	JUVENILES - Amends existing law to provide for a juvenile probation fee. Session Law Chapter No. 219	101	126	254
1123	Judiciary and Rules	LAW	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. Session Law Chapter No. 220	101	126	254
1124	Judiciary and Rules	S Jud	DOMESTIC RELATIONS - Repeals and adds to existing law to establish provisions regarding visitation rights for grandparents and great-grandparents. Amended in the Senate	101 239	-	257
1125	State Affairs	LAW	WAREHOUSES - Amends existing law to provide for electronic negotiable warehouse receipts. Session Law Chapter No. 163	104	133	243

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1126	State Affairs	S Transp	TRANSPORTATION FUNDING - Amends existing law to extend the Strategic Initiatives Program and the Budget Stabilization Fund. Amended in the House (See House Journal)	104	218	294
1127	State Affairs	LAW	INTERSTATE AGREEMENT ON DETAINERS - Amends existing law to revise a provision regarding the administrator of the agreement on detainees. Session Law Chapter No. 164	104	144	243
1128	Finance	LAW	APPROPRIATIONS - OITS - Relates to the appropriation to the Office of Information Technology Services for fiscal year 2019..... Session Law Chapter No. 62	107	127	181
1129	Judiciary and Rules	LAW	DENTISTS - Amends existing law to provide for dental therapists. Amended in the Senate Session Law Chapter No. 221	109 143	- 160	254
1130	Finance	LAW	APPROPRIATIONS - DIVISION OF BUILDING SAFETY - Relates to the appropriation to the Division of Building Safety for fiscal year 2019..... Session Law Chapter No. 63	112	132	181
1131	State Affairs	LAW	TRAFFIC ENFORCEMENT - Amends existing law to provide for increased fines regarding overtaking and passing a stopped school bus with activated signals. Amended in the Senate Session Law Chapter No. 236	115 173	- 192	269
1132	State Affairs	S St Aff	UNCLAIMED PROPERTY - Amends existing law to provide for broadband service and to provide a certain exemption for a nonprofit corporation.	115	-	119
1133	Judiciary and Rules	LAW	SPECIAL COMMITTEE ON CRIMINAL JUSTICE REINVESTMENT OVERSIGHT - Amends existing law to revise the date when the committee shall cease to exist. Session Law Chapter No. 254	115	154	276
1134	Judiciary and Rules	LAW	JURIES - Amends existing law to provide for master and county jury lists. Session Law Chapter No. 222	115	153	254
1135	Finance	LAW	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Relates to the appropriation to the Commission for the Blind and Visually Impaired for fiscal year 2020..... Session Law Chapter No. 165	121	143	243
1136	Finance	LAW	APPROPRIATIONS - OFFICE OF DRUG POLICY - Relates to the appropriation to the Office of Drug Policy for fiscal year 2020..... Session Law Chapter No. 166	121	143	243
1137	State Affairs	S St Aff	LOBBYING - Amends existing law to revise requirements for lobbyist registration and reporting.....	125	-	129

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1138	State Affairs	LAW	ELECTRICAL CONTRACTORS AND JOURNEYMEN - Amends existing law to provide for provisional journeyman electricians. Amended in the Senate Session Law Chapter No. 292	125 207	- 218	286
1139	Finance	LAW	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. Session Law Chapter No. 198	140	160	254
1140	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2019. Session Law Chapter No. 225	140	160	263
1141	Finance	LAW	APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER - Relates to the appropriation to the State Appellate Public Defender for fiscal year 2020..... Session Law Chapter No. 110	140	160	233
1142	Finance	LAW	APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Relates to the appropriation to the Endowment Fund Investment Board for fiscal year 2020. Session Law Chapter No. 193	140	160	248
1143	Finance	LAW	APPROPRIATIONS - LAVA HOT SPRINGS FOUNDATION - Relates to the appropriation to the Lava Hot Springs Foundation for fiscal year 2020. Session Law Chapter No. 104	141	161	220
1144	Finance	LAW	APPROPRIATIONS - COMMISSION OF PARDONS AND PAROLE - Relates to the appropriation to the Commission of Pardons and Parole for fiscal year 2020. Session Law Chapter No. 105	141	161	220
1145	Finance	LAW	APPROPRIATIONS - AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE - Relates to the appropriation to the Agricultural Research and Cooperative Extension Service for fiscal year 2020..... Session Law Chapter No. 167	141	165	243
1146	Judiciary and Rules	LAW	JUDGES - Amends existing law to revise a provision regarding the salary of justices of the Supreme Court. Session Law Chapter No. 253	141	176	276
1147	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF FINANCE - Relates to the appropriation to the Department of Finance for fiscal year 2020..... Session Law Chapter No. 106	148	176	220
1148	Finance	LAW	APPROPRIATIONS - BOARD OF TAX APPEALS - Relates to the appropriation to the Board of Tax Appeals for fiscal year 2020. Session Law Chapter No. 107	149	176	220

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1149	Finance	LAW	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Relates to the appropriation to the Public Utilities Commission for fiscal year 2020..... Session Law Chapter No. 108	149	176	220
1150	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF INSURANCE - Relates to the appropriation to the Department of Insurance for fiscal year 2020. Session Law Chapter No. 109	149	176	220
1151	State Affairs	LAW	FISH AND GAME - Amends existing law to revise conditions and requirements associated with the payment of certain damages caused by depredation. Session Law Chapter No. 252	149	200	276
1152	State Affairs	LAW	UNCLAIMED PROPERTY - Amends existing law to provide for broadband service and to provide a certain exemption for a nonprofit corporation. Session Law Chapter No. 246	149	187	272
1153	State Affairs	LAW	LOBBYING - Amends existing law to revise requirements for lobbyist registration and reporting..... Session Law Chapter No. 290	149	191	284
1154	State Affairs	S St Aff	EXPLODING TARGETS - Adds to existing law to provide restrictions regarding the use of exploding targets and incendiary or tracer ammunition.	149	-	152
1155	Finance	LAW	APPROPRIATIONS - PUBLIC TELEVISION - Relates to the appropriation to Idaho Public Television for fiscal year 2020..... Session Law Chapter No. 194	153	177	248
1156	Finance	LAW	APPROPRIATIONS - ATTORNEY GENERAL - Relates to the appropriation to the Attorney General for fiscal year 2020..... Session Law Chapter No. 251	153	177	276
1157	Finance	LAW	APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Relates to the appropriation to the Catastrophic Health Care Program. Session Law Chapter No. 323	153	177	296
1158	Finance	LAW	APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Relates to the appropriation to the Public Defense Commission for fiscal year 2020..... Session Law Chapter No. 111	153	177	233
1159	State Affairs	VETOED	INITIATIVES - Amends and adds to existing law to revise ballot initiative requirements..... Amended in the Senate	157 239	- 249	291
1160	State Affairs	S St Aff	ALCOHOL - Adds to and amends existing law to revise provisions regarding the retail sale of liquor by the drink and to provide for clerk and server training.	157	-	163
1161	Judiciary and Rules	S Jud	UNIFORM CONTROLLED SUBSTANCES - Amends existing law to revise penalties for trafficking in heroin and to provide penalties for trafficking in fentanyl.	157	-	163

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1162	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF CORRECTION - Relates to the appropriation to the Department of Correction for fiscal year 2020. Session Law Chapter No. 173	157	183	247
1163	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2019. Session Law Chapter No. 245	158	183	272
1164	Finance	LAW	APPROPRIATIONS - SUPREME COURT - Relates to the appropriation to the Supreme Court for fiscal year 2020. Session Law Chapter No. 195	158	183	248
1165	Finance	LAW	APPROPRIATIONS - HEALTH EDUCATION PROGRAMS - Relates to the appropriation to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs for fiscal year 2020. Session Law Chapter No. 168	158	187	243
1166	Finance	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Relates to the appropriation to the Idaho State Police for fiscal year 2019. Session Law Chapter No. 264	158	187	276
1167	Finance	LAW	APPROPRIATIONS - COMMISSION ON AGING - Relates to the appropriation to the Commission on Aging for fiscal year 2020. Session Law Chapter No. 169	158	187	243
1168	Finance	LAW	APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT - Relates to the appropriation to the Division of Financial Management for fiscal year 2020. Session Law Chapter No. 170	158	187	243
1169	Finance	LAW	APPROPRIATIONS - IDAHO STATE LOTTERY - Relates to the appropriation to the Idaho State Lottery for fiscal year 2020. Session Law Chapter No. 171	158	187	243
1170	Finance	LAW	APPROPRIATIONS - MILITARY DIVISION - Relates to the appropriation to the Military Division for fiscal year 2020. Session Law Chapter No. 196	158	191	248
1171	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - MEDICAID - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020. Session Law Chapter No. 325	163	188	303
1172	Finance	LAW	APPROPRIATIONS - DIVISION OF HUMAN RESOURCES - Relates to the appropriation to the Division of Human Resources for fiscal year 2020. Session Law Chapter No. 172	163	188	243
1173	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - BEHAVIORAL HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020. Session Law Chapter No. 324	163	188	303

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1174	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020..... Session Law Chapter No. 289	164	188	284
1175	State Affairs	H Transp	LICENSE PLATES - Amends and adds to existing law to provide for the Too Great for Hate license plates.	164	218	218
1176	State Affairs	S Jud	COMMON LAW - Amends existing law to provide for the application of certain legal authority and to provide that a certain restatement of the law shall not be recognized.....	164	-	169
1177	State Affairs	S St Aff	HORSE RACING - Amends existing law to revise provisions regarding the distribution and use of certain funds.	164	-	257
1178	State Affairs	H FAILED	EXPLODING TARGETS - Adds to existing law to provide restrictions regarding the use of exploding targets. Amended in the Senate	164 207	- 218	263
1179	State Affairs	H St Aff	ALCOHOL - Amends existing law to revise provisions regarding exceptions to certain age restrictions.	171	200	200
1180	State Affairs	LAW	EDUCATION - Adds to existing law to establish the Public Charter School Facilities Program. Session Law Chapter No. 291	182	211	284
1181	State Affairs	S Educ	EDUCATION - Amends existing law to establish provisions regarding the annual evaluation of a school district superintendent or public charter school administrator.	182	-	189
1182	State Affairs	LAW	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. Session Law Chapter No. 267	182	211	282
1183	State Affairs	S St Aff	CAMPAIGN FINANCE - Amends existing law to revise definitions and reporting requirements for electioneering communications and independent expenditures.....	182	-	189
1184	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020..... Session Law Chapter No. 322	182	208	296
1185	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - FAMILY AND COMMUNITY SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020..... Session Law Chapter No. 237	182	208	269
1186	State Affairs	S Educ	PUBLIC SCHOOL FUNDING FORMULA - Amends, repeals, and adds to existing law to provide for the public schools educational support program and to implement student-based foundation funding.	185	-	189
1187	Finance	LAW	APPROPRIATIONS - MILLENNIUM FUND - Relates to the appropriation from the Idaho Millennium Income Fund. Session Law Chapter No. 268	190	217	282

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1188	Finance	LAW	APPROPRIATIONS - COMMUNITY COLLEGES - Relates to the appropriation to the State Board of Education for Community Colleges for fiscal year 2020. Session Law Chapter No. 250	190	217	276
1189	Finance	LAW	APPROPRIATIONS - COMMISSION ON THE ARTS - Relates to the appropriation to the Commission on the Arts for fiscal year 2020. Session Law Chapter No. 249	190	217	276
1190	Finance	LAW	APPROPRIATIONS - SECRETARY OF STATE - Relates to the appropriation to the Secretary of State for fiscal year 2020. Session Law Chapter No. 238	190	218	269
1191	Finance	LAW	APPROPRIATIONS - STATE CONTROLLER - Relates to the appropriation to the State Controller for fiscal year 2020. Session Law Chapter No. 239	190	218	269
1192	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - BOND PAYMENTS PROGRAM - Relates to the appropriation to the Department of Administration for the Bond Payments Program for fiscal year 2020. Session Law Chapter No. 240	190	218	269
1193	Finance	LAW	APPROPRIATIONS - SPECIAL PROGRAMS - Relates to the appropriation to the State Board of Education and the Board of Regents of the University of Idaho for Special Programs for fiscal year 2020. Session Law Chapter No. 223	198	211	254
1194	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Relates to the appropriation to the Department of Administration for fiscal year 2020. Session Law Chapter No. 224	198	212	254
1195	State Affairs	H Bus	COLLECTION AGENCIES - Amends existing law to provide for attorney's fees and litigation costs in certain instances.	198	244	244
1196	State Affairs	S Educ	PUBLIC SCHOOL FUNDING FORMULA - Amends, repeals, and adds to existing law to provide for the public schools educational support program and to implement student-based foundation funding.	198	-	202
1197	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Relates to the appropriation to the Department of Agriculture for fiscal year 2020. Session Law Chapter No. 241	206	221	269
1198	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - PERMANENT BUILDING FUND - Relates to the appropriation to the Department of Administration for the Division of Public Works for fiscal year 2020. Session Law Chapter No. 242	206	221	269

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1199	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - OTHER PROGRAMS - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020..... Session Law Chapter No. 248	217	226	276
1200	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Relates to the appropriation to the Department of Fish and Game for fiscal year 2020. Session Law Chapter No. 247	217	226	276
1201	State Affairs	LAW	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..... Session Law Chapter No. 308	217	238	289
1202	Finance	LAW	APPROPRIATIONS - STATE TAX COMMISSION - Relates to the appropriation to the State Tax Commission for fiscal year 2020. Session Law Chapter No. 309	235	257	289
1203	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF LABOR - Relates to the appropriation to the Department of Labor for fiscal year 2020..... Session Law Chapter No. 310	235	257	289
1204	State Affairs	LAW	MEDICAID - Amends existing law to revise provisions regarding Medicaid eligibility expansion..... Amended in the Senate Amended in the House (See House Journal) Session Law Chapter No. 318	235 275	- 280 291	296
1205	Judiciary and Rules	S Not Concur	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.	237	257	298
1206	Finance	LAW	APPROPRIATIONS - SUPREME COURT - Relates to the appropriation to the Supreme Court for fiscal year 2020. Session Law Chapter No. 311	250	266	289
1207	Finance	LAW	APPROPRIATIONS - SUPREME COURT - Relates to the appropriation to the Supreme Court for fiscal year 2020. Session Law Chapter No. 312	250	267	289
1208	Finance	S Fin	ENCUMBRANCES - Repeals and replaces existing law with provisions regarding state agency encumbrances.	253	-	254
1209	State Affairs	S Transp	TRANSPORTATION - Amends existing law to implement a cost per mile user fee for vehicles weighing more than 60,000 pounds.	253	-	254

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1210	Finance	S FAILED	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.	288	301	301
1211	Finance	S Fin	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.	288	-	301
1212	Finance	S FAILED	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.	288	301	301
1213	Finance	S Fin	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Relates to the appropriation to the Department of Agriculture.	288	-	294
1214	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2020. Session Law Chapter No. 327	297	298	303
1215	Judiciary and Rules	H W/M	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.	300	302	302

SECTION VI

SENATE JOINT RESOLUTIONS

Senate Joint Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	H St Aff	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. ...	62	107	107
102	Judiciary and Rules	S FAILED	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. ...	139	174	174

SECTION VII

SENATE JOINT MEMORIALS

Senate Joint Memorial	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	Resources and Environment	H Res/Con	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.....	86	100	100
102	State Affairs	ADOPTED	FEDERAL REGULATIONS - Stating findings of the Legislature and requesting Congress to vote to propose the Regulation Freedom Amendment to the United States Constitution.	103	109	254
103	State Affairs	H St Aff	FREE TRADE - Stating findings of the Legislature and supporting the ratification of the United States, Mexico, and Canada Agreement.	113	124	124
104	State Affairs	ADOPTED	MILITARY - Stating findings of the Legislature and supporting the construction of new water infrastructure to support Mountain Home Air Force Base.....	162	175	254
105	Judiciary and Rules	ADOPTED	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.	168	185	276
106	State Affairs	ADOPTED	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.	179	203	272

SECTION VIII

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	ADOPTED	AMERICAN LEGION - Stating findings of the Legislature and honoring the American Legion in its centennial year.	71	80	119
102	State Affairs	H St Aff	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.	86	96	96
103	State Affairs	ADOPTED	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.	123	135	254
104	State Affairs	H Com/HuRes	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.	134	148	148
105	State Affairs	H Com/HuRes	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.	134	148	148
106	State Affairs	ADOPTED	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.	134	148	272
107	State Affairs	ADOPTED	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.	180	202	276
108	State Affairs	ADOPTED	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.	180	202	276
109	State Affairs	ADOPTED	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.	180	202	276

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Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
110	Judiciary and Rules	ADOPTED	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.	205	216	282
111	State Affairs	H Educ	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.	213	224	224
112	Judiciary and Rules	ADOPTED	OCCUPATIONAL LICENSING - Amends existing law to authorize the reappointment of an interim committee to study occupational licensing and certification laws and rules in Idaho.	219	234	272
113	State Affairs	ADOPTED	TEMPORARY RULES - Stating findings of the Legislature and approving and extending temporary rules reviewed by the Legislature, with exceptions.	232	244	287
114	State Affairs	ADOPTED	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.	232	244	287
115	State Affairs	H St Aff	CAMPAIGN FINANCE - Stating findings of the Legislature and authorizing a two-year legislative study committee on campaign finance issues.	233	244	244
116	State Affairs	H Transp	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.	246	255	255
117	State Affairs	ADOPTED	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.	262	269	290

SECTION IX

ENROLLED 2019 SENATE BILLS

WITH EFFECTIVE DATE AND SESSION LAW CHAPTER NUMBER CITED

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1002	1	Finance	02/04/2019	02/04/2019
1003aa	257	Judiciary and Rules	03/28/2019	07/01/2019
1004	142	Judiciary and Rules	03/21/2019	07/01/2019
1005aa	143	Judiciary and Rules	03/21/2019	07/01/2019
1006	260	Commerce and Human Resources	03/29/2019	07/01/2019
1008	66	Commerce and Human Resources	03/11/2019	07/01/2019
1011	182	Commerce and Human Resources	03/22/2019	07/01/2019
1012	144	Commerce and Human Resources	03/21/2019	07/01/2019
1013	145	Commerce and Human Resources	03/21/2019	07/01/2019
1016	4	Finance	02/06/2019	02/06/2019
1017	6	Finance	02/07/2019	02/07/2019
1018aa	146	Judiciary and Rules	03/21/2019	07/01/2019
1019	147	Judiciary and Rules	03/21/2019	07/01/2019
1021	148	Judiciary and Rules	03/21/2019	07/01/2019
1022	184	Judiciary and Rules	03/21/2019	07/01/2019
1023	235	Judiciary and Rules	03/27/2019	07/01/2019
1024	32	Agricultural Affairs	02/26/2019	02/26/2019
1025	11	Finance	02/11/2019	02/11/2019
1026	58	Commerce and Human Resources	03/07/2019	07/01/2019
1028	68	Commerce and Human Resources	03/12/2019	07/01/2019; 07/01/2023 Sunset Clause
1030	38	Education	03/04/2019	07/01/2019
1031	18	Finance	02/14/2019	02/14/2019
1032	17	Finance	02/14/2019	02/14/2019
1037aa	149	Commerce and Human Resources	03/21/2019	07/01/2019
1039	37	Resources and Environment	02/27/2019	07/01/2019
1041	33	Resources and Environment	02/26/2019	07/01/2019
1042	185	Judiciary and Rules	03/21/2019	07/01/2019
1043	186	Judiciary and Rules	03/21/2019	07/01/2019
1044	187	Judiciary and Rules	03/21/2019	07/01/2019
1046	59	Transportation	03/07/2019	07/01/2019
1047	67	Commerce and Human Resources	03/11/2019	07/01/2019
1048	188	Commerce and Human Resources	03/21/2019	07/01/2019
1049	60	State Affairs	03/07/2019	07/01/2019

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1050	211	Resources and Environment	03/25/2019	07/01/2019
1053	150	Commerce and Human Resources	03/21/2019	07/01/2019
1054	151	Health and Welfare	03/21/2019	07/01/2019
1055	152	Health and Welfare	03/21/2019	07/01/2019
1056aa	261	Resources and Environment	03/29/2019	04/01/2019
1057aaH	265	Education	04/02/2019	07/01/2019
1058	197	Education	03/21/2019	07/01/2019
1059	189	Education	03/21/2019	07/01/2019
1060aa, aaH	297	Education	04/04/2019	07/01/2019
1065	307	Transportation	04/04/2019	07/01/2019
1069	153	Commerce and Human Resources	03/21/2019	07/01/2019
1071	212	Commerce and Human Resources	03/25/2019	07/01/2019
1072	329	Commerce and Human Resources	04/12/2019	07/01/2019
1073	256	Commerce and Human Resources	03/28/2019	07/01/2019
1074aa	255	Health and Welfare	03/28/2019	07/01/2019
1075aa	213	Health and Welfare	03/25/2019	07/01/2019
1077	39	Finance	03/04/2019	03/04/2019
1078	214	State Affairs	03/25/2019	07/01/2019
1079	154	State Affairs	03/21/2019	07/01/2019
1080	155	State Affairs	03/21/2019	07/01/2019
1081	156	State Affairs	03/21/2019	07/01/2019
1082	157	State Affairs	03/21/2019	07/01/2019
1083	158	Resources and Environment	03/21/2019	07/01/2019
1084	190	Resources and Environment	03/21/2019	07/01/2019
1085	191	Resources and Environment	03/21/2019	07/01/2019
1086	183	Resources and Environment	03/22/2019	07/01/2019
1087	215	Resources and Environment	03/25/2019	07/01/2019
1088aa	216	Resources and Environment	03/25/2019	07/01/2019
1091aa	244	Judiciary and Rules	03/28/2019	07/01/2019
1093	217	Judiciary and Rules	03/25/2019	07/01/2019
1096	159	Health and Welfare	03/21/2019	07/01/2019
1097	192	Health and Welfare	03/21/2019	07/01/2019
1104aa	262	Education	03/29/2019	07/01/2019
1105	263	Education	03/29/2019	07/01/2019
1106aa	298	Education	04/04/2019	07/01/2019
1107	174	Education	03/21/2019	07/01/2019
1110aa	266	Judiciary and Rules	04/02/2019	07/01/2019

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1111	160	State Affairs	03/21/2019	01/01/2020
1112	161	State Affairs	03/21/2019	07/01/2019
1113aaH	288	State Affairs	04/02/2019	01/01/2020
1115	61	Finance	03/07/2019	03/07/2019
1116	218	Judiciary and Rules	03/25/2019	Retroactive to 07/01/2018
1117	162	Judiciary and Rules	03/21/2019	07/01/2019
1119	175	Judiciary and Rules	03/22/2019	07/01/2019
1122	219	Judiciary and Rules	03/25/2019	07/01/2019
1123	220	Judiciary and Rules	03/25/2019	07/01/2019
1125	163	State Affairs	03/21/2019	07/01/2019
1127	164	State Affairs	03/21/2019	07/01/2019
1128	62	Finance	03/07/2019	03/07/2019
1129aa	221	Judiciary and Rules	03/25/2019	07/01/2019
1130	63	Finance	03/07/2019	03/07/2019
1131aa	236	State Affairs	03/27/2019	07/01/2019
1133	254	Judiciary and Rules	03/28/2019	07/01/2019
1134	222	Judiciary and Rules	03/25/2019	03/25/2019
1135	165	Finance	03/21/2019	07/01/2019
1136	166	Finance	03/21/2019	07/01/2019
1138aa	292	State Affairs	04/03/2019	07/01/2019
1139	198	Finance	03/25/2019	03/25/2019
1140	225	Finance	03/26/2019	03/26/2019
1141	110	Finance	03/19/2019	07/01/2019
1142	193	Finance	03/21/2019	07/01/2019
1143	104	Finance	03/18/2019	07/01/2019
1144	105	Finance	03/18/2019	07/01/2019
1145	167	Finance	03/21/2019	07/01/2019
1146	253	Judiciary and Rules	03/28/2019	07/01/2019
1147	106	Finance	03/18/2019	07/01/2019
1148	107	Finance	03/18/2019	07/01/2019
1149	108	Finance	03/18/2019	07/01/2019
1150	109	Finance	03/18/2019	07/01/2019
1151	252	State Affairs	03/28/2019	07/01/2019
1152	246	State Affairs	03/28/2019	07/01/2019
1153	290	State Affairs	04/03/2019	07/01/2019
1155	194	Finance	03/21/2019	07/01/2019
1156	251	Finance	03/28/2019	07/01/2019

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Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1157	323	Finance	04/09/2019	04/09/2019 SECTION 2; 07/01/2019 SECTION 1
1158	111	Finance	03/19/2019	07/01/2019
1162	173	Finance	03/21/2019	07/01/2019
1163	245	Finance	03/28/2019	03/28/2019
1164	195	Finance	03/21/2019	07/01/2019
1165	168	Finance	03/21/2019	03/21/2019 SECTION 6; 07/01/2019 all other SECTIONS
1166	264	Finance	03/29/2019	03/29/2019
1167	169	Finance	03/21/2019	07/01/2019
1168	170	Finance	03/21/2019	07/01/2019
1169	171	Finance	03/21/2019	07/01/2019
1170	196	Finance	03/21/2019	07/01/2019
1171	325	Finance	04/11/2019	07/01/2019
1172	172	Finance	03/21/2019	07/01/2019
1173	324	Finance	04/11/2019	07/01/2019
1174	289	Finance	04/02/2019	07/01/2019
1180	291	State Affairs	04/03/2019	07/01/2019
1182	267	State Affairs	04/02/2019	07/01/2019
1184	322	Finance	04/09/2019	07/01/2019
1185	237	Finance	03/27/2019	07/01/2019
1187	268	Finance	04/02/2019	04/02/2019 SECTION 4; 07/01/2019 all other SECTIONS
1188	250	Finance	03/28/2019	07/01/2019
1189	249	Finance	03/28/2019	07/01/2019
1190	238	Finance	03/27/2019	07/01/2019
1191	239	Finance	03/27/2019	07/01/2019
1192	240	Finance	03/27/2019	07/01/2019
1193	223	Finance	03/25/2019	07/01/2019
1194	224	Finance	03/25/2019	03/25/2019 SECTION 5; 07/01/2019 all other SECTIONS
1197	241	Finance	03/27/2019	07/01/2019
1198	242	Finance	03/27/2019	07/01/2019
1199	248	Finance	03/28/2019	07/01/2019
1200	247	Finance	03/28/2019	03/28/2019 SECTION 4; 07/01/2019 all other SECTIONS
1201	308	State Affairs	04/04/2019	07/01/2019

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1202	309	Finance	04/04/2019	07/01/2019
1203	310	Finance	04/04/2019	07/01/2019
1204aa, aaH	318	State Affairs	04/09/2019	04/09/2019
1206	311	Finance	04/04/2019	07/01/2019
1207	312	Finance	04/04/2019	07/01/2019
1214	327	Finance	04/12/2019	07/01/2019

SECTION X

NUMERICAL INDEX OF HOUSE BILLS RECEIVED BY THE SENATE

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1	Ways and Means	LAW	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.	42	70	80
2	Transportation and Defense	LAW	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..... Amended in the Senate	52 98	- 125	169
3	Health and Welfare	LAW	OCCUPATIONAL LICENSING - Amends existing law to revise training and practice requirements and fees for licensure for counselors and therapists.	58	145	157
4	Health and Welfare	LAW	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.....	52	145	157
5	Health and Welfare	LAW	OCCUPATIONAL LICENSING - Amends existing law to remove provisions regarding a chiropractic peer review committee.....	52	165	181
6	Health and Welfare	LAW	OCCUPATIONAL LICENSING - Amends existing law to define "licensed bachelor social worker" and to update terminology accordingly.	52	166	181
7	Health and Welfare	LAW	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.....	53	147	157
8	Health and Welfare	LAW	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.....	53	144	157
9	Health and Welfare	LAW	BOARD OF MEDICINE - Amends existing law to provide for physician assistants and to revise provisions regarding licensure, registration, discipline, disability, and board composition.....	60	93	104
10	Health and Welfare	LAW	PHARMACY - Amends, adds to, and repeals existing law to revise and modernize the Pharmacy Practice Act, including by providing for a multistate pharmacy license.....	60	85	93
11	Health and Welfare	LAW	CONTROLLED SUBSTANCES - Amends existing law to revise lists of scheduled drugs and substances in the Uniform Controlled Substances Act.	60	85	93

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
12	Health and Welfare	LAW	PHARMACY - Amends existing law to revise provisions regarding opioid antagonists.....	60	85	93
13	Revenue and Taxation	LAW	TAXES - Amends existing law to update references to the Internal Revenue Code.	39	50	59
14	Revenue and Taxation	LAW	INCOME TAXES - Amends existing law to revise the method of computing a taxpayer's net operating loss.	39	66	76
15	Revenue and Taxation	LAW	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.	39	66	76
16	Revenue and Taxation	LAW	INCOME TAX - Amends existing law to update terminology regarding employee withholding allowances and withholding allowance certificates.	39	69	80
17	Revenue and Taxation	LAW	GROCERY TAX CREDIT - Amends existing law to revise and update references to the terminology used in the Internal Revenue Code regarding dependent deductions.	39	70	80
18	Health and Welfare	LAW	ADULT PROTECTIVE SERVICES - Amends existing law to revise definitions and terminology.	53	144	157
19	Revenue and Taxation	LAW	INCOME TAXES - Amends existing law to clarify resident eligibility for the child tax credit.	47	77	88
20	Appropriations	LAW	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.	39	50	59
22	Health and Welfare	LAW	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.	69	144	157
24	Transportation and Defense	LAW	RECREATIONAL ACTIVITIES - Amends existing law to revise the definition of "utility type vehicle."	69	166	181
25	Local Government	LAW	ANNEXATION - Amends existing law to provide a requirement regarding annexation of certain agricultural land.	58	85	93
26	Environment, Energy and Technology	LAW	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.	63	112	124
27	Revenue and Taxation	LAW	INSURANCE - Amends existing law to provide that amounts in certain documents shall be rounded to the nearest whole dollar.	47	147	157
28	Appropriations	LAW	APPROPRIATIONS - Appropriates and transfers \$140,200 from the General Fund to the Pest Control Deficiency Fund for fiscal year 2019.	44	53	63

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30	Judiciary, Rules and Administration	LAW	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..... Amended in the Senate	52 229	- 257	280
31	Judiciary, Rules and Administration	LAW	DIVORCE - Amends existing law to revise a provision regarding when a final decree shall be entered.....	52	102	109
32	Judiciary, Rules and Administration	LAW	MOTOR VEHICLES - Amends existing law to provide for substance use disorders service providers and substance use disorder assessments.....	52	102	109
33	Judiciary, Rules and Administration	S Jud	SEARCH WARRANTS - Amends existing law to provide that an oral statement shall be transcribed if requested.....	52	-	52
34	Judiciary, Rules and Administration	LAW	SEXUAL OFFENDER REGISTRATION - Amends existing law to revise the definition of "aggravated offense" and to revise a provision regarding applicability.....	58	102	109
35	Appropriations	LAW	APPROPRIATIONS - MEDICAL BOARDS - Relates to the appropriation to the Medical Boards for fiscal year 2019.....	52	66	76
36	Appropriations	LAW	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Relates to the appropriation to the Commission for the Blind and Visually Impaired for fiscal year 2019.....	52	66	76
37	Health and Welfare	LAW	HEALTH - Amends existing law to revise the definition of "serious emotional disturbance" regarding children's mental health services.....	69	144	157
38	Agricultural Affairs	LAW	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.....	63	93	104
42	State Affairs	LAW	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..... Amended in the Senate	60 116	- 138	197
43	Judiciary, Rules and Administration	LAW	PUBLIC DEFENSE - Amends existing law to revise the term "public defense grant" to "financial assistance" and the term "application" to "compliance proposal.".....	66	109	124
44	Resources and Conservation	LAW	FOREST PRACTICES ACT ADMINISTRATION - Amends existing law to revise annual assessment provisions regarding private owners of certain forest lands.....	73	112	124
45	Business	S Transp	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.....	104	-	104

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46	Business	LAW	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.	104	147	157
56	Appropriations	LAW	APPROPRIATIONS - DIVISION OF BUILDING SAFETY - Relates to the appropriation to the Division of Building Safety for fiscal year 2019.	63	74	84
57	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Relates to the appropriation to the Department of Fish and Game for fiscal year 2019.	63	74	84
58	Health and Welfare	LAW	PHARMACY - Amends, repeals, and adds to existing law to provide for the transfer of legend drugs for donation to medically indigent patients.	104	165	181
59	Health and Welfare	LAW	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.	104	146	157
60	Agricultural Affairs	LAW	COOPERATIVE MARKETING ASSOCIATIONS - Amends existing law regarding a voting limitation; to provide for bylaw requirements; and to revise marketing contract provisions.	92	145	157
62	Revenue and Taxation	LAW	OCCUPANCY TAX - Amends existing law to make property tax relief applicable to either the property tax or the occupancy tax.	73	101	109
63	State Affairs	LAW	WINE - Amends existing law to revise the definition of "dessert wine."	107	166	181
64	State Affairs	LAW	ABORTION COMPLICATIONS - Amends existing law to revise a definition and to revise provisions regarding abortion complication reporting.	73	144	157
66	Appropriations	LAW	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2019.	69	85	93
67	Resources and Conservation	LAW	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.	101	146	157
68	Commerce and Human Resources	LAW	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.	101	150	163
71	Business	LAW	INSURANCE - Amends and adds to existing law to establish provisions regarding group-wide supervision of internationally active insurance groups.	112	166	181
72	Business	LAW	FINANCIAL MANAGEMENT - Repeals existing law relating to the Financial Management Technical Development Committee.	69	85	93

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73	Business	LAW	DIVISION OF FINANCIAL MANAGEMENT - Amends existing law to establish the Office of the Administrative Rules Coordinator in the Division of Financial Management.....	112	165	181
74	Transportation and Defense	S FAILED	RECREATIONAL ACTIVITIES - Amends and adds to existing law to provide for off-highway vehicles.....	121	166	166
75	Transportation and Defense	LAW	RECREATIONAL ACTIVITIES - Repeals, adds to, and amends existing law to impose a fee on nonresidents for off-highway vehicle travel in Idaho.....	121	167	181
76	Transportation and Defense	LAW	TRANSPORTATION - Amends and adds to existing law to provide for electric-assisted bicycles.....	115	165	181
78	Judiciary, Rules and Administration	LAW	CRIMES AND PUNISHMENTS - Amends and adds to existing law to establish provisions regarding criminal diversion programs.....	159	-	280
			Amended in the House (See House Journal)			
			Amended in the Senate	229	257	
80	Resources and Conservation	LAW	FISH AND GAME - Amends existing law to revise provisions regarding certain agreements and compensation for damage by pronghorn antelope, elk, deer, and moose.....	101	165	181
84	Business	LAW	GENERAL BUSINESS CORPORATIONS - Amends, repeals, and adds to existing law to revise the requirements for general business corporations.....	149	196	214
86	Revenue and Taxation	LAW	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	145	157
87	Revenue and Taxation	LAW	PROPERTY TAXES - Amends existing law to revise provisions regarding a personal property tax exemption for farm equipment and machinery.....	92	146	157
88	Transportation and Defense	S FAILED	HIGHWAY DISTRIBUTION ACCOUNT - Amends existing law to revise apportionment provisions regarding the Highway Distribution Account.....	109	-	192
89	Transportation and Defense	LAW	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.....	125	153	169
90	Transportation and Defense	LAW	RECREATIONAL ACTIVITIES - Amends existing law to revise the definitions of "ATV" and "UTV.".....	115	167	181
91	Local Government	LAW	DEVELOPMENT IMPACT FEES - Amends existing law to revise the definition of "development" to exclude activities undertaken by public charter schools.....	116	166	181
93	Education	LAW	EDUCATION - Amends existing law to provide that approved nontraditional educator preparation programs may receive funding under certain circumstances.....	149	-	263
			Amended in the Senate	207	220	
94	Business	LAW	LIQUEFIED PETROLEUM GAS - Adds to existing law to prohibit the filling of liquefied petroleum gas containers under certain conditions.....	112	196	214

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97	Resources and Conservation	LAW	FISH AND GAME - Amends existing law to revise provisions regarding the duties and liability of certain owners of land.	149	220	240
99	Judiciary, Rules and Administration	S Jud	CONTROLLED SUBSTANCES - Amends existing law to revise provisions regarding sentences for trafficking of controlled substances.	158	-	158
100	State Affairs	S St Aff	ADMINISTRATIVE RULES - Amends existing law to provide that all pending rules shall be approved by a concurrent resolution.	107	-	107
103	Revenue and Taxation	LAW	ELECTIONS - Amends existing law to provide for certain disclosures in elections to authorize a levy.	107	166	181
105	Transportation and Defense	LAW	LICENSE PLATES - Amends and adds to existing law to provide for the Idaho Humane Society's pet friendly license plates.	107	165	181
106	Transportation and Defense	LAW	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. Amended in the Senate	130 172	- 194	248
107	Transportation and Defense	S FAILED	SALES TAX - Amends existing law to revise the percentage of funds distributed to the Transportation Expansion and Congestion Mitigation Program.	115	-	244
108	Local Government	LAW	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.	97	147	157
109	Health and Welfare	LAW	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.	121	195	214
112	Business	LAW	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.	130	203	216
113	Judiciary, Rules and Administration	LAW	WAGE CLAIMS - Amends existing law to increase the time period when a claim to collect wages, penalties, or interest must be commenced.	135	194	214
114	Judiciary, Rules and Administration	LAW	CHILDREN - Adds to existing law to provide that female genital mutilation of a child shall be a felony.	112	209	224
116	Judiciary, Rules and Administration	LAW	SEXUAL ASSAULT EVIDENCE KITS - Amends existing law to revise provisions regarding the testing of sexual assault evidence kits.	112	203	216
117	Judiciary, Rules and Administration	LAW	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.	130	209	224

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118	Judiciary, Rules and Administration	LAW	CRIMINAL PROCEDURE - Adds to existing law to provide certain requirements and restrictions for pretrial risk assessment tools.....	159	-	263
			Amended in the House (See House Journal)			
			Amended in the Senate	207	220	
120	Education	S Educ	EDUCATION - Amends existing law to revise provisions regarding sex education.....	171	-	171
122	Agricultural Affairs	H Held at Desk	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.....	225	-	277
124	Transportation and Defense	LAW	MILITARY - Amends existing law to revise provisions regarding the Model State Code of Military Justice.....	136	204	216
126	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law regarding overhanging and projecting loads to revise minimum flag size.....	125	196	214
130	Local Government	S Loc Gov	ANNEXATION - Amends existing law to revise provisions regarding annexation by cities.....	200	-	200
			Amended in the House (See House Journal)			
132	Appropriations	LAW	APPROPRIATIONS - STATE TAX COMMISSION - Relates to the appropriation to the State Tax Commission for fiscal year 2019.....	104	144	157
133	Health and Welfare	S Health/Wel	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.....	130	-	130
134	Commerce and Human Resources	LAW	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.....	112	177	197
137	Judiciary, Rules and Administration	LAW	DANGEROUS AND AT-RISK DOGS - Amends existing law to revise provisions regarding dangerous and at-risk dogs.....	159	-	280
			Amended in the House (See House Journal)			
			Amended in the Senate	229	257	
139	Judiciary, Rules and Administration	LAW	FOREIGN DEFAMATION JUDGMENTS - Adds to existing law to provide for foreign defamation judgments and to provide procedures.....	153	264	276
141	Resources and Conservation	LAW	MINES - Amends existing law to revise references to mining operations and to provide for financial assurance.....	149	230	248
144	Business	LAW	BARBER AND COSMETOLOGY SERVICES - Amends existing law to provide for personal care of residents in specified facilities.....	153	222	240

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145	Business	S Com/HuRes	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. Amended in the House (See House Journal)	164	-	164
149	Business	LAW	SELF-FUNDED HEALTH CARE PLANS - Amends existing law to provide for a waiver of surplus requirements if a self-funded plan meets certain conditions. Amended in the Senate	153 239	- 257	286
150	Education	LAW	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.....	153	203	216
151	Health and Welfare	LAW	FOOD ESTABLISHMENTS - Amends existing law to revise provisions regarding licensing and other fees for food establishments.	149	195	214
153	Education	LAW	EDUCATION - Amends existing law to revise the career ladder.....	135	194	214
155	State Affairs	LAW	LIQUOR LICENSES - Amends existing law to provide for the boundaries of a year-round resort and to revise the definition of "year-round resort."	136	183	206
156	State Affairs	LAW	FIREARMS - Amends existing law to revise the definition of a "qualified retired law enforcement officer."	116	172	189
157	State Affairs	LAW	ALCOHOL - Amends existing law to provide that certain movie theaters may obtain a license to sell beer at retail.....	121	172	189
158	Ways and Means	LAW	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..... Amended in the House (See House Journal)	159	- 204	216
159	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF CORRECTION - Relates to the appropriation to the Department of Correction for fiscal year 2019.	115	146	157
160	State Affairs	LAW	PURCHASING BY POLITICAL SUBDIVISIONS - Amends existing law to provide that a sole source declaration may be without an emergency declaration.....	125	200	216
161	State Affairs	S Loc Gov	PURCHASING BY POLITICAL SUBDIVISIONS - Amends existing law to provide for the posting of notice for solicitations of information technology.....	125	-	125
162	State Affairs	S Res/Env	FEDERAL LANDS - Adds to existing law to provide for the Idaho Council on Federal Lands.	135	-	265
164	Revenue and Taxation	LAW	PROPERTY ASSESSMENTS - Amends existing law to revise provisions regarding the equalization of the assessment of a category of property and to provide notice requirements.....	159	225	248

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165	Revenue and Taxation	LAW	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.	136	201	216
167	State Affairs	LAW	MOTOR VEHICLES - Amends existing law regarding designated routes and local authorities.	153	222	240
168	State Affairs	LAW	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.	153	222	240
169	State Affairs	LAW	FEDERALISM - Adds to existing law to provide for the Committee on Federalism. Amended in the Senate	153 242	- 258	286
170	State Affairs	S Jud	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.	149	-	149
171	State Affairs	LAW	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.	136	194	214
173	State Affairs	LAW	ELECTIONS - Amends existing law to revise the threshold population for a mail ballot precinct.	136	194	214
174	Appropriations	LAW	APPROPRIATIONS - HEALTH EDUCATION PROGRAMS - Relates to the appropriation to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs for fiscal year 2019.	136	166	181
176	Ways and Means	LAW	POTATOES - Amends existing law to revise definitions and to provide that certain rulemaking shall not be authorized....	153	221	240
177	Ways and Means	LAW	PERSI - Amends existing law to provide for the reemployment of certain public safety officers.	158	225	248
179	Ways and Means	LAW	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. Amended in the House (See House Journal)	206	- 260	272
180	Health and Welfare	LAW	SYRINGE AND NEEDLE EXCHANGE ACT - Adds to existing law to provide that syringe and needle exchange programs may be established with certain conditions.	159	221	240
181	Health and Welfare	LAW	CHILDREN - Amends existing law to revise the definition of "abused."	159	209	224
182	Health and Welfare	LAW	PHARMACISTS - Amends existing law to revise provisions regarding products that may be prescribed.	159	196	214
183	Revenue and Taxation	LAW	INCOME TAXES - Amends existing law to revise provisions regarding the taxation of corporate foreign income.	241	264	276

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184	Revenue and Taxation	LAW	AUDITS OF LOCAL GOVERNMENTAL ENTITIES - Amends existing law to revise the expenditure levels of local governmental entities subject to audits.	153	226	248
186	Appropriations	LAW	APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Relates to the appropriation to the Division of Veterans Services for fiscal year 2019.	153	194	214
187	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON HISPANIC AFFAIRS - Relates to the appropriation to the Commission on Hispanic Affairs for fiscal year 2020.	153	194	214
189	Ways and Means	LAW	FISH AND GAME - Repeals existing law relating to the authority of officers to conduct certain searches. Amended in the House (See House Journal)	242	- 260	272
191	State Affairs	LAW	SECRETARY OF STATE - Amends existing law to revise provisions regarding fees for expedited service for entity filings.	159	230	248
192	Ways and Means	LAW	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.	183	225	248
193	Revenue and Taxation	LAW	STATE TAX COMMISSION - Amends existing law to revise provisions regarding legal descriptions and boundaries. Amended in the House (See House Journal)	200	- 264	276
194	Education	LAW	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. Amended in the Senate	171 239	- 258	286
195	Education	S Com/HuRes	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.	183	-	183
199	State Affairs	LAW	CONCEALED WEAPONS - Amends existing law to revise the definition of "deadly weapon" and to revise provisions regarding the carrying of concealed weapons. Amended in the House (See House Journal)	242	- 260	272
200	Appropriations	LAW	APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Relates to the appropriation to the Public Health Districts for fiscal year 2020.	164	201	216
201	Revenue and Taxation	LAW	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.	159	226	248
202	Revenue and Taxation	S Loc Gov	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. Amended in the House (See House Journal)	242	-	242

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204	State Affairs	S Jud	PROPERTY - Amends existing law to revise the definition of "personal property."	183	-	183
205	State Affairs	LAW	PATERNITY - Amends existing law to revise terminology in statutes regarding proceedings to establish paternity.....	200	261	272
206	State Affairs	LAW	CONCEALED WEAPONS - Amends existing law to revise certain exceptions regarding the carrying or possession of a concealed handgun.....	214	264	276
207	Ways and Means	LAW	WETLANDS - Adds to existing law to provide legislative findings and purpose and to provide for limitations.	171	230	248
208	Ways and Means	LAW	IDAHO TRANSPORTATION DEPARTMENT - Amends existing law to remove provisions regarding railroad crossings.....	182	259	272
209	Ways and Means	LAW	PEACE OFFICERS - Amends existing law to authorize a peace officer to arrest a person without a warrant in certain instances.	171	230	248
210	State Affairs	LAW	LEGISLATORS - Amends existing law to revise provisions regarding the qualifications for election as a state senator or representative.	175	235	252
211	Appropriations	LAW	APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Relates to the appropriation to the Division of Veterans Services for fiscal year 2020.	158	195	214
212	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF JUVENILE CORRECTIONS - Relates to the appropriation to the Department of Juvenile Corrections for fiscal year 2020.	158	208	224
213	Appropriations	LAW	APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION - Relates to the appropriation to the Soil and Water Conservation Commission for fiscal year 2020.....	158	195	214
214	Appropriations	LAW	APPROPRIATIONS - OFFICE OF ENERGY AND MINERAL RESOURCES - Relates to the appropriation to the Office of Energy and Mineral Resources for fiscal year 2020.....	158	195	214
215	Appropriations	LAW	APPROPRIATIONS - STEM ACTION CENTER - Relates to the appropriation to the STEM Action Center for fiscal year 2020.....	164	201	216
216	Appropriations	LAW	APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION - Relates to the appropriation to the Office of Species Conservation for fiscal year 2020.	158	195	214
217	Revenue and Taxation	LAW	LOCAL ECONOMIC DEVELOPMENT ACT - Amends existing law to revise provisions regarding an election for expenditures on municipal buildings.....	190	-	289
			Amended in the Senate	256	267	
219	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - ADMINISTRATORS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Administrators for fiscal year 2020.....	164	201	216

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220	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Teachers for fiscal year 2020.	164	201	216
221	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - OPERATIONS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Operations for fiscal year 2020.	164	201	216
222	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CHILDREN'S PROGRAMS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Children's Programs for fiscal year 2020.	164	203	216
223	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - FACILITIES DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Facilities for fiscal year 2020.	164	203	216
224	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CENTRAL SERVICES DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Central Services for fiscal year 2020.	164	203	216
225	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND - Relates to the appropriation to the Public Schools Educational Support Program's Division of Educational Services for the Deaf and the Blind for fiscal year 2020.	164	203	216
227	Appropriations	LAW	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Relates to the appropriation to the State Independent Living Council for fiscal year 2020.	175	204	216
229	State Affairs	S Com/HuRes	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. Amended in the House (See House Journal)	242	-	242
230	Appropriations	LAW	APPROPRIATIONS - IDAHO COMMISSION FOR LIBRARIES - Relates to the appropriation to the Idaho Commission for Libraries for fiscal year 2020.	183	204	216
231	Appropriations	LAW	APPROPRIATIONS - LIEUTENANT GOVERNOR - Relates to the appropriation to the Lieutenant Governor for fiscal year 2020.	183	204	216
232	Appropriations	LAW	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Relates to the appropriation to the Superintendent of Public Instruction for fiscal year 2020.	183	208	224
233	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF LANDS - Relates to the appropriation to the Department of Lands for fiscal year 2020.	183	204	216
234	Appropriations	LAW	APPROPRIATIONS - MEDICAL BOARDS - Relates to the appropriation to the Medical Boards for fiscal year 2020.	183	208	224

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
235	Appropriations	LAW	APPROPRIATIONS - INDUSTRIAL COMMISSION - Relates to the appropriation to the Industrial Commission for fiscal year 2020.....	183	208	224
236	Appropriations	LAW	APPROPRIATIONS - DIVISION OF BUILDING SAFETY - Relates to the appropriation to the Division of Building Safety for fiscal year 2020.....	183	208	224
237	Appropriations	LAW	APPROPRIATIONS - VOCATIONAL REHABILITATION - Relates to the appropriation to the Division of Vocational Rehabilitation for fiscal year 2020.....	183	208	224
238	Appropriations	LAW	APPROPRIATIONS - REGULATORY BOARDS - Relates to the appropriation to the Regulatory Boards for fiscal year 2020.....	183	209	224
244	Health and Welfare	LAW	NATUROPATHIC MEDICINE - Establishes provisions regarding the licensure of naturopathic medical doctors.....	183	227	248
245	Appropriations	LAW	APPROPRIATIONS - EXECUTIVE OFFICE OF THE GOVERNOR - Relates to the appropriation to the Executive Office of the Governor for fiscal year 2020.....	190	225	248
246	Appropriations	LAW	APPROPRIATIONS - OITS - Relates to the appropriation to the Office of Information Technology Services for fiscal year 2020.....	190	225	248
248	Ways and Means	LAW	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.....	200	259	272
251	Ways and Means	LAW	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.....	241	264	276
254	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION - Relates to the appropriation to the Department of Parks and Recreation for fiscal year 2020.....	214	259	272
255	Appropriations	LAW	APPROPRIATIONS - LEGISLATIVE BRANCH - Relates to the appropriation to the Legislative Branch for fiscal year 2020.....	214	235	252
256	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Relates to the appropriation to the Department of Water Resources for fiscal year 2020.....	214	236	252
257	Appropriations	LAW	APPROPRIATIONS - CAREER TECHNICAL EDUCATION - Relates to the appropriation to the Division of Career Technical Education for fiscal year 2020.....	214	236	252
258	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Relates to the appropriation to the Idaho State Police for fiscal year 2020.....	242	260	272

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
259	Revenue and Taxation	LAW	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..... Amended in the Senate	225 256	- 271	289
260	Appropriations	LAW	APPROPRIATIONS - WOLF DEPREDATION CONTROL BOARD - Relates to the appropriation to the Wolf Depredation Control Board for fiscal year 2020.....	217	236	252
261	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - CAPITOL COMMISSION - Relates to the appropriation to the Department of Administration for the Idaho State Capitol Commission for fiscal year 2020.....	217	236	252
262	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY - Relates to the appropriation to the Idaho State Historical Society for fiscal year 2020.....	217	236	252
263	Appropriations	LAW	APPROPRIATIONS - PERSI - Relates to the appropriation to the Public Employee Retirement System of Idaho for fiscal year 2020.....	217	259	272
264	Appropriations	LAW	APPROPRIATIONS - STATE LIQUOR DIVISION - Relates to the appropriation to the State Liquor Division for fiscal year 2020.....	217	259	272
265	Appropriations	LAW	APPROPRIATIONS - STATE TREASURER - Relates to the appropriation to the State Treasurer for fiscal year 2020.....	248	260	272
266	Ways and Means	LAW	SEXUAL ASSAULT EVIDENCE KITS - Amends existing law to provide that certain information shall be excluded in a report to law enforcement in certain instances.....	225	260	272
267	Appropriations	LAW	APPROPRIATIONS - COLLEGE AND UNIVERSITIES - Relates to the appropriation to the State Board of Education and the Board of Regents of the University of Idaho for College and Universities and the Office of the State Board of Education for fiscal year 2020.....	225	259	272
268	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Relates to the Appropriation to the Department of Environmental Quality for fiscal year 2020.....	225	259	272
270	State Affairs	LAW	ELECTIONS - Amends existing law to provide that public school facilities shall be made available as polling places.....	241	261	272
274	Appropriations	LAW	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2020.....	231	260	272
275	Ways and Means	LAW	INSURANCE - Establishes enhanced short-term health insurance plans.....	253	273	280
276	Ways and Means	S Jud	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.....	214	-	214

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
277	Health and Welfare	S Health/Wel	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.	248	-	248
281	Appropriations	LAW	APPROPRIATIONS - Provides year-end appropriations and transfers.	255	270	279
282	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF COMMERCE - Relates to the appropriation to the Department of Commerce for fiscal year 2020.	255	270	279
283	Appropriations	LAW	APPROPRIATIONS - WORKFORCE DEVELOPMENT COUNCIL - Relates to the appropriation to the Workforce Development Council for fiscal year 2020.	255	271	279
284	Appropriations	LAW	APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT - Relates to the appropriation to the Division of Financial Management for fiscal year 2020.	255	271	279
285	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Relates to the appropriation to the Department of Water Resources for fiscal year 2019.	255	271	279
286	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Teachers for fiscal year 2020.	255	273	280
287	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF LABOR - Relates to the appropriation to the Department of Labor for fiscal year 2020.	255	273	280
288	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Relates to the appropriation to the Idaho State Police for fiscal year 2020.	255	273	280
289	Appropriations	S FAILED	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.	270	277	277
291	Appropriations	LAW	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Relates to the appropriation to the Superintendent of Public Instruction for fiscal year 2020.	279	283	289
293	Education	LAW	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.	279	285	291
296	Ways and Means	VETOED	INITIATIVES - Revises the time and number of legislative districts within which to gather signatures for an initiative petition.	277	283	289
297	Appropriations	LAW	APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION - Relates to the appropriation to the Office of the State Board of Education for fiscal year 2020.	298	301	303

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
300	Ways and Means	H Not Concur	HEMP - Adds to existing law to provide for the interstate transport of hemp and to provide for the Hemp Development Fund.	291	-	295
303	State Affairs	S St Aff	INITIATIVES - Amends and adds to existing law to revise ballot initiative requirements.	298	-	298

SECTION XI

NUMERICAL INDEX OF HOUSE JOINT MEMORIALS RECEIVED BY THE SENATE

House Joint Memorial	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1	Health and Welfare	ADOPTED	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	106	114
3	State Affairs	ADOPTED	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.	63	76	88
4	Resources and Conservation	ADOPTED	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.	109	185	206
5	Resources and Conservation	S Res/Env	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.....	130	-	130
6	Transportation and Defense	ADOPTED	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.	136	171	189
7	Health and Welfare	ADOPTED	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.....	149	185	206
8	Resources and Conservation	ADOPTED	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.	130	185	206
9	Ways and Means	ADOPTED	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.	112	185	206

SECTION XII

NUMERICAL INDEX OF HOUSE CONCURRENT RESOLUTIONS RECEIVED BY THE SENATE

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1	Moyle and Erpelding	ADOPTED	GOVERNOR'S ADDRESS - Provides for a joint session of the House of Representatives and the Senate to hear a message from the Governor.	6	6	20
2	Commerce and Human Resources	ADOPTED	EDDIE YEN - Stating findings of the Legislature and honoring Director Eddie Yen on his thirtieth anniversary as Idaho's Asia Trade Representative.	30	65	76
3	Health and Welfare	ADOPTED	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	115	129
6	Education	ADOPTED	EDUCATION - Stating findings of the Legislature and recognizing Music in Our Schools Month.	84	120	135
7	Resources and Conservation	ADOPTED	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.	69	106	114
9	Environment, Energy and Technology	ADOPTED	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.	159	193	214
10	Resources and Conservation	ADOPTED	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.	109	184	206
11	Agricultural Affairs	ADOPTED	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.	104	124	140
12	Resources and Conservation	ADOPTED	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.	130	184	206
13	Health and Welfare	S Health/Wel	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.	125	-	125

SENATE INDEX

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
14	Health and Welfare	S Health/Wel	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.	125	-	125
15	Ways and Means	ADOPTED	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.	112	184	206
16	Revenue and Taxation	S Loc Gov	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.	158	-	158
17	Revenue and Taxation	ADOPTED	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.	158	224	248
18	Education	ADOPTED	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.	200	234	252
19	Education	S Educ	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.	206	-	206
20	Education	S Educ	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.	206	-	206
21	Education	S Educ	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.	206	-	206
23	Environment, Energy and Technology	S Health/Wel	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.	225	-	225

SECTION XIII

SENATE SPONSORS - SENATE LEGISLATION VOTED ON IN SENATE - 2019

BILL NO.	SPONSOR(S)
S 1002	Johnson
S 1003aa	Lee
S 1004	Cheatham
S 1005aa	Lakey
S 1006	Patrick
S 1007aa	Guthrie
S 1008	Lakey
S 1011	Agenbroad
S 1012	Thayn
S 1013	Martin
S 1016	Nye
S 1017	Lee
S 1018aa	Anthon
S 1019	Nye
S 1021	Lee
S 1022	Nye
S 1023	Johnson
S 1024	Mortimer
S 1025	Agenbroad
S 1026	Agenbroad
S 1028	Winder
S 1029	Mortimer
S 1030	Souza
S 1031	Ward-Engelking
S 1032	Woodward
S 1033	Heider
S 1034aa	Den Hartog
S 1037aa	Woodward
S 1039	Patrick
S 1041	Bair
S 1042	Lodge
S 1043	Grow
S 1044	Grow
S 1045	Lodge
S 1046	Harris
S 1047	Den Hartog

BILL NO.	SPONSOR(S)
S 1048	Patrick
S 1049	Den Hartog
S 1050	Brackett
S 1053	Guthrie
S 1054	Harris
S 1055	Souza
S 1056aa	Bair
S 1057aaH	Crabtree
S 1058	Den Hartog
S 1059	Lent
S 1060aa, aaH	Thayn
S 1061 aa	Thayn
S 1064	Rice
S 1065	Brackett
S 1068aa	Patrick
S 1069	Souza
S 1070aa	Lakey
S 1071	Den Hartog
S 1072	Den Hartog
S 1073	Agenbroad
S 1074aa	Cheatham
S 1075aa	Lee
S 1076	Souza
S 1077	Johnson
S 1078	Crabtree
S 1079	Woodward
S 1080	Crabtree
S 1081	Woodward
S 1082	Lodge
S 1084	Stennett
S 1085	Mortimer
S 1086	Patrick
S 1087	Brackett
S 1088aa	Brackett
S 1091aa	Anthon
S 1093	Nye

BILL NO.	SPONSOR(S)
S 1096	Souza
S 1097	Souza
S 1098	Heider
S 1099aa	Souza
S 1104aa	Anthon
S 1105	Thayn
S 1106aa	Lent
S 1107	Ward-Engelking
S 1108	Mortimer
S 1109aa	Heider
S 1110aa	Cheatham
S 1111	Stennett
S 1112	Harris
S 1113aaH	Lodge
S 1115	Johnson
S 1116	Burgoyne
S 1117	Burgoyne
S 1119	Anthon
S 1122	Lakey
S 1123	Grow
S 1125	Burtenshaw
S 1126	Brackett
S 1127	Burgoyne
S 1128	Ward-Engelking
S 1129aa	Heider
S 1130	Woodward
S 1131aa	Winder
S 1133	Lodge
S 1134	Thayn
S 1135	Johnson
S 1136	Crabtree
S 1138aa	Patrick
S 1139	Lee
S 1140	Lee
S 1141	Johnson
S 1142	Crabtree

BILL NO.	SPONSOR(S)
S 1143	Burtenshaw
S 1144	Burtenshaw
S 1145	Burtenshaw
S 1146	Lakey
S 1147	Lee
S 1148	Grow
S 1149	Crabtree
S 1150	Johnson
S 1151	Brackett
S 1152	Anthon
S 1153	Harris
S 1155	Ward-Engelking
S 1156	Johnson
S 1157	Agenbroad
S 1158	Agenbroad
S 1159aa	Grow
S 1162	Agenbroad
S 1163	Agenbroad
S 1164	Burtenshaw
S 1165	Ward-Engelking
S 1166	Lee
S 1167	Johnson
S 1168	Johnson
S 1169	Johnson
S 1170	Burtenshaw
S 1171	Agenbroad
S 1172	Johnson
S 1173	Lee
S 1174	Agenbroad
S 1175	Buckner-Webb
S 1178aa	Stennett
S 1179	Stennett
S 1180	Winder
S 1182	Winder
S 1184	Lee
S 1185	Agenbroad

BILL NO.	SPONSOR(S)
S 1187	Johnson
S 1188	Johnson
S 1189	Ward-Engelking
S 1190	Crabtree
S 1191	Agenbroad
S 1192	Johnson
S 1193	Johnson
S 1194	Johnson
S 1195	Burgoyne
S 1197	Burtenshaw
S 1198	Burtenshaw
S 1199	Agenbroad
S 1200	Burtenshaw
S 1201	Brackett
S 1202	Johnson
S 1203	Johnson
S 1204aa, aaH	Souza
S 1205	Lakey
S 1206	Burtenshaw
S 1207	Burtenshaw
S 1210	Bair
S 1212	Bair
S 1214	Agenbroad
S 1215	Lakey
SCR NO.	SPONSOR(S)
SCR 101	Cheatham
SCR 102	Souza
SCR 103	Harris
SCR 104	Patrick
SCR 105	Patrick
SCR 106	Patrick
SCR 107	Rice
SCR 108	Rice
SCR 109	Rice
SCR 110	Guthrie

SCR NO.	SPONSOR(S)
SCR 111	Winder
SCR 112	Patrick
SCR 113	Harris
SCR 114	Harris
SCR 115	Lodge
SCR 116	Brackett
SCR 117	Hill
SJM NO.	SPONSOR(S)
SJM 101	Brackett
SJM 102	Vick
SJM 103	Winder
SJM 104	Brackett
SJM 105	Heider
SJM 106	Brackett
SJR NO.	SPONSOR(S)
SJR 101	Lakey
SJR 102	Lakey

SECTION XIV

SENATE SPONSORS - HOUSE LEGISLATION VOTED ON IN SENATE - 2019

BILL NO.	SPONSOR(S)
H 1	Rice
H 2aaS	Crabtree
H 3	Martin
H 4	Lakey
H 5	Martin
H 6	Souza
H 7	Guthrie
H 8	Bayer
H 9	Lee
H 10	Burtenshaw
H 11	Harris
H 12	Nelson
H 13	Hill
H 14	Grow
H 15	Cheatham
H 16	Burgoyne
H 17	Vick
H 18	Nelson
H 19	Cheatham
H 20	Nye
H 22	Nelson
H 24	Crabtree
H 25	Rice
H 26	Guthrie
H 27	Guthrie
H 28	Burtenshaw
H 30aaS	Burgoyne
H 31	Thayn
H 32	Lodge
H 34	Cheatham
H 35	Agenbroad
H 36	Ward-Engelking
H 37	Jordan
H 38	Lee
H 42aaS	Vick
H 43	Thayn

BILL NO.	SPONSOR(S)
H 44	Johnson
H 46	Martin
H 56	Johnson
H 57	Burtenshaw
H 58	Jordan
H 59	Heider
H 60	Patrick
H 62	Burgoyne
H 63	Stennett
H 64	Vick
H 66	Burtenshaw
H 67	Johnson
H 68	Vick
H 71	Guthrie
H 72	Harris
H 73	Lodge
H 74	Nelson
H 75	Rice
H 76	Nelson
H 78aa, aaS	Lee
H 80	Anthon
H 84	Burgoyne
H 86	Grow
H 87	Lee
H 88aaS	Brackett
H 89	Lee
H 90	Burtenshaw
H 91	Den Hartog
H 93aaS	Lent
H 94	Woodward
H 97	Patrick
H 103	Grow
H 105	Burtenshaw
H 106aaS	Rice
H 107aaS	Brackett
H 108	Thayn

BILL NO.	SPONSOR(S)
H 109	Souza
H 112	Winder
H 113	Burgoyne
H 114	Souza
H 116	Lee
H 117	Cheatham
H 118aa, aaS	Lodge
H 122aaS	Lee
H 124	Winder
H 126	Lodge
H 132	Grow
H 134	Lodge
H 137aa, aaS	Lee
H 139	Anthon
H 141	Guthrie
H 144	Guthrie
H 149aaS	Thayn
H 150	Lent
H 151	Guthrie
H 153	Mortimer
H 155	Winder
H 156	Lodge
H 157	Stennett
H 158aa	Burgoyne
H 159	Crabtree
H 160	Grow
H 164	Mortimer
H 165	Anthon
H 167	Crabtree
H 168	Crabtree
H 169aaS	Harris
H 171	Souza
H 173	Harris
H 174	Ward-Engelking
H 176	Lent
H 177	Lakey

BILL NO.	SPONSOR(S)
H 179aa	Brackett
H 180	Harris
H 181	Nye
H 182	Lee
H 183	Hill
H 184	Brackett
H 186	Johnson
H 187	Ward-Engelking
H 189aa	Lakey
H 191	Souza
H 192	Heider
H 193aa	Lakey
H 194aaS	Mortimer
H 199aa	Vick
H 200	Lee
H 201	Harris
H 205	Souza
H 206	Vick
H 207	Johnson
H 208	Den Hartog
H 209	Thayn
H 210	Anthon
H 211	Johnson
H 212	Burtenshaw
H 213	Crabtree
H 214	Crabtree
H 215	Ward-Engelking
H 216	Crabtree
H 217aaS	Rice
H 219	Crabtree
H 220	Ward-Engelking
H 221	Crabtree
H 222	Grow
H 223	Woodward
H 224	Ward-Engelking
H 225	Woodward

BILL NO.	SPONSOR(S)
H 227	Johnson
H 230	Johnson
H 231	Crabtree
H 232	Grow
H 233	Burtenshaw
H 234	Johnson
H 235	Crabtree
H 236	Johnson
H 237	Grow
H 238	Johnson
H 244	Lodge
H 245	Johnson
H 246	Johnson
H 248	Lakey
H 251	Winder
H 254	Burtenshaw
H 255	Lee
H 256	Burtenshaw
H 257	Grow
H 258	Burtenshaw
H 259aaS	Rice
H 260	Burtenshaw
H 261	Johnson
H 262	Ward-Engelking
H 263	Crabtree
H 264	Johnson
H 265	Johnson
H 266	Lee
H 267	Ward-Engelking
H 268	Ward-Engelking
H 270	Lodge
H 274	Crabtree
H 275	Agenbroad
H 281	Bair
H 282	Burtenshaw
H 283	Burtenshaw
H 284	Nye

BILL NO.	SPONSOR(S)
H 285	Bair
H 286	Ward-Engelking
H 287	Lee
H 288	Lee
H 289	Bair
H 291	Woodward
H 293	Lent
H 296	Grow
H 297	Grow
H 300aaS	Lee
HCR NO.	SPONSOR(S)
HCR 1	Winder
HCR 2	Stennett
HCR 3	Jordan
HCR 6	Lent
HCR 7	Brackett
HCR 9	Johnson
HCR 10	Bair
HCR 11	Nelson
HCR 12	Bair
HCR 15	Stennett
HCR 17	Rice
HCR 18	Thayn
HJM NO.	SPONSOR(S)
HJM 1	Martin
HJM 3	Cheatham
HJM 4	Brackett
HJM 6	Burtenshaw
HJM 7	Buckner-Webb
HJM 8	Thayn
HJM 9	Johnson