

JOURNAL
of the
STATE SENATE



FIRST REGULAR SESSION
of the
SIXTY-FOURTH LEGISLATURE
of the
STATE OF IDAHO
2017

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SENATE JOURNAL

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SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

ORGANIZATIONAL SESSION
SIXTY-FOURTH LEGISLATURE

FIRST LEGISLATIVE DAY
THURSDAY, DECEMBER 1, 2016

Senate Chamber

At the hour of 9 a.m. on Thursday, December 1, 2016, the members-elect of the Senate of the Sixty-fourth 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-fourth Legislature, as shown by official records on file in my office:

Table with 2 columns: DISTRICT and NAME. Lists 25 senators including Shawn A. Keough, Steve Vick, Bob Nonini, Mary Souza, Dan Foreman, Dan Johnson, Carl G. Crabtree, Steven P. Thayn, Abby Lee, Jim Rice, Patti Anne Lodge, Todd Lakey, Jeff C. Agenbroad, Marv Hagedorn, Fred S. Martin, Grant Burgoyne, Maryanne Jordan, Janie Ward-Engelking, Cherie Buckner-Webb, Chuck Winder, Clifford R. "Cliff" Bayer, Lori Den Hartog, Bert Brackett, Lee Heider, and Jim Patrick.

Table with 2 columns: District number and Name. Lists senators from district 26 to 35 including Michelle Stennett, Kelly Arthur Anthon, Jim Guthrie, Mark Nye, Dean M. Mortimer, R. Steven Bair, Mark R. Harris, Bart M. Davis, Brent Hill, and Jeff C. Siddoway.

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 Twenty-eighth day of November, in the year of our Lord, two thousand and sixteen, and of the Independence of the United States of America, the two-hundred and forty-first.

/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 Brad Little.

Prayer was offered by Chaplain Keith Buhler, The Church of Jesus Christ of Latter-day Saints.

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

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

Reading of Communications

November 27, 2016

Tom Katsilometes
P.O. Box 11
Pocatello, ID 83204
Phone: (208) 251-5287

Appearing Pro Se

IN THE SENATE OF THE STATE OF IDAHO

IN THE MATTER OF:)

THE CONTEST OF THE
ELECTION OF)

W. MARCUS W. NYE)
(a/k/a: "MARK" NYE))

TO THE OFFICE OF)
STATE SENATOR)
IN AND FOR LEGISLATIVE)
DISTRICT NO. TWENTY-NINE)

TO: BRENT HILL, PRESIDENT PRO TEMPORE OF THE IDAHO SENATE:

YOU WILL PLEASE TAKE NOTICE that, pursuant to Idaho Code T.34-§2106, CONTESTANT Tom Katsilometes, a qualified

Elector of Legislative District No. 29 in and for the State of Idaho, hereby contests the election, pursuant to Idaho Code T.34-§2101, of INCUMBENT "Mark" Nye to the office of State Senator in and for Legislative District No. Twenty-Nine and said contest is based on the following points:

- 1) INCUMBENT is disqualified from being elected, pursuant to Idaho Code T.34-§2101(4) for violation of chapter 23, title 18, Idaho Code, specifically under Idaho Code T.18-§2315, incumbent violated the laws of this state relating to elections, more specifically "The Sunshine Law" codified at Idaho Code T.67-§6603; and
- 2) For the error in the County Board of Canvassers in and for the County of Bannock, in counting or in declaring the result of the election, where the error has changed the result; and
- 3) For the cause that the Bannock County Elections Office tabulated the ballots in the November 8, 2016 General Election using E.S. & S. M-650 "Central Count Tabulator" machines that were not properly prepared and certified under Idaho Code T.34-§2416 and Idaho Code T.34-§2417.

CONTESTANT hereby names the designated court reporter (t/b/a December 8th, 2016) of T & T Reporting, 477 Shoup Ave., Ste. 105, Idaho Falls, Idaho 83402, to administer oaths and take depositions at the offices of Tom Katsilometes, 410 Yellowstone Ave., Ste. #208, Pocatello, Idaho 83201 on Friday, December 9th, 2016, beginning at the time of 9:00 a.m., or at a time and place mutually agreed to by the CONTESTANT, INCUMBENT, and all Deponents.

DATED this 27th day of November, 2016.

TOM KATSILOMETES

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

Motions and Resolutions

Moved by Senator Davis, seconded by Senator Stennett, that Senator Brent Hill be elected President Pro Tempore of the Senate for the Sixty-fourth Idaho Legislature.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared that the motion did prevail and Senator Brent Hill was elected President Pro Tempore of the Senate of the Sixty-fourth Idaho Legislature.

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

Moved by Senator Davis, seconded by Senator Stennett, that Jennifer Novak be elected Secretary of the Senate for the Sixty-fourth Idaho Legislature.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared that the motion did prevail and Jennifer Novak was elected Secretary of the Senate of the Sixty-fourth Idaho Legislature.

The President administered the Oath of Office to Secretary Novak.

On motion by Senator Davis, 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 Sixty-third Idaho Legislature were adopted as the temporary Rules of the Senate and Joint Rules of the Senate and House of Representatives of the Sixty-fourth Legislature of the State of Idaho.

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

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

- Majority Leader Senator Bart M. Davis
- Assistant Majority Leader Senator Chuck Winder
- Majority Caucus Chairman..... Senator Todd M. Lakey
- Minority Leader Senator Michelle Stennett
- Assistant Minority Leader Senator Cherie Buckner-Webb
- Minority Caucus Chairman Senator Maryanne Jordan

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 9:35 a.m. until the hour of 2 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 2 p.m. President Pro Tempore Hill assumed the chair.

Roll call showed all members present.

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

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

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

- Patrick
- Bayer
- Guthrie
- Johnson
- Thayn
- Foreman
- Jordan

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

Martin
Lakey
Thayn
Souza
Anthon

Ward-Engelking
Burgoyne

STATE AFFAIRS (9)
Siddoway, Chairman
Hagedorn, Vice Chairman

Davis
Hill
Winder
Lodge
Lakey

Stennett
Buckner-Webb

EDUCATION (9)
Mortimer, Chairman
Thayn, Vice Chairman

Winder
Nonini
Den Hartog
Guthrie
Crabtree

Buckner-Webb
Ward-Engelking

TRANSPORTATION (9)
Brackett, Chairman
Nonini, Vice Chairman

Keough
Winder
Hagedorn
Den Hartog
Lodge
Harris

Buckner-Webb

FINANCE (10)
Keough, Chairman
Martin, Vice Chairman

Bair
Mortimer
Souza
Lee
Agenbroad
Crabtree

Ward-Engelking
Nye

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

The committee was excused.

On request by Senator Davis, granted by unanimous consent, President Pro Tempore Hill appointed a committee consisting of Senator Lakey, Chairman, and Senators Crabtree and Nye to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

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

The committee was discharged.

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

The committee was discharged.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Organizational Session of the Idaho Senate of the Sixty-fourth Legislature adjourned *Sine Die* at 2:29 p.m., Thursday, December 1, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

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

Martin
Lee
Harris
Anthon
Agenbroad
Foreman

Jordan

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

Davis
Hagedorn
Anthon
Agenbroad
Foreman

Burgoyne
Nye

LOCAL GOVERNMENT AND TAXATION (9)
Johnson, Chairman
Bayer, Vice Chairman

Hill
Siddoway
Rice
Vick
Patrick

Burgoyne
Nye

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

Siddoway
Brackett
Heider
Bayer
Johnson

Stennett
Jordan

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 9, 2017

Senate Chamber

At the hour of 12 noon on Monday, January 9, 2017, the time established for the convening of the First Regular Session of the Sixty-fourth Idaho Legislature, the members of the Senate convened in the Senate Chamber of the Capitol in the City of Boise, President Brad Little presiding.

Roll call showed all members present.

Prayer was offered by President Pro Tempore, Brent Hill.

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*. On request by Senator Davis, granted by unanimous consent, Boise Police Department Honor Guard entered the Chamber.

The Pledge of Allegiance was led by Sergeant at Arms, Sarah Jane McDonald. President Little 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-fourth Idaho Legislature and the Honor Guard exited the Chamber.

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

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the Sergeant at Arms, Sarah Jane McDonald, escorted the Bonneville High School Bonnevoires and the Hillcrest High School Varsity Chorale into the Senate Chambers for the purpose of performing the *National Anthem*, *Lullaby*, and *Joshua*. Choir Directors are Steve Dresen and Camille Blackburn.

On motion by Senator Davis, 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 Sixty-third Idaho Legislature were adopted as the temporary Rules of the Senate and Joint Rules of the Senate and House of Representatives of the Sixty-fourth Legislature of the State of Idaho.

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Vick, Chairman, and Senator Jordan to escort the committee from the House of Representatives into the Senate Chamber. Representatives Collins, Armstrong, and Jordan informed the Senate that the House is now organized and ready to conduct business.

The Senate committee was discharged.

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Bair, Chairman, and Senators Hagedorn and Ward-Engelking to notify the Governor that the Senate is now organized and ready to conduct business.

The committee was excused.

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

The committee was excused.

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

The committee was discharged.

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

The committee was discharged.

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

Messages from the House

January 9, 2017

Dear Mr. 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 Davis, 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 Davis, 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

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.

Moved by Senator Davis, seconded by Senator Stennett, that [HCR 1](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [HCR 1](#) adopted, title was approved, and the resolution ordered returned to the House.

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

Second Reading of Bills

On request by Senator Davis, 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 12:50 p.m. having arrived, the members of the Senate entered into the House Chamber and met in Joint Session with Speaker of the House Scott Bedke presiding.

Roll call showed all members present.

The Pledge of Allegiance was led by Tom Dougherty.

Prayer was offered by 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 Lodge and Burgoyne, and Representatives Luker and Gannon 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 Winder and Buckner-Webb, and Representatives Hixon 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 Davis 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, C.L. "Butch" Otter, and the following **State of the State and Budget Address** was delivered by the Governor:

Mr. Speaker, Mr. President, Honorable Justices and Judges, my fellow constitutional officers, distinguished legislators and members of my Cabinet, honored guests, friends, my family and our First Lady, my fellow Idahoans.

Before I begin, allow me to add my welcome and best wishes to all the new members of the Idaho Legislature joining us here today. Thanks to each of you for bringing your life experiences and your unique perspectives to our important work here in the People's House.

I also have the privilege today of introducing newly elected Idaho Supreme Court Justice Robyn Brody to this chamber and to the Idaho Judiciary. Congratulations Madam Justice.

The new year also brings some key departures from the Executive Branch. I'm sure you join me in wishing Kevin Kempf god speed in his new national responsibilities after two eventful and successful years as director at the Department of Correction. We also are losing Sam Haws to well-deserved retirement from the Office on Aging. And Kelly Pearce's experience and leadership will be missed with his recent retirement as administrator at the Division of Building Safety. I extend my thanks and best wishes to them all.

Finally, this will be the last legislative session for Dick Armstrong as director of the Department of Health and Welfare. His stalwart and tireless leadership has set a high standard for whoever takes on that difficult and often thankless responsibility next. Dick will be retiring in June, and he'll be leaving big shoes to fill.

Ladies and gentlemen, it's my honor and privilege to report to you today that the State of Idaho is resurgent, and in fact is gaining a national reputation among states for our stability and our strength.

Our finances are secure. Revenue is exceeding expectations. Economic growth is outpacing the overall growth of government, and our own operations are more transparent and efficient than ever.

More of our people are working than at any time in our history. And wages are rising - slowly but surely - along with employer demand for more skilled workers.

Meeting that demand is among our most serious challenges, but we are facing it head on. And I know you share my commitment to finding Idaho-based solutions rather than waiting for our national government's dysfunction to get turned around.

So as we honor that spirit of independence and self-determination, I can testify to you today that our citizens are energized and engaged in growing our economy, improving our communities, caring for our families and neighbors, and most importantly in preparing our youth for a rapidly changing world.

Seldom has the future seemed either as hopeful or as uncertain. It is beyond our power, or that of any state government, to bring order to national and global turmoil. But it is our responsibility and our duty as elected leaders to preserve and protect the steady framework of opportunity that the people of Idaho need in order to confidently pursue their dreams and freely express their civic virtue.

That's why such a large share of the Executive Budget recommendations you have before you continue addressing our five-year plan for improving Idaho's public schools, as well as our efforts to create a seamless, sustainable education and training system extending from kindergarten through career for every citizen.

My budget recommendations are about more than fulfilling shared commitments and implementing task force recommendations. They are about more than living up to our constitutional responsibilities. They are even about more than providing for the skilled workforce that our employers need. Ultimately, my education funding proposals are about doing the right thing for the next generation of Idahoans, and laying a foundation for their own refinements and adjustments to keep pace with a dynamic global marketplace.

So allow me to briefly outline some of the most crucial parts of this next round of investments.

My first and most significant recommendation is for an ongoing allocation of \$58 million to continue implementing the career ladder pay model for our public school teachers. Along with the \$75 million that we invested in that effort during the past two years, this new and largest tranche will keep us on track to reaching our five-year funding goal for attracting and retaining more of the best and brightest educators available.

I'm also calling for an ongoing investment of \$2.5 million a year for leadership training of principals in low-performing schools, and \$2.5 million a year more to train school administrators on Idaho's teacher evaluation framework and process.

As we work to improve the competitiveness of Idaho's teacher pay, it's critical that we have a solid basis for rewarding excellence. Looking beyond the recent challenges that we've experienced with teacher evaluations, this training will help ensure that school administrators can professionally, thoroughly and meaningfully assess teacher effectiveness and help guide their professional growth.

Another of my K-12 budget recommendations is for \$15 million to help school districts cover the cost of higher health insurance premiums for their employees. That will help them avoid having to backfill those costs from discretionary funds that we only recently restored in the wake of the Great Recession.

Our task force recommendations called for investing a total of \$60 million a year in classroom technology statewide. We've allocated \$18 million so far. So now I'm asking for \$10 million a year more starting in fiscal 2018 to make achieving our remaining technology funding goals more manageable.

There's also an ongoing \$6 million request in my Executive Budget for improving teachers' professional development opportunities. The idea is to ensure that teachers have time to regularly share lesson plans and instructional resources, collaborate and learn from one another what works best in the classroom.

My funding recommendation additionally includes another \$5 million a year for expanding and improving college and career counseling in Idaho high schools. Based on our rising college enrollment rate, that kind of investment is helping more students, parents and educators determine the most appropriate options for enabling young people to "Go On" to higher education or career-technical training and certification.

I'm also urging you to continue supporting the STEM Action Center and its groundbreaking Computer Science Initiative. They already are having a significant impact on thousands of educators and tens of thousands of students. But the demand is there to expand their reach to help ensure every Idaho student and teacher gets the chance to embrace the STEM fields and the tremendous growth of career opportunities they provide. Proficiency in science, technology, engineering and math form an increasingly essential link between K-12 and career readiness. STEM education is critical to developing those skills most in demand in today's workplace.

Sometimes the challenges and complexities of life interrupt our best-laid plans for pursuing our own career opportunities, including our good intentions to complete a college degree within a traditional four- or five-year span.

So my budget recommendation for fiscal 2018 once again includes funding for an "adult completer" scholarship. It will provide an incentive for those with some college credits who have been away from school for at least three years to return to the classroom and finish up. It's an important part of our strategy for reaching the ambitious and worthy goal of ensuring that at least 60 percent of Idahoans between the ages of 25 and 34 have a college degree or certificate by 2020.

In pursuit of that goal, I'm recommending the transfer of \$35 million to the Permanent Building Fund for higher-education facilities throughout Idaho. That includes \$10 million for a Center for Material Science at Boise State University, \$10 million for the University of Idaho to build the Center for Agriculture, Food and the Environment or "CAFE" in the Magic Valley, \$10 million for Lewis-Clark State College to construct a Career-Technical Education building adjacent to the proposed Lewiston High School CTE facility, and \$5 million toward remodeling the Gale Life Sciences Building at Idaho State University.

Let me call your attention now and encourage your support for an effort to make post-secondary education in eastern Idaho more affordable for students, more competitive for businesses and more attractive and responsive to employers. I'm speaking of course of the campaign to turn Eastern Idaho Technical College in Idaho Falls into a full-fledged community college.

Establishing a College of Eastern Idaho will spur economic growth and complete a comprehensive statewide system of affordable community college options, along with North Idaho College, the College of Southern Idaho and the College of Western Idaho.

This body already has set aside \$5 million for startup costs. Now the people of Bonneville County must decide at the polls in May whether to invest in their own future by advancing plans to provide better opportunities for students and families, for those looking to improve their career readiness, and for businesses looking to locate or expand.

After seeing the difference that the College of Western Idaho has made here in the Treasure Valley, after seeing how quickly CWI has grown to meet pent-up demand for new educational opportunities, and after seeing the overwhelmingly positive response from employers, the College of Eastern Idaho campaign has my full and enthusiastic support.

For those of you from Ada and Canyon counties, I also support and urge your positive consideration of the College of Western Idaho's efforts to expand its Nampa campus and build a new campus in Boise. CWI is bursting at the seams, with an enrollment of 20,000 students just eight years after opening with 1,200. The employers who provide jobs and tax revenue here in the valley are relying on your help to meet the need.

My other higher education budget priorities continue to reflect a K-through-career emphasis. They focus on workforce development and expanding programs at our four-year institutions and community colleges that support such in-demand career fields as energy, computer science and the health professions. That includes a \$2.4 million request to expand residency programs in graduate medical education that are needed to address our chronic shortage of physicians and other health care providers, especially in Idaho's more rural areas.

As many of you know, Idaho ranks near the bottom nationally in the number of doctors and medical residents per capita. In addition, a significant percentage of our physicians are approaching retirement age. But we also know that there's a better-than-average chance that when aspiring physicians do their residencies in Idaho, they will stay in Idaho to practice.

That's why I'm grateful for the work of stakeholder groups in developing a plan for increasing medical residencies and implementing other solutions to Idaho's physician shortage. That includes significantly leveraging my budget request for expanding residency programs with federal funds.

A genuinely historic development toward making health care more accessible for all Idahoans is the Idaho College of Osteopathic Medicine. Idaho's first medical school is being developed on the Idaho State University health sciences campus in Meridian, with construction set to begin early this year. ICOM plans to have its first class of students begin their studies in 2018. It already has secured 78 new residency positions for eventual ICOM graduates at hospitals throughout the region, with more on the way. So I hope you will join me in embracing the opportunity and welcoming this important new institution to Idaho.

I also want to offer my thanks and congratulations to the community leaders responsible for making our Behavioral Health Crisis Center program such a success. The third of our community facilities opened in Twin Falls about a month ago. It joined sites already operating in Idaho Falls and Coeur d'Alene, and a fourth in the works here in Boise, in providing

an accessible, cost-effective alternative to jail or emergency room visits for those struggling with mental health or substance abuse issues. They are providing significant savings on law enforcement responses and hospital costs, and already have become critical parts of local systems of care.

My budget recommendation includes \$1.5 million to cover the remaining costs of standing up the Twin Falls and Boise facilities. Once again, these are investments that can save our communities millions of dollars a year on the costs of emergency services, and that means less stress on local taxpayers.

To continue improving our statewide mental health system, I'm also requesting \$10.3 million to build an adolescent mental health facility in the Treasure Valley. That also would cover the cost of remodeling a unit at State Hospital South in Blackfoot as a secure mental health facility.

Now let's talk for a minute about our spending priorities and living within the people's means.

It's no surprise that we all want tax relief. For some it's the top priority of this legislative session. But I would remind you that together we have reduced the tax burden on our citizens during my tenure by about \$1 billion. And you soon will have legislation before you to cut the base tax rate for unemployment insurance paid by Idaho employers by 6.3 percent this year. That's \$46 million in tax relief in the coming year alone, and \$115 million over three years.

I am as committed as ever to limiting the size and growth of our State government, and we continue to make many of the efficiencies realized during the Great Recession a part of our standard operations. But I also understand the costs of failing to invest prudently and sustainably in our future. So I will not entertain anything that undermines our commitment to meeting our essential State government functions. At the top of that list are our investments in improving education and career readiness in Idaho.

We're not alone in our efforts to build and improve Idaho's workforce. From STEM education to advanced research, we have a strong partner in the Idaho National Laboratory. It was great to hear recently that a \$1.6 billion state-of-the-art facility for handling spent fuel from the Navy's nuclear warships will soon be built there.

Now we're working with the INL to strengthen the capabilities at our colleges and universities by collaborating on one of our most complex challenges - addressing the growing threat of cyberattacks like the one against Fish and Game's online licensing system last year. You soon will be seeing the work product of the cybersecurity task force led by Lieutenant Governor Little, and I ask you to take its findings seriously.

Because make no mistake: We got off lucky last time. Cyber-crime and even cyber-warfare are very real and growing threats. The next hack here in Idaho could target more critical infrastructure, including our electrical grid, industrial control systems, military equipment or even our personal vehicles.

The INL is a world leader in cybersecurity, and our partnerships there are positioning our three universities to be on the cutting edge of addressing the global challenge. Work already is under way to establish and expand a joint cyber lab that I proposed, and you funded, last year. But we can do more to protect ourselves and secure our future. So now I'm encouraging the Legislature to express its support for an even

more substantial step toward Idaho leadership in cybersecurity, supercomputing and new nuclear technologies.

The State Board of Education, the INL and our universities are working to finance and build two world-class research facilities near the Center for Advanced Energy Studies in Idaho Falls. The Cybercore and the Collaborative Computing Center would be financed and owned by the State but paid for by the INL through lease payments. And those payments would continue for decades - long after the buildings are paid off - providing a continuing revenue stream for higher education.

But this initiative will pay dividends far beyond our budget. It will help to address our workforce needs by growing a talent pipeline for the INL and related Idaho industry. And perhaps most importantly, it will enable more of Idaho's best and brightest students to find high-paying career opportunities right here at home.

Folks, we all aspire to be more self-reliant. We strive for it in our personal lives as well as in the operation of our State government. Few federal edicts in recent years have been more intrusive or more damaging to our self-determination than the Affordable Care Act.

There is broad agreement in this body on the need to help tens of thousands of Idahoans with incomes too high to qualify for Obamacare subsidies but too low to afford health care coverage on their own. Just as clearly, there is very little support for expanding Medicaid. I understand that. It would mean subordinating our Idaho priorities to the siren song of federal dollars that neither the national government nor taxpayers can afford.

So beyond continuing to seek elusive answers to the policy questions that we've been asking for years, we now have the option of waiting to see what the Trump administration and Congress do with Obamacare.

But waiting by itself is seldom a solution. Instead, while we wait I would encourage you to seek ways to make Idaho less dependent on the feds. That includes continuing to build local partnerships and encouraging marketplace innovations that address our Idaho goals of improving health-care accessibility and affordability.

However, I believe that waiting in this case is not entirely an exercise in kicking an oversized can down the road. I mentioned earlier that our immediate future is marked by hope and uncertainty. Nowhere is that dichotomy more striking than in the upcoming change of leadership in Washington, D.C.

While few people know just what to expect from the President-elect or his Cabinet, I am far more hopeful than anxious about the promise of a new and better day in the relationship between the federal government and the states.

Dealing with Obamacare should be only the start. This is uncharted territory. There is no history or precedent from which to project. But I for one look forward in the years ahead to seeing renewal of a national commitment to the principles of federalism on which our system of government was founded.

For years now, we in the West have been frustrated by the increasing imposition of the federal government's will over our livelihoods and quality of life. Regulatory bureaucracies and entrenched interests have become practiced at reaching far beyond the letter of such laws as the Clean Air Act, Clean Water Act and Endangered Species Act to essentially nullify the commonsense stewardship of states and local jurisdictions.

I am optimistic that President-elect Trump and his team will work to ensure that meaningful reforms are implemented to keep such agencies as the EPA, the BLM, the Forest Service and the U.S. Fish and Wildlife Service in check. Their focus must be shifted to working more collaboratively with states to develop national policies that are flexible enough to accommodate local needs and realities.

I recently provided the new administration with some detailed advice for improving the federal approach to such issues as protecting sage-grouse and their habitat, delisting grizzly bears, and developing needed energy infrastructure like the Gateway West electrical transmission project in southern Idaho.

I hope and trust that my advice will not fall on deaf ears, because Idaho has an exemplary record of managing and protecting our own natural resources. Our own citizens and communities have the civic virtue and proven know-how to ensure our lands and resources are responsibly used for the long-term economic and recreational opportunities they can provide.

I am not advocating for the State to take over the more-than 60 percent of Idaho owned by the federal government. But we should continue expanding on the efforts we've made so far to realize the potential of such Idaho values as active management and local stewardship. Our initiative to improve water sustainability is a great example of how Idaho can do very well caring for our own needs without punitive federal oversight.

Simply put, states need the opportunity to be full and equal partners in decisions that affect the land, water, wildlife and other resources within our borders. States must be enabled to be the architects of our own destiny.

We in Idaho already are making great use of those rare opportunities where real collaboration with the states is actually encouraged by the feds. Good Neighbor Authority granted under the 2014 Farm Bill invites Idaho to increase the pace and scale of forest and watershed restoration work on federal forests.

Under agreements reached through the program, Idaho is playing a more active role in improving the health of our intermingled timberlands. That's reducing fuels and the threat to communities and watersheds from catastrophic wildfires while creating more jobs and economic benefits for our citizens. So I'm recommending the allocation of \$250,000 for additional foresters to keep advancing that effort.

And thanks to your support, the Rangeland Fire Protection Association program has been growing in popularity and impact. There are eight groups organized so far throughout southern Idaho. The informal BLM program provides training and equipment for local ranchers and other landowners to offer a first-attack capability that helps stop range fires before they devastate the landscape. In the past year, about 250 Idaho ranchers provided fire suppression assistance on more than 7.7 million acres of federal, state and private lands.

As a fringe benefit, letting Idaho ranchers protect the land from which they draw their livelihoods also serves to protect sage-grouse from habitat-destroying wildfire - the single biggest threat to their survival.

Folks, federalism can and does work, but only when it involves willing partners. This past election has provided us here in the West with a window of opportunity to make broader and better collaboration between the federal and state governments a reality.

Voters have expressed a desire for government that works, both here in Boise and in Washington, D.C. They're tired of timid representation that seems more concerned with the next election than the next generation. They want government that reflects their highest aspirations and understands that individuals - as well as states - must have both the tools and the freedom to rise up and meet their own best potential.

If the recent national election taught us anything, it's that the people are still in charge - not factions; not special interests; not the news media - not even the political parties. I'm proud that Idahoans voted in support of real and substantial change in our national government and against stuck-in-the-mud business as usual.

Now it's up to us to put the lessons of 2016 to work for Idaho. Now it's time to recognize that differences on policy, personality or priorities do not mean differences in principle. More than ever, we now have the opportunity and the responsibility as citizens to help secure Idaho's future.

So good luck and thank you for your attention, your talents and your willingness to serve. My door is open, and I look forward to your conscientious and constructive work during this 1st regular session of the 64th Idaho Legislature.

May God continue to bless Idaho and the United States of America.

The Speaker thanked Governor Otter for his message.

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

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

On motion by Representative Moyle, seconded by Representative 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 Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 1:55 p.m. until the hour of 11:15 a.m., Tuesday, January 10, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SECOND LEGISLATIVE DAY
TUESDAY, JANUARY 10, 2017

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Bryon Beams, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of December 1, 2016, and January 9, 2017, were read and approved as corrected.

LODGE, 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 10, 2017

The Honorable Brad Little
President of the Senate
State of Idaho

Dear Mr. President:

Pursuant to Section 34-2116, Idaho Code, I am delivering to you herewith the depositions, exhibits, and all other documents relating to the Election Contest of the office of State Senator from District 29.

Sincerely,
Lawrence Denney
Secretary of State

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

On request by Senator Davis, granted by unanimous consent, President Little appointed President Pro Tempore Hill, Chair, and Senator Stennett to escort Secretary of State Lawrence Denney, and Chief Deputy Secretary of State Tim Hurst into the Senate Chambers.

Secretary of State Denney advised he was delivering to the President of the Senate, unopened papers relating to the Contest of Election in Senate District 29 that was filed with the Senate on November 28, 2016.

President Little requested the Secretary of State place the papers relating to the Contest of Election on the table in the well of the Senate. President Little notified the Senate that such papers were in their possession and would be opened in the presence of the Senate.

On request by Senator Davis, granted by unanimous consent, President Little appointed President Pro Tempore Hill, Chair, and Senator Stennett to inspect the inventory of the papers relating to the Contest of Election in District 29.

On request by Senator Davis, granted by unanimous consent, the Senate went at ease for the purpose of conducting the inventory.

After completion of the inventory President Pro Tempore Hill reported that in accordance with the laws of Idaho, the Secretary of State had provided the Senate with the papers relating to the Contest of Election, as outlined in the inventory.

On request by Senator Davis, granted by unanimous consent, the Secretary of State was excused, having completed his statutory responsibilities to deliver the papers relating to the Contest of Election as provided in Idaho Code Section 34-2116.

On request by Senator Davis, granted by unanimous consent, the papers relating to the Contest of Election in District 29 were temporarily referred to the State Affairs Committee for review, and the committee would report its recommendation to the full Senate.

On request by Senator Davis, granted by unanimous consent, the papers relating to the Contest of Election dated November 27th, 2016, and filed with the Senate on November 28th, 2016, were temporarily referred to the State Affairs Committee.

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

Messages from the Governor

January 10, 2017

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 2016 and 2017.

Balance as of July 1, 2015 **\$83,744.48**

No activity in fiscal year 2016

Balance as of June 30, 2016 **\$83,744.48**

No activity year-to-date in
fiscal year 2017

Balance as of December 31, 2016 **\$83,744.48**

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.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett,
by voice vote, the Senate adjourned at 12:20 p.m. until the hour
of 11:30 a.m., Wednesday, January 11, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

THIRD LEGISLATIVE DAY
WEDNESDAY, JANUARY 11, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11:30 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Kit Bush, Page.

On request by Senator Davis, 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.

Moved by Senator Davis, seconded by Senator Stennett, that the following attaches be elected to fill the offices provided for by law:

- Assistant to the Majority Leader Peggy Moyer
Assistant to the Asst. Maj. Leader David Bujarski
Assistant to the Maj. Caucus Chairman Sharon Pennington
Secretary to the Secretary of the Senate Candace Villarreal
Journal Clerk Lauren A. Bruck
Minutes Editor/Assistant Clerk Jill Randolph
Sergeant at Arms Sarah Jane McDonald
Assistant Sergeant at Arms Jerry Csutorus
Doorkeeper Al Henderson
Senate Chaplain Keith Buhler

Committee Secretaries:

- Agricultural Affairs Carol Deis
Commerce and Human Resources Linda Kambeitz
Education LeAnn Mohr
Finance Amberlee Honsaker
Health and Welfare Jeanne Jackson-Heim
Judiciary and Rules Carol Cornwall
Local Government and Taxation Jennifer Carr
Resources and Environment Juanita Budell
State Affairs Twyla Melton
Transportation Gaye Bennett

Majority Staff Assistants:

- Majority Staff Assistant Arti Clark
Majority Staff Assistant Audrey Hays
Majority Staff Assistant Amber Highburger
Majority Staff Assistant Katy Miller
Majority Staff Assistant Jordan Watters

Minority Staff:

- Minority Chief of Staff Caitlin Lister
Minority Staff Assistant Kelsey Dillon
Minority Staff Assistant Annika Galliani
Minority Staff Assistant Ethan Swenson

Pages:

- Bryon Beams, Caldwell
Kit Bush, Boise
Tess Jensen, Caldwell
Julia Madden, Kuna
Rayanna McClean, American Falls
Hannah Smith, Eagle
Madison Smith, Sugar City
Jack Wolthius, Eagle
Tia Youtz, Richfield

The question being, Shall the motion prevail?

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared the attaches duly elected to their respective positions. The President instructed the Sergeant at Arms to escort 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 Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:43 a.m. until the hour of 11 a.m., Thursday, January 12, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FOURTH LEGISLATIVE DAY
THURSDAY, JANUARY 12, 2017

Senate Chamber

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

Roll call showed all members present except Senators Siddoway and Thayne, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Tess Jensen, 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 10, 2017, and January 11, 2017, were read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Fourth Order of Business.

Reading of Communications

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

Sincerely,

/s/ Lawrence Denney
Secretary of State

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

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

Messages from the Governor

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I am hereby transmitting to the Idaho State Senate a list of all gubernatorial appointments that had 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.

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.

Senators Siddoway and Thayne were recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 11, 2017

Dear Mr. 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 Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:15 a.m. until the hour of 11:30 a.m., Friday, January 13, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

January 11, 2017

**FIFTH LEGISLATIVE DAY
FRIDAY, JANUARY 13, 2017**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Julia Madden, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 12, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sue Walker of Boise, Idaho, was appointed as a member of the Commission for the Blind and Visually Impaired to serve a term commencing July 14, 2016, and expiring July 1, 2019.

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.

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that James C. Hammond of Coeur d' Alene, Idaho, was reappointed as a member of the State Building Authority to serve a term commencing January 1, 2017, 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 State Affairs Committee.

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sherrilynn W. Bair of Firth, Idaho, was appointed as a member of the Public Charter School Commission to serve a term commencing July 28, 2016, and expiring May 12, 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 Education Committee.

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Brian Scigliano of Boise, Idaho, was reappointed as a member of the Public Charter School Commission to serve a term commencing May 12, 2016, and expiring May 12, 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 Education Committee.

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Andrew J. Scoggin of Boise, Idaho, was appointed as a member of the State Board of Education to serve a term commencing August 4, 2016, 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 Education Committee.

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gavin Gee of Boise, Idaho, was reappointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing April 11, 2016, and expiring April 11, 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 State Affairs Committee.

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gary L. Mahn of Boise, Idaho, was reappointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing April 11, 2016, and expiring April 11, 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 State Affairs Committee.

On request by Senator Davis, 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 BURGOYNE
AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 34-102, IDAHO CODE, TO REVISE THE DEFINITION OF "PRIMARY ELECTION"; AMENDING SECTION 34-304, IDAHO CODE, TO REVISE WHO MAY BE CHALLENGERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-501, IDAHO CODE, TO REVISE THE DEFINITION OF A "POLITICAL PARTY" AND THE PROCEDURES FOR CREATION OF A POLITICAL PARTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-703, IDAHO CODE, TO REVISE PROCEDURES FOR NOMINATION AT A PRIMARY ELECTION; AMENDING SECTION 34-705, IDAHO CODE, TO REVISE THE IDENTIFICATION OF THOSE WHO FILE DECLARATIONS OF CANDIDACY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-708, IDAHO CODE, TO REVISE PROVISIONS FOR INDEPENDENT CANDIDATES; AMENDING SECTION 34-712, IDAHO CODE, TO REVISE SAMPLE FORMS FOR PRIMARY ELECTION BALLOTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-715, IDAHO CODE, TO REVISE PROCEDURES FOR FILLING OF VACANCIES OCCURRING BEFORE OR AFTER THE PRIMARY ELECTION; AMENDING SECTION 34-717, IDAHO CODE, TO REVISE PROVISIONS FOR WITHDRAWAL OF CANDIDACY; AMENDING SECTION 34-904, IDAHO CODE, TO REVISE REQUIREMENTS FOR PRIMARY ELECTION BALLOTS; AMENDING SECTION 34-906, IDAHO CODE, TO REVISE PROVISIONS FOR BALLOTS FOR GENERAL ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

**S 1002
BY BURGOYNE
AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 18-8007, IDAHO CODE, TO PROVIDE THAT A DRIVER INVOLVED IN AN ACCIDENT WHO BELIEVES OR HAS REASON TO BELIEVE THAT THE ACCIDENT RESULTED IN INJURY OR DEATH SHALL HAVE CERTAIN DUTIES AND TO MAKE TECHNICAL CORRECTIONS.

S 1003

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO NURSES; AMENDING SECTION 54-1410, IDAHO CODE, TO REVISE PROVISIONS REGARDING NURSE EMERITUS LICENSES; AND AMENDING SECTION 54-1411, IDAHO CODE, TO REVISE PROVISIONS REGARDING RENEWAL AND REINSTATEMENT OF NURSE LICENSES.

S 1004

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE BOARD OF NURSING; AMENDING SECTION 54-1403, IDAHO CODE, TO REVISE PROVISIONS REGARDING COMPENSATION FOR MEMBERS OF THE BOARD OF NURSING AND TO MAKE TECHNICAL CORRECTIONS.

[S 1001](#), [S 1002](#), [S 1003](#), and [S 1004](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:43 a.m. until the hour of 11:30 a.m., Monday, January 16, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

EIGHTH LEGISLATIVE DAY
MONDAY, JANUARY 16, 2017

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Ryanna McLean, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 13, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 16, 2017

The JUDICIARY AND RULES Committee reports that [S 1001](#), [S 1002](#), [S 1003](#), and [S 1004](#) have been correctly printed.

LODGE, Chairman

[S 1001](#) was referred to the State Affairs Committee.

[S 1002](#) was referred to the Judiciary and Rules Committee.

[S 1003](#) was referred to the Commerce and Human Resources Committee.

[S 1004](#) was referred to the Health and Welfare Committee.

January 16, 2017

The STATE AFFAIRS Committee reports that it has had under consideration the Contest of Election filed by Tom Katsilometes, and it recommends that Mark Nye's election and certification be confirmed, and that the Contest of Election be denied.

SIDDOWAY, Chairman

The report 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 Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Wanda Chillingworth Quinn of Coeur d' Alene, Idaho, was reappointed to the Public Charter School Commission to serve a term commencing May 12, 2016, and expiring May 12, 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 Education Committee.

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mark William Lliteras of Boise, Idaho, was reappointed to the Idaho Energy Resources Authority to serve a term commencing June 30, 2016, 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 State Affairs Committee.

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that E. Robert (Bob) Mooney of Boise, Idaho, was reappointed to the Idaho Energy Resources Authority to serve a term commencing July 1, 2016, 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 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Beth Elroy of Meridian, Idaho, was reappointed to the Board of Environmental Quality to serve a term commencing July 1, 2016, and expiring July 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 Health and Welfare Committee.

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Carol Mascarenas of Idaho Falls, Idaho, was reappointed to the Board of Environmental Quality to serve a term commencing July 1, 2016, and expiring July 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 Health and Welfare Committee.

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gregory Clark Cameron of Rupert, Idaho, was appointed to the Idaho Fish and Game Commission to serve a term commencing September 22, 2016, and expiring June 30, 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 Resources and Environment Committee.

January 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jerry R. Meyers of North Fork, Idaho, was appointed to the Idaho Fish and Game Commission to serve a term commencing September 22, 2016, and expiring June 30, 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 Resources and Environment Committee.

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Chris Jensen of Blackfoot, Idaho, was appointed as the Administrator of the Division of Building Safety to serve a term commencing January 3, 2017, and serving at the pleasure of the Governor.

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.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:03 p.m. until the hour of 11:30 a.m., Tuesday, January 17, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

**NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 17, 2017**

Senate Chamber

At the request of the President Pro Tempore Hill, Acting President Winder called the Senate to order at 11:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Hannah Smith, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Wendy Jaquet of Ketchum, Idaho, was reappointed to the State Board of Health and Welfare to serve a term commencing January 1, 2017, 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 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Janet Penfold of Driggs, Idaho, was reappointed to the State Board of Health and Welfare to serve a term commencing January 1, 2017, 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 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Tom Stroschein of Moscow, Idaho, was reappointed to the State Board of Health and Welfare to serve a term commencing January 7, 2017, and expiring January 7, 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 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that R.D. Maynard of Meridian, Idaho, was reappointed to the Idaho Industrial Commission to serve a term commencing January 13, 2017, and expiring January 13, 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 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Craig Hill of Priest Lake, Idaho, was reappointed to the Lake Pend Oreille Basin Commission to serve a term commencing July 24, 2016, and expiring July 24, 2019.

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 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gary Glenn Michael of Boise, Idaho, was reappointed to the Idaho Lottery Commission to serve a term commencing January 1, 2017, 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 State Affairs Committee.

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Margaret Gail Chipman of Weiser, Idaho, was reappointed to the Oil and Gas Commission to serve a term commencing July 1, 2016, and expiring July 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 Resources and Environment Committee.

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that C. Wayne Hunsucker of Lucile, Idaho, was reappointed to the Idaho Outfitters and Guides Licensing Board to serve a term commencing April 20, 2016, and expiring April 20, 2019.

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 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Tom Long of Eagle, Idaho, was reappointed to the Idaho Outfitters and Guides Licensing Board to serve a term commencing April 20, 2016, and expiring April 20, 2019.

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 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gordon O. Hansen of Burley, Idaho, was appointed to the Parks and Recreation Board to serve a term commencing April 7, 2016, and expiring June 30, 2019.

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 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Paul Kjellander of Boise, Idaho, was reappointed to the Public Utilities Commission to serve a term commencing January 10, 2017, and expiring January 10, 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 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Erwin L. Sonnenberg of Boise, Idaho, was reappointed to the Sexual Offender Management Board to serve a term commencing January 1, 2017, 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 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gerald Trebesch of Boise, Idaho, was reappointed to the State Soil and Water Conservation Commission to serve a term commencing July 1, 2016, 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 Agricultural Affairs Committee.

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that David E. Kinghorn of Lewisville, Idaho, was reappointed to the Board of Tax Appeals to serve a term commencing June 30, 2016, and expiring June 30, 2019.

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 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dwight Horsch of Pocatello, Idaho, was reappointed to the Idaho Transportation Board to serve a term commencing January 31, 2017, and expiring January 31, 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 Transportation Committee.

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

Motions and Resolutions

The Acting President announced that the State Affairs Committee report relative to the Contest of Election was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), President Pro Tempore Hill disclosed a possible conflict of interest under applicable law.

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Davis.

Senators Bair, Keough, Lakey, Martin, and Stennett supported the request for a roll call vote.

Pursuant to Senate Rule 39(H), Senators Davis, Lakey, Winder, and Martin disclosed a possible conflict of interest under applicable law.

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Nye. Total - 1.

Total - 35.

On request by Senator Davis, 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 1005

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO CHILD PROTECTION; AMENDING SECTION 16-1602, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS.

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

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:12 p.m. until the hour of 11 a.m., Wednesday, January 18, 2017.

SENATOR CHUCK WINDER, Acting President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

TENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 18, 2017

Senate Chamber

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

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Madison Smith, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Lee, Chairman, and Senator Burgoyne to escort Chief Justice Roger S. Burdick into the Senate Chamber where he delivered the following **State of the Judiciary Address**:

Mr. President, Mr. President Pro Tem, and distinguished members of the Idaho Senate, my colleagues on the Supreme Court and Court of Appeals, and fellow Idahoans.

To start, I want to personally thank you for this opportunity to come here and present the State of the Judiciary address. I know your time is precious. As I have talked to Chief Justices from throughout the United States, most are amazed Idaho has this tradition. It is just another example to our citizens and the nation that Idaho has respect for the concept of three co-equal branches of government working together for the long range best interests of its citizens.

First, a welcome to Idaho's newest members of the Idaho Legislature. Idaho's court system welcomes the fourteen new Representatives and four new Senators to the "people's house."

We are sorry to say goodbye to old friends we have worked with throughout the years, but new faces with new ideas help keep our government in touch with our citizens. You will find the Court's Administrative office very helpful with timely responses to all of your questions at any time. Please don't be bashful, hear it from us.

Also, I would like to introduce the Court's newest member, Robyn Brody. Justice Brody will bring a fresh perspective from nineteen years of private practice in the Magic Valley. She comes to the bench after two very tough election campaigns, first in the primary and then in the general election. I like her phrase that she had a small town practice with big-city problems. She has been very busy in acquiring a Boise residence, working on logistics with the Court, enrolling her boys in school, and preparing for January's arguments.

The theme for the State of the Judiciary over the past year seems to have been "steady as she goes." Over the last five years the State and its judiciary have seen major legislative, administrative and demographic changes which the Court faced during a time when our Administrative leadership was in flux.

The retirement of Patti Tobias led to a remarkable transition team of Retired Chief Justice Linda Copple Trout and Senior Judge Barry Wood. After a nationwide multi-year search, the Supreme Court hired a known Idaho leader - Sara Thomas - as our new Administrative Director. She is known to many of you as a result of her service as chair of the Governor's Idaho Criminal Justice Commission as well as the Director of the State Appellate Public Defenders Office. She fills a position in which the last two permanent Administrative Directors were awarded the Warren E. Berger Award, uniformly known as the nation's highest, most prestigious award for court administration. Sara has not disappointed, as she has shown great energy, knowledge, and a willingness to listen and learn from all court participants and judges.

Our next major initiative, iCourt, continues. This is a transformative technology system aimed at enhancing and replacing our old "end of life" system, ISTARs. There have been significant challenges as we have had to implement this new web-based system while running our existing ISTARs system.

To meet these challenges we have had to "surge" personnel to ensure our counties and information partners are properly supported. To date we have gone live in our pilot county of Twin Falls and more recently Ada County. E-filing has also been made mandatory in those two counties. iCourt has scheduled other rollouts culminating in 2019. It is a massive project which must succeed and we, with your help, are committed to doing so.

Another major force in Idaho's judiciary for 2016 was the continued work on the Justice Reinvestment Initiative. It was a significant over-hauling of Idaho's approach to dealing with criminal defendants and their cases. The root reasons for that change still exist both nationally and in Idaho and, therefore, we need to continue these reforms. Idaho's judges continue to work with the Idaho Department of Correction to institute both the letter and spirit of this enlightened legislation. The Department of Correction has worked tirelessly to change and to hold that change up for the world to see. They have lost a tremendous leader in Kevin Kempf, but the Board of Correction chose wisely in picking Henry Atencio to continue the Department's improvements. Again, after the legislative changes, the important concept is REINVESTMENT! Reinvestment this year is embodied in the Department's request for twenty-four

new probation officers. Idaho's judges support better community supervision by highly trained probation officers committed to the success of their clients. One word of caution - there is no business, corporation, or large organization that manages by exception. They plan the best they can for eventualities and problems, as well as success. They realize reaction to a small number of exceptions interferes with eventual success and weakens evidence-based practices and policies.

Throughout the years myself and other Chief Justices have touched on the many national awards and honors bestowed on the Idaho courts. As we focus on a systemic approach to excellence, we thank the Idaho Legislature for funding of our Judicial Performance programs. This program planning started in 2014 with a federal grant which paid national consultants to work with a large number of Idaho judges in formulating a new program outline, as well as new surveys to obtain information on how an individual judge is professionally perceived. Last year you funded the program to institute the new program and survey. The program started January 1 of this year. We hope to have three to five judges evaluated each month by the survey tool. The emphasis will then be to identify areas of education for the individual judges, as well as educational needs for all of Idaho's judges.

The "silver tsunami" I spoke of in the 2014 State of the Judiciary continues throughout Idaho and the nation. Because of your support, we have been aggressively reviewing Idaho's statutes and practices to better deal with the increase of guardianship and conservatorships that will be needed. As a large portion of Idahoans age this will be an area of further statutory and resource analysis. Statutorily mandated reports on these have steadily increased. It is now apparent from 2,752 annual financial reports that approximately \$336 million dollars are under the care of third-parties. The CPA's in our Administrative office have reviewed these reports and are requesting 295 further investigations to make sure mismanagement is not taking place. Our pilot projects for the district coordinators in the Third and Fifth District have shown that additional local scrutiny of these conservatorships is needed. To meet some of these challenges, Idaho Legal Aid Services are helping lawyers in the Third and Fifth Districts and in Kootenai County to monitor care of the wards and their assets.

The Judiciary continues to address the numerous facets and challenges of timely case resolution. With Idaho's tremendous growth, the judiciary has responded with parsimonious requests for new judicial positions, but also with our senior judge program. These measures have, for the most part, filled Idaho's needs, but population pressure continues to build not only for judges and support staff but also courtrooms and buildings.

Chief among these challenges is that Idaho's population continues to condense around Ada, Canyon, Kootenai, Bonneville, Bannock and Twin Falls counties. In 1969 Idaho enacted a policy of at least one magistrate judge in each county. Under the current statutory scheme, and to match the resources to caseloads, this necessarily translates to the Court requiring a relatively small number of magistrate judges to travel a great deal at a significant cost in both dollars and lost time; for instance, some judges have spent more than 100 nights per year away from their home stations. As an anecdotal example of this, Bonneville County has only 30% of the judges in the Seventh Judicial District, but has 70% of the caseload. Traveling judges balance this caseload.

The Court thinks it is time to bring this issue to the attention of the Idaho Legislature and ask you to either reaffirm this policy which will require the Court to continue to ask for additional new judgeships and attendant travel costs, or allow the Court to relocate some of these positions under very limited circumstances. We welcome a dialogue with you on this subject. While Idaho continues to be one of America's fastest growing states, our judiciary continues to face demographic change by retirement. Since 2014, 28 district and magistrate judges have retired, as well as our good friend and jurist, Justice Jim Jones.

For those of you who have observed our courts or even participated in your own cases, you know just how important recruitment of the best and brightest for judgeships is to Idaho's citizens. Not only must one attract these candidates with salary and benefits, but the need to educate new members becomes increasingly important. This need is filled by our education committee and primarily done at our judicial conferences. These educational opportunities are very important for training and mentoring of our newest members.

A continuing issue for the courts in Idaho and the nation is the proper mix of funding for courts. Historically Idaho courts have been made to rely heavily on court costs, fines, and fees to run some of its programs. Present day trends nationally and in Idaho have seen a steady decline of civil court filings.

In order to address this downturn in civil cases, Idaho's judiciary has previously reviewed every case for inefficiencies or bottlenecks in its Advancing Justice Program. This work continues with the addition of the Civil Justice Reform initiative focused on ensuring access to justice for all Idahoans.

Additionally, we have completely revamped our accounting system for enhanced analytical capability, transparency and accountability, not only in the Supreme Court, but in each judicial district in the state. Consistent with this new emphasis on financial upgrades, we have recently hired a new Chief Financial Officer, Michelle Crist-Aguilar. She comes from the private sector with significant auditing experience.

A new long-running national survey by the National Center for State Courts shows only six percent of respondents gave the right answer to the question "If you had to guess, what percent of the state budget do you believe is spent on the State Court System?" The national average is less than 3%, and Idaho's is 1.3% of the state budget. At some point a discussion on funding sources needs to be reviewed in light of the courts present day mission and activities.

In conclusion, you as legislators can be proud of an Idaho Judiciary that is by any measurement among the nation's best. As I've indicated, we are working very hard to complete needed tasks to remain that way. We look forward to continued support from the Governor and yourselves to help us manage these tasks. We thank you.

The President thanked Chief Justice Burdick for his remarks and Senator Lee, Chairman, and Senator Burgoyne escorted Chief Justice Burdick from the Chamber, and the Committee was discharged.

On request by Senator Davis, granted by unanimous consent, the State of the Judiciary Address was ordered spread upon the pages of the Journal.

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

Reports of Standing Committees

January 18, 2017

The JUDICIARY AND RULES Committee reports that [S 1005](#) has been correctly printed.

LODGE, Chairman

[S 1005](#) was referred to the Health and Welfare Committee.

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

Messages from the Governor

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gavin Gee of Boise, Idaho, was reappointed to the Treasurer's Investment Advisory Board to serve a term commencing July 1, 2016, and expiring July 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 State Affairs Committee.

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gary Glenn Michael of Boise, Idaho, was reappointed to the Treasurer's Investment Advisory Board to serve a term commencing July 1, 2016, and expiring July 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 State Affairs Committee.

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kerrie Murray of Boise, Idaho, was reappointed to the Treasurer's Investment Advisory Board to serve a term commencing July 1, 2016, and expiring July 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 State Affairs Committee.

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Vince Alberdi of Kimberly, Idaho, was reappointed to the Idaho Water Resource Board to serve a term commencing January 1, 2017, 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 Resources and Environment Committee.

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Albert P. Barker of Boise, Idaho, was reappointed to the Idaho Water Resource Board to serve a term commencing January 1, 2017, 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 Resources and Environment Committee.

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Roger Chase of Pocatello, Idaho, was reappointed to the Idaho Water Resource Board to serve a term commencing January 1, 2017, 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 Resources and Environment Committee.

January 12, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John Albert Stevenson of Rupert, Idaho, was reappointed to the Idaho Water Resource Board to serve a term commencing January 1, 2017, 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 Resources and Environment Committee.

January 13, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Eric D. Fredericksen of Meridian, Idaho, was appointed as the State Appellate Public Defender to serve a term commencing November 22, 2016, and expiring August 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 Judiciary and Rules Committee.

January 13, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gregory J. Schade of Boise, Idaho, was reappointed to the State Building Authority to serve a term commencing January 1, 2017, 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 State Affairs Committee.

January 13, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kimberly Simmons of Meridian, Idaho, was reappointed to the Sexual Offender Management Board to serve a term commencing January 1, 2017, 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.

On request by Senator Davis, 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 BURGOYNE
AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-301, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS; AMENDING SECTION 49-303, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS, TO PROVIDE THAT A PERSON WITHOUT A SOCIAL SECURITY NUMBER MAY

APPLY FOR A DRIVING PRIVILEGE CARD AND TO PROVIDE RULEMAKING AUTHORITY FOR CERTAIN FEES; AMENDING SECTION 49-306, IDAHO CODE, AS AMENDED BY SECTION 6, CHAPTER 54, LAWS OF 2015, TO PROVIDE FOR DRIVING PRIVILEGE CARDS, TO PROVIDE THAT A PERSON WITHOUT A SOCIAL SECURITY NUMBER MAY APPLY FOR A DRIVING PRIVILEGE CARD AND TO PROVIDE RULEMAKING AUTHORITY FOR CERTAIN FEES; AMENDING CHAPTER 3, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-307B, IDAHO CODE, TO DEFINE TERMS, TO AUTHORIZE THE DEPARTMENT TO ISSUE DRIVING PRIVILEGE CARDS TO CERTAIN INDIVIDUALS, TO PROVIDE ELIGIBILITY REQUIREMENTS, TO PROVIDE CRITERIA FOR DRIVING PRIVILEGE CARDS, TO PROVIDE LIMITATIONS AND TO PROVIDE RULEMAKING AUTHORITY; AMENDING SECTION 49-313, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

S 1007

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1208, IDAHO CODE, TO PROVIDE THAT THE BOARD MAY REQUIRE MEDIATION OF DISPUTES BETWEEN PROFESSIONAL LAND SURVEYORS AND TO MAKE TECHNICAL CORRECTIONS.

S 1008

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO SURVEYS; AMENDING SECTION 50-1301, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 55-1902, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

S 1009

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO CROP RESIDUE BURNING; AMENDING SECTION 39-114, IDAHO CODE, TO REVISE PROVISIONS REGARDING NATIONAL AMBIENT AIR QUALITY STANDARDS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 39-114, IDAHO CODE, RELATING TO THE OPEN BURNING OF CROP RESIDUE; AMENDING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-114, IDAHO CODE, TO PROVIDE FOR THE OPEN BURNING OF CROP RESIDUE; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

S 1006, **S 1007**, **S 1008**, and **S 1009** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:36 a.m. until the hour of 11:30 a.m., Thursday, January 19, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

ELEVENTH LEGISLATIVE DAY
THURSDAY, JANUARY 19, 2017

Senate Chamber

At the request of President Pro Tempore Hill, Acting President Lakey called the Senate to order at 11:30 a.m.

Roll call showed all members present except President Pro Tempore Hill and Senator Siddoway, absent and formally excused by the Chair.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Jack Wolthuis, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 19, 2017

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

LODGE, Chairman

[S 1006](#) was referred to the Transportation Committee.

[S 1007](#) and [S 1008](#) were referred to the Commerce and Human Resources Committee.

[S 1009](#) was referred to the Health and Welfare Committee.

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

Messages from the Governor

January 13, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Eric D. Fredericksen of Meridian, Idaho, was appointed to the State Public Defense Commission to serve a term commencing November 22, 2016, and expiring July 1, 2017.

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, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Michael Boren of Boise, Idaho, was appointed to the Parks and Recreation Board to serve a term commencing July 7, 2016, and expiring July 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 17, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Steve Landon of Chubbuck, Idaho, was reappointed to the State Insurance Fund Board to serve a term commencing April 30, 2016, and expiring April 30, 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 Commerce and Human Resources Committee.

January 17, 2017

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 appointed to the Idaho Commission on Human Rights to serve a term commencing August 24, 2016, and expiring July 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 State Affairs Committee.

January 17, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Megan Ronk of Meridian, Idaho, was reappointed to the Idaho Commission on Human Rights to serve a term commencing July 1, 2016, and expiring July 1, 2019.

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 17, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Brian Scigliano of Boise, Idaho, was reappointed to the Idaho Commission on Human Rights to serve a term commencing July 1, 2016, and expiring July 1, 2019.

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 17, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Estella O. Zamora of Caldwell, Idaho, was reappointed to the Idaho Commission on Human Rights to serve a term commencing July 1, 2016, and expiring July 1, 2019.

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.

On request by Senator Davis, 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 1010
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

**S 1011
BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO JUVENILE CORRECTIONS; AMENDING SECTION 20-533A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

**S 1012
BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO JUVENILE CORRECTIONS; AMENDING SECTION 20-533, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL NOTIFY CERTAIN PERSONS AT THE TIME OF A JUVENILE'S ACTUAL RELEASE.

**S 1013
BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO MINORS; REPEALING SECTION 18-1502C, IDAHO CODE, RELATING TO POSSESSION OF MARIJUANA OR DRUG PARAPHERNALIA BY A MINOR, USE OF CONTROLLED SUBSTANCES, FINES.

S 1014
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SCHOOL TECHNOLOGY; AMENDING SECTION 33-4801, IDAHO CODE, TO REMOVE A DATE FROM THE TITLE OF THE ACT; AND AMENDING SECTION 33-4804, IDAHO CODE, TO REQUIRE EACH SCHOOL DISTRICT AND PUBLIC CHARTER SCHOOL TO SUBMIT A TECHNOLOGY PLAN TO THE STATE DEPARTMENT OF EDUCATION AND TO PROVIDE REQUIREMENTS FOR SUCH PLANS.

S 1015
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1001, IDAHO CODE, TO REVISE THE DEFINITIONS OF "INSTRUCTIONAL STAFF," "MEASURABLE STUDENT ACHIEVEMENT" AND "PERFORMANCE CRITERIA" AND TO MAKE TECHNICAL CORRECTIONS.

[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 Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:48 a.m. until the hour of 11 a.m., Friday, January 20, 2017.

SENATOR TODD LAKEY, Acting President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

TWELFTH LEGISLATIVE DAY
FRIDAY, JANUARY 20, 2017

Senate Chamber

At the request of President Pro Tempore Hill, Acting President Winder called the Senate to order at 11 a.m.

Roll call showed all members present except President Pro Tempore Hill and Senator Siddoway, absent and formally excused by the Chair.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Tia Youtz, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 19, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 20, 2017

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

LODGE, Chairman

[S 1010](#) was referred to the Finance Committee.

[S 1011](#), [S 1012](#), and [S 1013](#) were referred to the Judiciary and Rules Committee.

[S 1014](#) and [S 1015](#) were referred to the Education Committee.

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

Messages from the House

January 19, 2017

Dear Mr. President:

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

MAULIN, Chief Clerk

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

On request by Senator Davis, 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 1016 BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT
RELATING TO THE BOARD OF TAX APPEALS;
AMENDING SECTION 63-3804, IDAHO CODE, TO
INCREASE DAILY COMPENSATION FOR MEMBERS OF
THE BOARD OF TAX APPEALS.

S 1017 BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT
RELATING TO FIRE PROTECTION DISTRICT ELECTIONS;
AMENDING SECTION 31-1427, IDAHO CODE, TO REVISE
A NOTICE PROVISION FOR HOLDING AN ELECTION IN
A FIRE PROTECTION DISTRICT; AND DECLARING AN
EMERGENCY.

S 1018 BY EDUCATION COMMITTEE

AN ACT
RELATING TO EDUCATION; REPEALING CHAPTER
45, TITLE 33, IDAHO CODE, RELATING TO SCHOOL
ACCOUNTABILITY REPORT CARDS.

S 1019 BY EDUCATION COMMITTEE

AN ACT
RELATING TO SCHOOL SAFETY PATROLS; REPEALING
CHAPTER 18, TITLE 33, IDAHO CODE, RELATING TO
SCHOOL SAFETY PATROLS; AND AMENDING CHAPTER
6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A
NEW SECTION 49-652, IDAHO CODE, TO PROVIDE FOR
SCHOOL SAFETY PATROLS, TO PROVIDE THAT FAILURE
TO OBEY A SCHOOL SAFETY PATROL MEMBER IS
UNLAWFUL AND TO PROVIDE FOR THE REPORTING OF
A VIOLATION COMMITTED BY A VEHICLE OPERATOR.

[S 1016](#), [S 1017](#), [S 1018](#), and [S 1019](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:12 a.m. until the hour of 11:30 a.m., Monday, January 23, 2017.

SENATOR CHUCK WINDER, Acting President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:39 a.m. until the hour of 11:30 a.m., Tuesday, January 24, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 23, 2017

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Bryon Beams, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 20, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 23, 2017

The JUDICIARY AND RULES Committee reports that [S 1016](#), [S 1017](#), [S 1018](#), and [S 1019](#) have been correctly printed.

LODGE, Chairman

[S 1016](#) and [S 1017](#) were referred to the Local Government and Taxation Committee.

[S 1018](#) and [S 1019](#) were referred to the Education Committee.

January 20, 2017

The FINANCE Committee reports out [S 1010](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1010](#) was filed for second reading.

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

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SIXTEENTH LEGISLATIVE DAY
TUESDAY, JANUARY 24, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Kit Bush, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 24, 2017

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:

Chris Jensen as the Administrator of the Division of Building Safety, term to continue at the pleasure of the Governor.

Paul Kjellander to the Public Utilities Commission, term to expire January 10, 2023.

SIDDOWAY, Chairman

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

January 23, 2017

The STATE AFFAIRS committee reports that it has had under consideration the contents of the sealed box in the Contest of Election filed by Tom Katsilometes and the decision of the contest being determined, the committee recommends all of its contents be returned to the Senate and its Presiding Officer as required and provided by law.

SIDDOWAY, Chairman

The contents of the sealed box in the Contest of Election was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day. The sealed box was ordered held in the Office of the Secretary of the Senate for one legislative day.

January 24, 2017

The STATE AFFAIRS committee reports it has had under consideration the assessment of witness fees and costs of discovery in the Contest of Election filed by Tom Katsilometes, and the Senate having upheld the election, recommends that the Senate assess the following costs against contestant: (1) the \$500 bond posted by contestant, pursuant to Idaho Code Section 34-2120(a), which the Secretary of State shall pay to the order of incumbent; (2) the sum of \$1,211.84 in additional costs, pursuant to Idaho Code Section 34-2120(b); and (3) the contestant is ordered to pay the incumbent the same.

SIDDOWAY, Chairman

The assessment of witness fees and costs of discovery 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, 2017

The STATE AFFAIRS committee reports it has had under consideration the assessment of attorney's fees in the Contest of Election filed by Tom Katsilometes, and the Senate having upheld the election, recommends that the Senate make a determination through its authority under Article III, Section 9 of the Idaho Constitution, that: (1) it has abiding belief that the Contest of Election was brought and pursued frivolously, unreasonably, and without factual or legal foundation; (2) an assessment for attorney's fees is found to be reasonable and appropriate in the circumstances in the amount of \$18,060.00 as against the contestant; and (3) the contestant is ordered to pay incumbent the same.

SIDDOWAY, Chairman

The assessment of attorney's fees 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 Davis, 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 1020

BY FINANCE COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2017; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

S 1021
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2017; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2017; REDUCING THE APPROPRIATION TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

S 1022
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

S 1023
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO FUNERAL PROCESSIONS; AMENDING SECTION 49-2706, IDAHO CODE, TO REVISE PENALTIES FOR CERTAIN VIOLATIONS.

S 1024
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1602, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

S 1025
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO ADMINISTRATIVE JUDGES; AMENDING SECTION 1-907, IDAHO CODE, TO REMOVE A CERTAIN POWER OF AN ADMINISTRATIVE JUDGE AND TO MAKE TECHNICAL CORRECTIONS.

S 1026
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO CRIMINAL PROCEDURE; AMENDING SECTION 19-2604, IDAHO CODE, TO REVISE A PROVISION REGARDING WHO MAY APPLY FOR RELIEF.

S 1027
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-202, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 36-404, IDAHO CODE, TO REVISE A CLASS 6 LICENSE PROVISION; AMENDING SECTION 36-406, IDAHO CODE, TO CLARIFY THAT CERTAIN BEAR TAGS ARE BLACK BEAR TAGS AND TO MAKE CODIFIER'S CORRECTIONS; AMENDING SECTION 36-409, IDAHO CODE, TO REVISE PROVISIONS REGARDING GAME TAGS, TO PROVIDE FOR CERTAIN GRIZZLY BEAR TAGS AND DISABLED AMERICAN VETERAN GAME TAGS, TO CLARIFY THAT CERTAIN BEAR PERMITS ARE BLACK BEAR PERMITS, TO REMOVE CERTAIN PROVISIONS REGARDING DISABLED AMERICAN VETERAN GAME TAGS, TO PROVIDE A CODE REFERENCE AND TO MAKE

TECHNICAL CORRECTIONS; AMENDING SECTION 36-601, IDAHO CODE, TO REQUIRE TAXIDERMIST AND FUR BUYER'S LICENSES FOR THOSE THAT ENGAGE IN THE BUSINESS OF BUYING CERTAIN SKINS AND PARTS OF SPECIFIED ANIMALS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 36-603, IDAHO CODE, TO REQUIRE THE RETENTION OF RECORDS FOR THOSE WHO PURCHASE CERTAIN SKINS AND PARTS OF SPECIFIED ANIMALS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 36-1107, IDAHO CODE, TO REVISE REPORTING REQUIREMENTS REGARDING THE TAKING OF CERTAIN WOLVES, TO PROVIDE FOR THE CONTROL OF DEPREDATION OF GRIZZLY BEAR AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 36-1202, IDAHO CODE, TO PROVIDE AN EXCEPTION FOR GRIZZLY BEAR IN THE PROHIBITION OF WASTE AND DESTRUCTION OF WILDLIFE; AND AMENDING SECTION 36-1404, IDAHO CODE, TO PROVIDE FOR REIMBURSEMENT TO THE STATE FOR GRIZZLY BEAR KILLED, POSSESSED OR WASTED AND TO MAKE A TECHNICAL CORRECTION.

S 1028
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO THE IDAHO UNDERGROUND STORAGE TANK ACT; AMENDING CHAPTER 88, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-8813, IDAHO CODE, TO PROVIDE FOR THE IDAHO UNDERGROUND STORAGE TANK PROGRAM FUND.

[S 1020](#), [S 1021](#), [S 1022](#), [S 1023](#), [S 1024](#), [S 1025](#), [S 1026](#), [S 1027](#), and [S 1028](#) 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 1010](#), by Finance Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:52 a.m. until the hour of 11 a.m., Wednesday, January 25, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SEVENTEENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 25, 2017

Senate Chamber

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

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Tess Jensen, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 25, 2017

The JUDICIARY AND RULES Committee reports that [S 1020](#), [S 1021](#), [S 1022](#), [S 1023](#), [S 1024](#), [S 1025](#), [S 1026](#), [S 1027](#), and [S 1028](#) have been correctly printed.

LODGE, Chairman

[S 1020](#), [S 1021](#), and [S 1022](#) were referred to the Finance Committee.

[S 1023](#), [S 1024](#), [S 1025](#), and [S 1026](#) were referred to the Judiciary and Rules Committee.

[S 1027](#) and [S 1028](#) were referred to the Resources and Environment Committee.

January 25, 2017

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:

E. Robert (Bob) Mooney to the Idaho Energy Resources Authority, term to expire July 1, 2021.

Gregory J. Schade to the State Building Authority, term to expire January 1, 2022.

Mark William Lliteras to the Idaho Energy Resources Authority, term to expire June 30, 2021.

SIDDOWAY, 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 Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

January 24, 2017

Dear Mr. President:

I transmit herewith [H 16](#), which has passed the House.

MAULIN, Chief Clerk

[H 16](#) 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 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 Buckner-Webb, the gubernatorial appointment 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 appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Keough was recorded present at this order of business.

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

On motion by Senator Martin, seconded by Senator Stennett, the gubernatorial reappointment of Paul Kjellander 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 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 announced that the State Affairs Committee report relative to the contents of the sealed box in the Contest of Election was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), President Pro Tempore Hill and Senators Davis, Lakey, Martin, and Winder disclosed a possible conflict of interest under applicable law.

On motion by Senator Davis, seconded by Senator Stennett, the delivery of the contents in the sealed box to the Secretary of State was adopted by voice vote.

The President declared the report adopted and ordered filed in the office of the Secretary of the Senate, and directed his designee to deliver the box to the Secretary of State for the preservation thereof.

The President announced that the State Affairs Committee report relative to the Contest of Election and the assessment of witness fees and costs of discovery was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Siddoway, seconded by Senator Stennett, the report of the assessment of witness fees and costs of discovery was adopted by voice vote.

The President declared the report adopted and ordered filed in the office of the Secretary of the Senate.

The President announced that the State Affairs Committee report relative to the Contest of Election and the assessment of attorney's fees was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Siddoway, seconded by Senator Stennett, the report of the assessment of attorney's fees was adopted by voice vote.

The President declared the report adopted and ordered 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**

S 1029

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-5104, IDAHO CODE, TO PROVIDE FOR SCHOOL COUNSELING SERVICES REGARDING THE GRANTING OF CAREER TECHNICAL CREDITS; AND AMENDING SECTION 33-5109, IDAHO CODE, TO AUTHORIZE A SCHOOL DISTRICT TO GRANT CREDIT FOR CAREER TECHNICAL COURSES.

S 1030

BY EDUCATION COMMITTEE

AN ACT

RELATING TO DUAL ENROLLMENT; AMENDING SECTION 33-203, IDAHO CODE, TO PROVIDE FOR THE DUAL ENROLLMENT OF A STUDENT IN A PUBLIC CHARTER SCHOOL, TO PROVIDE FOR RELATED PROCEDURES, LIMITATIONS AND CLARIFICATIONS AND TO MAKE TECHNICAL CORRECTIONS.

S 1031

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO VETERANS; AMENDING SECTION 65-208, IDAHO CODE, TO PROVIDE FOR THE VETERANS TRANSPORTATION FUND GRANT PROGRAM, TO REMOVE REFERENCE TO A VOUCHER SYSTEM AND TO MAKE A TECHNICAL CORRECTION.

S 1029, **S 1030**, and **S 1031** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 16, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

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

Third Reading of Bills

S 1010 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, Bair, Bayer, Brackett, Burgoyne, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking. Total - 27.

NAYS—Foreman, Siddoway, Vick. Total - 3.

Absent and excused—Anthon, Buckner-Webb, Jordan, Nonini, Winder. Total - 5.

Total - 35.

Whereupon the President declared **S 1010** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:04 p.m. until the hour of 11:30 a.m., Thursday, January 26, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 26, 2017

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Julia Madden, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 26, 2017

The JUDICIARY AND RULES Committee reports that [S 1029](#), [S 1030](#), and [S 1031](#) have been correctly printed.

LODGE, Chairman

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

[S 1031](#) was referred to the State Affairs Committee.

January 25, 2017

The FINANCE Committee reports out [H 16](#), [S 1020](#), [S 1021](#), and [S 1022](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 16](#), [S 1020](#), [S 1021](#), and [S 1022](#) were filed for second reading.

January 25, 2017

The EDUCATION Committee reports out [S 1015](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1015](#) was filed for second reading.

January 25, 2017

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

Wendy Jaquet to the State Board of Health and Welfare, term to expire January 1, 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.

January 25, 2017

The HEALTH AND WELFARE Committee reports out [S 1005](#) and [S 1009](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1005](#) and [S 1009](#) were filed for second reading.

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

Messages from the Governor

January 24, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dennis P. Duehren of Montpelier, Idaho, was reappointed to the Bingo-Raffle Advisory Board to serve a term commencing January 7, 2017, and expiring January 7, 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 State Affairs Committee.

January 24, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Debbie Field of Meridian, Idaho, was reappointed to the State Board of Correction to serve a term commencing January 1, 2017, 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 Judiciary and Rules Committee.

January 24, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Warren R. Bakes of Hayden, Idaho, was reappointed to the Idaho Endowment Fund Investment Board to serve a term commencing April 11, 2016, and expiring April 11, 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 State Affairs Committee.

January 24, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Charlene Ann Maher of Eagle, Idaho, was appointed to the Idaho Health Insurance Exchange Board to serve a term commencing March 28, 2016, and expiring April 10, 2017.

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 24, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Raymond David Moore of Blackfoot, Idaho, was reappointed to the Commission on Pardons and Parole to serve a term commencing January 1, 2017, 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 24, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that J. Kirk Sullivan of Meridian, Idaho, was reappointed to the Public Employee Retirement System of Idaho Board to serve a term commencing July 1, 2016, 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 Commerce and Human Resources Committee.

January 24, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Paula K. Garay of Meridian, Idaho, was reappointed to the Sexual Offender Management Board to serve a term commencing January 1, 2017, 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.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 25, 2017

Dear Mr. President:

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

MAULIN, Chief Clerk

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

On request by Senator Davis, 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 6](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:49 a.m. until the hour of 10:45 a.m., Friday, January 27, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

**NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 27, 2017**

Senate Chamber

President Little called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senators Harris, Lee, Martin, Siddoway, and Ward-Engelking, absent and formally excused by the Chair.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Ryanna McLean, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 26, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 26, 2017

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:

David E. Kinghorn to the Board of Tax Appeals, term to expire June 30, 2019.

JOHNSON, 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 27, 2017

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1016](#) and [S 1017](#) with the recommendation that they do pass.

JOHNSON, Chairman

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

January 27, 2017

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

R.D. Maynard to the Idaho Industrial Commission, term to expire January 13, 2023.

PATRICK, Chairman

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

January 27, 2017

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:

Gary Glenn Michael to the Idaho Lottery Commission, term to expire January 1, 2022.

Gary Glenn Michael to the Treasurer's Investment Advisory Board, term to expire July 1, 2020.

Gary L. Mahn to the Idaho Endowment Fund Investment Board, term to expire April 11, 2020.

SIDDOWAY, 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 Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 26, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Amber Christine Larna of Carey, Idaho, was appointed to the Bingo-Raffle Advisory Board to serve a term commencing January 12, 2017, and expiring January 7, 2019.

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 26, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John Chatburn of Boise, Idaho, was reappointed as the Administrator of the newly named Office of Energy and Mineral Resources to serve a term commencing October 18, 2016, and continuing at the pleasure of the Governor.

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.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 26, 2017

Dear Mr. President:

I transmit herewith [H 22](#), [H 23](#), [H 24](#), [H 25](#), [H 26](#), [H 12](#), [H 13](#), and [H 10](#), which have passed the House.

MAULIN, Chief Clerk

[H 22](#), [H 23](#), [H 24](#), [H 25](#), [H 26](#), [H 12](#), [H 13](#), and [H 10](#) 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

S 1032 BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO ANTICIPATION OF REVENUES IN THE PERMANENT BUILDING FUND; AMENDING SECTION 57-1112, IDAHO CODE, TO REMOVE OBSOLETE STATUTORY AND SESSION LAW REFERENCES; AND DECLARING AN EMERGENCY.

S 1033 BY EDUCATION COMMITTEE AN ACT

RELATING TO EDUCATIONAL DATA SYSTEM SECURITY; AMENDING SECTION 33-120, IDAHO CODE, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO ADOPT RULES RELATING TO THE EDUCATIONAL DATA SYSTEM; AND AMENDING SECTION 33-133, IDAHO CODE, TO REVISE A DEFINITION, TO CLARIFY THE CONDITIONS UNDER WHICH STUDENT DATA IS PERSONALLY IDENTIFIABLE, TO SPECIFY THE STORAGE OF STUDENT DATA, TO PROVIDE THAT THE STATE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION SHALL ENSURE THE SECURITY OF THE EDUCATIONAL DATA SYSTEM AND TO MAKE TECHNICAL CORRECTIONS.

S 1034 BY EDUCATION COMMITTEE AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-910, IDAHO CODE, TO REMOVE A REQUIREMENT FOR A BROADBAND INFRASTRUCTURE IMPROVEMENT GRANT, TO REVISE THE DUTY OF THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RULES AND TO MAKE A TECHNICAL CORRECTION.

S 1035 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE ENDOWMENT FUND INVESTMENT BOARD; AMENDING SECTION 57-719, IDAHO CODE, TO REVISE DAILY COMPENSATION PROVIDED TO MEMBERS OF THE ENDOWMENT FUND INVESTMENT BOARD; AND DECLARING AN EMERGENCY.

[S 1032](#), [S 1033](#), [S 1034](#), and [S 1035](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 22](#), [H 23](#), [H 24](#), [H 25](#), and [H 26](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 12](#) and [H 13](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 10](#), by Health and Welfare 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 16](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1020](#), [S 1021](#), and [S 1022](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1015](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1005](#) and [S 1009](#), 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 returned to the Tenth Order of Business.

Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of E. Robert (Bob) Mooney was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Lakey, the Gubernatorial reappointment of E. Robert (Bob) Mooney 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 his 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 Gregory J. Schade was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Winder, the Gubernatorial reappointment of Gregory J. Schade as a member of the State Building 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 his 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 Mark William Lliteras was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jordan, seconded by Senator Lakey, the Gubernatorial reappointment of Mark William Lliteras 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 his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

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

On motion by Senator Stennett, seconded by Senator Heider, the Gubernatorial reappointment of Wendy Jaquet as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for 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 Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 11:22 a.m. until the hour of 11 a.m., Monday, January 30, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

TWENTY-SECOND LEGISLATIVE DAY
MONDAY, JANUARY 30, 2017

Senate Chamber

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

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

Prayer was offered by Chaplain Keith Buhler.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 27, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 30, 2017

The JUDICIARY AND RULES Committee reports that [S 1032](#), [S 1033](#), [S 1034](#), and [S 1035](#) have been correctly printed.

LODGE, Chairman

[S 1032](#) was referred to the Local Government and Taxation Committee.

[S 1033](#) and [S 1034](#) were referred to the Education Committee.

[S 1035](#) was referred to the State Affairs Committee.

January 27, 2017

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:

Kerrie Murray to the Treasurer's Investment Advisory Board, term to expire July 1, 2020.

SIDDOWAY, Chairman

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

Senator Stennett was recorded present at this order of business.

January 27, 2017

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

SIDDOWAY, Chairman

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

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

Messages from the Governor

January 30, 2017

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that I have appointed Les Bock of 5960 Willowdale Lane, Garden City, Idaho 83714, to be Acting State Senator for Legislative District 16, Ada County, State of Idaho.

This appointment commences on Monday January 30, 2017, and continues as long as necessary.

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 MEN, by these present, that pursuant to the provisions of Section 59-917, *Idaho Code*, Grant Burgoyne, State Senator, District 16, Ada County, State of Idaho, has nominated Les Bock of 5960 Willowdale Lane, Garden City, ID 83714, to perform the duties of this office temporarily as Acting State Senator, District 16, Ada County, State of Idaho.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Les Bock to the office of State Senator, District 16, Ada County, State of Idaho, for a term commencing on January 30, 2017, and continuing 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.

Done at Boise, the Capital of Idaho, this Twentieth day of January, in the year of our Lord two thousand and seventeen and of the Independence of the United States of America, the two hundred and forty-first year.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER
/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 Bock, and he was recorded present at this order of business.

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

Motions and Resolutions

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial reappointment of David E. Kinghorn 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 Nye, the Gubernatorial reappointment of David E. Kinghorn as a member of the Board of Tax Appeals was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his 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 R.D. Maynard 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 R.D. Maynard 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 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 announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Gary Glenn Michael was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Hagedorn, the Gubernatorial reappointment of Gary Glenn Michael as a member of the Idaho Lottery Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Gary Glenn Michael was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Winder, the Gubernatorial reappointment of Gary Glenn Michael as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial

reappointment confirmation for his 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 Gary L. Mahn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Gary L. Mahn 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 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

S 1036

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FROM THE STRATEGIC INITIATIVES PROGRAM FUND FOR FISCAL YEAR 2017; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

[S 1036](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1016](#) and [S 1017](#), by Local Government and Taxation 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 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, Bock (Burgoyne), Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [H 16](#) passed, title was approved, and the bill ordered returned to the House.

[S 1020](#) 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, Bock (Burgoyne), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Hagedorn. Total - 1.

Total - 35.

Whereupon the President declared [S 1020](#) 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 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, Bock (Burgoyne), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. 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 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, Bock (Burgoyne), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1022](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1015](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Bock (Burgoyne), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1015](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1005](#) retained its place on the third reading calendar for one legislative day.

[S 1009](#) 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?"

President Pro Tempore Hill assumed the Chair.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Buckner-Webb, Bock (Burgoyne), Jordan, Nye, Stennett. Total - 5.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1009](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:03 p.m. until the hour of 11:15 a.m., Tuesday, January 31, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, JANUARY 31, 2017

Senate Chamber

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

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Madison Smith, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 31, 2017

The JUDICIARY AND RULES Committee reports that [S 1036](#) has been correctly printed.

LODGE, Chairman

[S 1036](#) was referred to the Finance Committee.

January 30, 2017

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:

Gregory Clark Cameron to the Idaho Fish and Game Commission, term to expire June 30, 2020.

Jerry R. Meyers to the Idaho Fish and Game Commission, term to expire June 30, 2020.

BAIR, Chairman

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

January 30, 2017

The HEALTH AND WELFARE Committee reports out [H 6](#) and [S 1004](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 6](#) and [S 1004](#) 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

January 30, 2017

Dear Mr. President:

I transmit herewith [H 47](#), [H 48](#), [H 49](#), [H 50](#), [H 2](#), [H 3](#), [H 4](#), [H 5](#), [H 29](#), [H 30](#), [H 31](#), [H 32](#), and [H 33](#), which have passed the House.

MAULIN, Chief Clerk

[H 47](#), [H 48](#), [H 49](#), [H 50](#), [H 2](#), [H 3](#), [H 4](#), [H 5](#), [H 29](#), [H 30](#), [H 31](#), [H 32](#), and [H 33](#) were filed for first reading.

Senator Siddoway was recorded present at this order of business.

January 30, 2017

Dear Mr. President:

I return herewith [S 1010](#), which has passed the House.

MAULIN, Chief Clerk

[S 1010](#) 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

[H 47](#), [H 48](#), [H 49](#), and [H 50](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 2](#), [H 3](#), [H 4](#), and [H 5](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 29](#), [H 30](#), [H 31](#), and [H 32](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 33](#), by Revenue and Taxation 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 1](#), 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 1005, 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, Buckner-Webb, Bock (Burgoyne), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **S 1005** passed, title was approved, and the bill ordered transmitted to the House.

S 1016 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Bock (Burgoyne), Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared **S 1016** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 10:30 a.m., Wednesday, February 1, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

**TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 1, 2017**

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Bair, Heider, and Lee, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Jack Wolthuis, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, 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 SUPPORTING AND COMMENDING THE IDAHO DEPARTMENT OF THE AMERICAN LEGION, ITS LEGIONNAIRES AND LEGION AUXILIARY IN ITS VOLUNTEER EFFORTS TO SERVE THE YOUTH OF IDAHO THROUGH ALL OF ITS YOUTH PROGRAMS AND DESIGNATING THE SECOND THURSDAY IN JANUARY OF EACH YEAR AS AMERICAN LEGION FAMILY YOUTH PROGRAMS DAY IN IDAHO.

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

WHEREAS, the American Legion is the largest national veterans organization in the United States, with membership of 2.4 million men and women who have served their country in time of armed conflict, and is dedicated to serving the needs of all veterans by advocating for and supporting veteran benefits owed by a grateful nation to those who have served to defend liberty and freedom; and

WHEREAS, the American Legion Family Americanism Commission promotes an understanding and appreciation of American government, the rights and responsibilities of American citizenship and activity in the American way of life through youth activities, community service, instruction of prospective citizens and legal immigrants, education and educational facilities, and protection of the United States flag from physical desecration; and

WHEREAS, the American Legion youth programs under the Americanism Commission annually conduct Gem Boys State, sponsor Legion baseball, conduct Legion oratorical contests, award Legion scholarships, sponsor Boy and Girl Scout troops and support other specialized youth programs benefiting young men and women in Idaho; and

WHEREAS, the American Legion Auxiliary youth programs under the Americanism Commission annually conduct Syringa Girls State and support other specialized youth programs benefiting young women in Idaho; and

WHEREAS, the Department of Idaho American Legion and Legion Auxiliary organize and direct Idaho Legionnaires and Legion Auxiliary members in Legion posts across the state of Idaho to volunteer their time and energy to conduct and support these programs to engage more current and future generations of Idaho youth; and

WHEREAS, the Department of Idaho American Legion and Legion Auxiliary have recently formed a youth programs committee for the purpose of raising public awareness of American Legion Family youth programs and directly soliciting donations from Idaho corporations, corporate foundations, private foundations, associations, trade groups, nonprofit organizations and other entities interested in partnering with the Idaho American Legion and Legion Auxiliary to expand and enhance these youth programs in Idaho while promoting student, parent, educator and guidance counselor awareness of their benefits; and

WHEREAS, the State of Idaho currently supports the Gem Boys State and Syringa Girls State programs through access to the Idaho State Capitol during these weeklong government-in-action programs, reflecting how such programs benefit the State of Idaho both socially and economically through citizenship and government; and

WHEREAS, many members of the Idaho Legislature participated in and were personally impacted by American Legion youth programs while growing up in Idaho, including Gem Boys Staters and Syringa Girls Staters; and

WHEREAS, the State of Idaho benefits both socially and economically from better-informed youth regarding citizenship and government.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Legislature enthusiastically supports and commends the Department of Idaho American Legion, its Legionnaires and Legion Auxiliary in their volunteer efforts to serve the youth of Idaho through all of their youth programs; and

BE IT FURTHER RESOLVED that the Idaho Legislature strongly supports awareness of American Legion Family youth programs and encourages its members to promote both awareness and benefits to students, parents, educators, guidance counselors, community and civic leaders in their legislative districts; and

BE IT FURTHER RESOLVED that the Idaho Legislature encourages Idaho corporations, corporate foundations, private foundations, associations, trade groups, nonprofit organizations and other entities to partner with the Idaho American Legion Family through annual donations to expand and enhance these

youth programs for the benefit of the youth of Idaho and, in turn, the State of Idaho; and

BE IT FURTHER RESOLVED that the Idaho Legislature declares the second Thursday of each January, to coincide with the convening of the state legislative session and annual winter meeting of the Department of Idaho American Legion, to be designated American Legion Family Youth Programs Day in Idaho.

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

Senator Heider was recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 31, 2017

The JUDICIARY AND RULES Committee reports that [S 1010](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1010](#) and ordered it transmitted to the House for the signature of the Speaker.

January 31, 2017

The FINANCE Committee reports out [H 47](#), [H 48](#), [H 49](#), [H 50](#), and [S 1036](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 47](#), [H 48](#), [H 49](#), [H 50](#), and [S 1036](#) were filed for second reading.

January 31, 2017

The EDUCATION Committee reports out [S 1018](#) and [S 1019](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1018](#) and [S 1019](#) were filed for second reading.

January 31, 2017

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:

Sue Walker to the Commission for the Blind and Visually Impaired, term to expire July 1, 2019.

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.

February 1, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 10](#) with the recommendation that it be re-referred.

PATRICK, Chairman

There being no objection, [H 10](#) was referred to the Health and Welfare Committee.

February 1, 2017

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

Steve Landon to the State Insurance Fund Board, term to expire April 30, 2020.

PATRICK, Chairman

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

February 1, 2017

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:

Brian Scigliano to the Idaho Commission on Human Rights, term to expire July 1, 2019.

Estella O. Zamora to the Idaho Commission on Human Rights, term to expire July 1, 2019.

Megan Ronk to the Idaho Commission on Human Rights, term to expire July 1, 2019.

Paul Jagosh to the Idaho Commission on Human Rights, term to expire July 1, 2018.

SIDDOWAY, 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 Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 31, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Judy Bicknell Taylor of Boise, Idaho, was appointed as the Administrator of the Agency on Aging to serve a term commencing January 13, 2017, and continuing at the pleasure of the Governor.

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 31, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John Rusche of Lewiston, Idaho, was appointed to the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2017, and expiring April 10, 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 Commerce and Human Resources Committee.

January 31, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Terry Gestrin of Donnelly, Idaho, was reappointed to the State Insurance Fund Board to serve a term commencing December 1, 2016, and expiring December 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 reappointment was referred to the Commerce and Human Resources Committee.

On request by Senator Davis, 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 Kerrie Murray was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jordan, seconded by Senator Lakey, the Gubernatorial reappointment of Kerrie Murray as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his 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 Gregory Clark Cameron 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 Gregory Clark Cameron as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Jerry R. Meyers was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Bock, the Gubernatorial appointment of Jerry R. Meyers 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 his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senators Bair and Lee were 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 1037

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO DENTISTS; AMENDING SECTION 54-920, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSING.

S 1038

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO DENTISTS; AMENDING SECTION 54-912, IDAHO CODE, TO PROVIDE THAT THE BOARD OF DENTISTRY MAY COMMENCE EMERGENCY PROCEEDINGS AGAINST A LICENSEE UNDER CERTAIN CIRCUMSTANCES.

S 1039

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1345A, IDAHO CODE, TO PROVIDE THAT IDAHO CAREER INFORMATION STAFF ARE CLASSIFIED EMPLOYEES.

S 1040
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO CODIFIER'S CORRECTIONS; AMENDING SECTION 6-1601, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1506, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1602, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1620, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 16-1621, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1644, IDAHO CODE, AS ENACTED BY SECTION 7, CHAPTER 347, LAWS OF 2016, TO REDESIGNATE THE SECTION; AMENDING SECTION 16-1644, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 284, LAWS OF 2016, TO REDESIGNATE THE SECTION; AMENDING SECTION 19-862, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS; AMENDING SECTION 20-213A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 20-533A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-902, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS; AMENDING SECTION 30-29-1601, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 31-1433, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-518, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING CHAPTER 56, TITLE 33, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 143, LAWS OF 2016, TO REDESIGNATE THE CHAPTER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 58, TITLE 33, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 192, LAWS OF 2016, TO REDESIGNATE THE CHAPTER, TO MAKE A CODIFIER'S CORRECTION, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-3133, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3134, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 93, TITLE 39, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 168, LAWS OF 2016, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 41-307, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 41-332, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 41-342, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-343, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-2803, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 41-2804, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 41-3824, IDAHO

CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4934, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 41-6104, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2913, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 55-115, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 61-313, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-602D, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-602GG, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-7702, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7711, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-8903, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 74-107, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

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.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 6 by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1004 by Health and Welfare Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:10 a.m. until the hour of 10:30 a.m., Thursday, February 2, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 2, 2017

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Agenbrood, absent and formally excused by the Chair; and Senators Bayer, Buckner-Webb, and Den Hartog, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Tia Youtz, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 2, 2017

The JUDICIARY AND RULES Committee reports that [SCR 101](#), [S 1037](#), [S 1038](#), [S 1039](#), and [S 1040](#) have been correctly printed.

LODGE, 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 1037](#) and [S 1038](#) were referred to the Health and Welfare Committee.

[S 1039](#) was referred to the Commerce and Human Resources Committee.

[S 1040](#) was referred to the State Affairs Committee.

February 1, 2017

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:

Albert P. Barker to the Idaho Water Resource Board, term to expire January 1, 2021.

John Albert Stevenson to the Idaho Water Resource Board, term to expire January 1, 2021.

Roger Chase to the Idaho Water Resource Board, term to expire January 1, 2021.

Vince Alberdi to the Idaho Water Resource Board, term to expire January 1, 2021.

BAIR, Chairman

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

February 1, 2017

The RESOURCES AND ENVIRONMENT Committee reports out [S 1028](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1028](#) was filed for second reading.

Senator Den Hartog was recorded present at this order of business.

February 1, 2017

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, 2017

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 22](#), [H 23](#), [H 24](#), [H 25](#), and [H 26](#) with the recommendation that they do pass.

JOHNSON, Chairman

[H 22](#), [H 23](#), [H 24](#), [H 25](#), and [H 26](#) were filed for second reading.

February 1, 2017

The HEALTH AND WELFARE Committee reports out [H 2](#), [H 3](#), [H 4](#), and [H 5](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 2](#), [H 3](#), [H 4](#), and [H 5](#) were filed for second reading.

Senator Bayer was recorded present at this order of business.

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

Messages from the House

February 1, 2017

Dear Mr. President:

I transmit herewith [H 54](#), which has passed the House.

MAULIN, Chief Clerk

[H 54](#) was filed for first reading.

February 1, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 16](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 16](#) and ordered it returned to the House.

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 appointment of Sue Walker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jordan, seconded by Senator Lee, the Gubernatorial appointment of Sue Walker as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

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

Senator Buckner-Webb 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 Steve Landon was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Brian Scigliano, Estella O. Zamora, and Paul Jagosh retained their place on the calendar for Friday, February 3, 2017.

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

On motion by Senator Bayer, seconded by Senator Nye, the Gubernatorial reappointment of Megan Ronk 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 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

S 1041 BY EDUCATION COMMITTEE AN ACT

RELATING TO EDUCATION FUNDING; AMENDING SECTION 33-907, IDAHO CODE, TO PROVIDE REFERENCE TO A DEPOSIT INTO THE PUBLIC EDUCATION STABILIZATION FUND; AND AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1018C, IDAHO CODE, TO PROVIDE THAT THE JOINT FINANCE-APPROPRIATIONS COMMITTEE SHALL CONSIDER THE TRANSFER OF FUNDS INTO THE PUBLIC EDUCATION STABILIZATION FUND UNDER CERTAIN CIRCUMSTANCES.

[S 1041](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 54](#), 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 47](#), [H 48](#), [H 49](#), and [H 50](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1036](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1018](#) and [S 1019](#), by Education Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1017](#) 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, Bock (Burgoyne), Brackett, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Agenbrood. Total - 1.

Total - 35.

Whereupon the President declared [S 1017](#) 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 Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Bock (Burgoyne), Brackett, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

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

On request by Senator Davis, granted by unanimous consent, [H 6](#) retained its place on the third reading calendar for one legislative day.

[S 1004](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Foreman 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, Bock (Burgoyne), Brackett, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared [S 1004](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:17 a.m. until the hour of 10:45 a.m., Friday, February 3, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 3, 2017

Senate Chamber

President Little called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senators Heider, Keough, and Lodge, absent and formally excused by the Chair; and Senator Bair, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Bryon Beams, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 2, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 102

BY AGRICULTURAL AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE BOARD OF VETERINARY MEDICINE RELATING TO RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE.

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 Board of Veterinary Medicine relating to Rules of the State of Idaho Board of Veterinary Medicine 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-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 46.01.01, Board of Veterinary Medicine, Rules of the State of Idaho Board of Veterinary Medicine, Section 014., Subsection 02.f., only, adopted as a pending fee rule under Docket Number 46-0101-1603, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 103

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

COMMENDING IDAHO NATIVE KRISTIN ARMSTRONG FOR HER ACCOMPLISHMENTS AT THE 2016 SUMMER OLYMPICS IN RIO DE JANEIRO, BRAZIL, AND FOR HER SUPERIOR ATTITUDE, WORK ETHIC, FOCUS AND EXEMPLARY CONDUCT.

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

WHEREAS, Kristin Armstrong has been a longtime resident of Idaho and currently resides in Boise; and

WHEREAS, Kristin Armstrong ran track and graduated in 1995 with a Bachelor of Science degree in sports physiology from the University of Idaho College of Education; and

WHEREAS, Kristin Armstrong is a tireless volunteer who promotes physical fitness and health in numerous community groups and serves as an ambassador to the YMCA of Boise; and

WHEREAS, Kristin Armstrong is a world-class athlete and has climbed to the top of her sport, becoming one of the most accomplished American cyclists of all time in the face of great adversity, winning all of her cycling victories after being diagnosed with osteoarthritis in 2001; and

WHEREAS, Kristin Armstrong is respected throughout the world as a fierce competitor but also as a friendly compatriot when the race is over; and

WHEREAS, prior to the 2016 Summer Olympics, Kristin Armstrong was a two-time USA Cycling National Road Race Champion, four-time USA Cycling National Time Trial Champion, 2006 and 2009 World Time Trial Champion and the Individual Time Trial Gold Medalist of the 2008 and 2012 Summer Olympics, making her the first Boise resident to win an Olympic Gold Medal; and

WHEREAS, Kristin Armstrong returned to the sport in 2015 at age forty-two and overcame adversity in 2016 to become the Individual Time Trial Gold Medalist of the 2016 Summer Olympics in Rio de Janeiro, Brazil, earning her third Gold Medal in three Olympics; and

WHEREAS, Kristin Armstrong's performance in the 2016 Summer Olympics has further inspired and renewed an interest in cycling that promotes a healthy lifestyle and enhances the image of Idaho as a state with an active and vibrant outdoor culture; and

WHEREAS, Kristin Armstrong continues to be a positive and inspirational example of sportsmanship for all of Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize and honor Kristin Armstrong for her Gold Medal winning performance at the 2016 Summer Olympics in Rio de Janeiro, Brazil, for her superior attitude, work ethic, focus and exemplary conduct and for the pride and inspiration she brings to Idaho and to America.

[SCR 102](#) and [SCR 103](#) 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 3, 2017

The JUDICIARY AND RULES Committee reports that [S 1041](#) has been correctly printed.

LODGE, Chairman

[S 1041](#) was referred to the Education Committee.

February 2, 2017

The EDUCATION Committee reports out [S 1034](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1034](#) was referred to the Fourteenth Order of Business, General Calendar.

February 3, 2017

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 29](#), [H 30](#), [H 31](#), and [S 1032](#) with the recommendation that they do pass.

JOHNSON, Chairman

[H 29](#), [H 30](#), [H 31](#), and [S 1032](#) were filed for second reading.

February 3, 2017

The STATE AFFAIRS Committee reports out [H 12](#), [H 13](#), [S 1031](#), and [S 1035](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 12](#), [H 13](#), [S 1031](#), and [S 1035](#) were filed for second reading.

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

Messages from the House

February 2, 2017

Dear Mr. President:

I transmit herewith [H 15](#), [H 17](#), [H 18](#), [H 19](#), and [H 67](#), which have passed the House.

MAULIN, Chief Clerk

[H 15](#), [H 17](#), [H 18](#), [H 19](#), and [H 67](#) were filed for first reading.

February 2, 2017

Dear Mr. President:

I return herewith Enrolled [S 1010](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1010](#) 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

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment

confirmation of Vince Alberdi, Estella O. Zamora, and John Albert Stevenson retained their place on the calendar for Monday, February 6, 2017.

Senator Bair was recorded present at this order of business.

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

On motion by Senator Buckner-Webb, seconded by Senator Lakey, the Gubernatorial reappointment of Brian Scigliano 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 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 announced that the State Affairs Committee report relative to the Gubernatorial appointment of Paul Jagosh was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Jordan, the Gubernatorial appointment of Paul Jagosh 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 his 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 Albert P. Barker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Vick, the Gubernatorial reappointment of Albert P. Barker 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 his 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 Roger Chase was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Vick, the Gubernatorial reappointment of Roger Chase 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 his 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 101](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Hagedorn, seconded by Senator Nye, [SCR 101](#) 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 1042

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

S 1043

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-110, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 49-1010, IDAHO CODE, TO REVISE CERTAIN EXCEPTIONS TO WIDTHS OF VEHICLES; AND DECLARING AN EMERGENCY.

S 1044

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO DYED FUEL; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-675, IDAHO CODE, TO AUTHORIZE JOINT EXERCISE OF POWERS AGREEMENTS BETWEEN SPECIFIED AGENCIES; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-676, IDAHO CODE, TO PROVIDE THAT THE PROVISIONS OF SPECIFIED LAW SHALL BE CARRIED OUT THROUGH THE USE OF EXISTING RESOURCES AND OTHER FUNDS, TO PROVIDE THAT CERTAIN VEHICLES SHALL BE SUBJECT TO INSPECTION FOR DYED FUEL, TO PROVIDE CONDITIONS UNDER WHICH INSPECTIONS MAY BE CONDUCTED, TO PROVIDE THAT SPECIFIED PROVISIONS OF LAW SHALL NOT BE CONSTRUED TO REQUIRE REPORTING OF VIOLATIONS TO THE FEDERAL GOVERNMENT UNLESS OTHERWISE REQUIRED TO DO SO, TO PROVIDE FOR THE LIMITATION OF INSPECTION AUTHORITY, TO PROVIDE FOR OUTREACH AND EDUCATION, TO PROVIDE EXCEPTIONS TO APPLICABILITY, TO DEFINE A TERM, TO PROVIDE FOR LEGISLATIVE EVALUATION AND TO AUTHORIZE RULEMAKING; AMENDING SECTION 63-2425, IDAHO CODE, TO PROVIDE THAT THE PRESENCE OF DYE IN CERTAIN MOTOR VEHICLES AT A DESIGNATED CONCENTRATION OR GREATER SHALL CONSTITUTE A VIOLATION OF SPECIFIED LAW, TO PROVIDE AN EXCEPTION TO APPLICABILITY OF SPECIFIED VIOLATION PROVISIONS FOR CERTAIN VEHICLES, TO PROVIDE THAT CERTAIN PERSONS MAY INSPECT, COLLECT AND SECURE SAMPLES OF SPECIAL FUEL TO DETECT THE PRESENCE OF DYE UNDER SPECIFIED CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 63-2460, IDAHO CODE, TO REVISE AND TO PROVIDE PENALTY PROVISIONS.

S 1045

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE IDAHO GLOBAL ENTREPRENEURIAL MISSION COUNCIL; AMENDING SECTION 67-4726, IDAHO CODE, TO ALLOW FOR SUBCOMMITTEES OF THE IDAHO GLOBAL ENTREPRENEURIAL MISSION COUNCIL, TO PROVIDE MEMBERSHIP OF THE SUBCOMMITTEES, TO PROVIDE POWERS AND DUTIES, AND TO MAKE A TECHNICAL CORRECTION.

S 1046

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO HEALTH SAVINGS ACCOUNTS; AMENDING SECTION 67-5761B, IDAHO CODE, TO REMOVE A DEFINITION, TO PROVIDE THAT A HIGH DEDUCTIBLE HEALTH PLAN SHALL BE MADE AVAILABLE TO STATE EMPLOYEES ON AN OPTIONAL BASIS, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL MAKE AN ANNUAL DEPOSIT OF A CERTAIN AMOUNT IN A HEALTH SAVINGS ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS.

S 1047

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO SUBMERSIBLE WELL PUMPS; AMENDING SECTION 54-1001A, IDAHO CODE, TO REVISE A REFERENCE TO THE NATIONAL ELECTRICAL CODE; DECLARING AN EMERGENCY; AND PROVIDING A SUNSET DATE.

S 1048

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-2502, IDAHO CODE, TO PROVIDE FOR A CERTAIN STATEMENT.

S 1049

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-1088, IDAHO CODE, TO REVISE PROVISIONS REGARDING PORTABLE ELECTRONICS INSURANCE AND TO MAKE A TECHNICAL CORRECTION.

[S 1042](#), [S 1043](#), [S 1044](#), [S 1045](#), [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.

[H 15](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 17](#), [H 18](#), and [H 19](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 67](#), 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 1028](#), by Resources and Environment 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.

[H 22](#), [H 23](#), [H 24](#), [H 25](#), and [H 26](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[H 2](#), [H 3](#), [H 4](#), and [H 5](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 26](#) 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 26](#) 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, Bock (Burgoyne), Brackett, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Heider, Keough, Lodge. Total - 3.

Total - 35.

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

[H 26](#) 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, Bock (Burgoyne), Brackett, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Heider, Keough, Lodge. Total - 3.

Total - 35.

Whereupon the President declared [H 26](#) 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 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, Bock (Burgoyne), Brackett, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Heider, Keough, Lodge. Total - 3.

Total - 35.

Whereupon the President declared [H 6](#) passed, title was approved, and the bill ordered returned to the House.

[H 47](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Bock (Burgoyne), Brackett, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Heider, Keough, Lodge. Total - 3.

Total - 35.

Whereupon the President declared [H 47](#) passed, title was approved, and the bill ordered returned to the House.

[H 48](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Bock (Burgoyne), Brackett, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Heider, Keough, Lodge. Total - 3.

Total - 35.

Whereupon the President declared [H 48](#) passed, title was approved, and the bill ordered returned to the House.

[H 49](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Bock (Burgoyne), Brackett, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Heider, Keough, Lodge. Total - 3.

Total - 35.

Whereupon the President declared [H 49](#) passed, title was approved, and the bill ordered returned to the House.

President Pro Tempore Hill assumed the Chair.

On request by Senator Davis, granted by unanimous consent, [H 50](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1036](#) 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, Bock (Burgoyne), Brackett, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Heider, Keough, Lodge. Total - 3.

Total - 35.

Whereupon the President declared [S 1036](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:54 a.m. until the hour of 11 a.m., Monday, February 6, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 6, 2017

Senate Chamber

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

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Kit Bush, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 3, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 6, 2017

The JUDICIARY AND RULES Committee reports that [SCR 102](#), [SCR 103](#), [S 1042](#), [S 1043](#), [S 1044](#), [S 1045](#), [S 1046](#), [S 1047](#), [S 1048](#), and [S 1049](#) have been correctly printed.

LODGE, Chairman

[SCR 102](#) and [SCR 103](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1042](#) was referred to the Finance Committee.

[S 1043](#) and [S 1044](#) were referred to the Transportation Committee.

[S 1045](#), [S 1046](#), [S 1047](#), [S 1048](#), and [S 1049](#) were referred to the Commerce and Human Resources Committee.

February 3, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1010](#) was delivered to the Office of the Governor at 11:18 a.m., February 3, 2017.

LODGE, Chairman

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

February 3, 2017

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:

Warren R. Bakes to the Idaho Endowment Fund Investment Board, term to expire April 11, 2020.

SIDDOWAY, 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 Davis, 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 Estella O. Zamora was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Stennett, the Gubernatorial reappointment of Estella O. Zamora 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 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 announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of John Albert Stevenson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of John Albert Stevenson 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 his 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 Vince Alberdi 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 Vince Alberdi 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 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 Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 29](#), [H 30](#), and [H 31](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[S 1032](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

[H 12](#) and [H 13](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1031](#) and [S 1035](#), 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

[H 50](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Nye disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Brackett, Buckner-Webb, Crabtree, Davis, Guthrie, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Stennett, Thayn, Ward-Engelking, Winder. Total - 24.

NAYS—Bair, Bayer, Burgoyne, Den Hartog, Foreman, Hagedorn, Rice, Souza, Vick. Total - 9.

Absent and excused—Johnson, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared [H 50](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [S 1018](#), [S 1019](#), [S 1029](#), [S 1030](#), and [H 22](#) retained their place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, [H 23](#) retained its place on the Third Reading Calendar for Wednesday, February 8, 2017.

[S 1028](#) 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 Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared [S 1028](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 24](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared [H 24](#) passed, title was approved, and the bill ordered returned to the House.

[H 25](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared [H 25](#) passed, title was approved, and the bill ordered returned to the House.

[H 2](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared [H 2](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Siddoway. Total - 2.

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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared **H 4** 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared **H 5** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:53 a.m. until the hour of 11 a.m., Tuesday, February 7, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 7, 2017

Senate Chamber

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

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Tess Jensen, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 6, 2017

The FINANCE Committee reports out [S 1042](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1042](#) was filed for second reading.

Senator Thayn was recorded present at this order of business.

February 6, 2017

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:

Craig Hill to the Lake Pend Oreille Basin Commission, term to expire July 24, 2019.

Margaret Gail Chipman to the Oil and Gas Commission, term to expire July 1, 2020.

BAIR, 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, 2017

The RESOURCES AND ENVIRONMENT Committee reports out [S 1027](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1027](#) was filed for second reading.

February 6, 2017

The EDUCATION Committee reports out [S 1033](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1033](#) 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 6, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

[S 1010](#)

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
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, 2017

Dear Mr. President:

I transmit herewith [H 27](#), [H 36](#), [H 37](#), [H 58](#), [H 63](#), [H 51](#), [H 52](#), [H 53](#), [H 82](#), and [H 83](#), which have passed the House.

MAULIN, Chief Clerk

[H 27](#), [H 36](#), [H 37](#), [H 58](#), [H 63](#), [H 51](#), [H 52](#), [H 53](#), [H 82](#), and [H 83](#) were filed for first reading.

February 6, 2017

Dear Mr. President:

I return herewith [S 1020](#), [S 1021](#), and [S 1022](#), which have passed the House.

MAULIN, Chief Clerk

[S 1020](#), [S 1021](#), and [S 1022](#) were referred to the Judiciary and Rules Committee for enrolling.

February 6, 2017

Dear Mr. President:

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

MAULIN, Chief Clerk

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

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [SCR 102](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Rice, seconded by Senator Den Hartog, [SCR 102](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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 Buckner-Webb, seconded by Senator Den Hartog, [SCR 103](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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

On motion by Senator Vick, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Warren R. Bakes 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 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

S 1050

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO IMMUNIZATIONS; AMENDING SECTION 39-4802, IDAHO CODE, TO CLARIFY PROVISIONS REGARDING EXEMPTIONS.

S 1051

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PERSONS WITH DISABILITIES; AMENDING SECTION 18-5812A, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS ACCOMPANIED BY SUPPORT ANIMALS SHALL NOT BE DENIED USE

OF TRANSPORTATION OR ADMITTANCE IN SPECIFIED PLACES; AND AMENDING CHAPTER 7, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-708, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS SHALL HAVE THE RIGHT TO BE ACCOMPANIED BY SUPPORT ANIMALS, SUBJECT TO CONDITIONS, AND TO DEFINE A TERM.

[S 1050](#) and [S 1051](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 27](#), by Business Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 36](#), [H 37](#), and [H 58](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 63](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 51](#), [H 52](#), and [H 53](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 82](#) and [H 83](#), 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 Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [S 1018](#) and [S 1030](#) retained their place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, [H 12](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1019](#), having been held, 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Nonini. Total - 1.

Total - 35.

Whereupon the President declared [S 1019](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1029](#), having been held, 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Nonini. Total - 1.

Total - 35.

Whereupon the President declared [S 1029](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 22](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Nonini. Total - 1.

Total - 35.

Whereupon the President declared [H 22](#) passed, title was approved, and the bill ordered returned to the House.

[H 29](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Nonini. Total - 1.

Total - 35.

Whereupon the President declared [H 29](#) passed, title was approved, and the bill ordered returned to the House.

[H 30](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate.

On request by Senator Siddoway, granted by unanimous consent, [H 30](#) retained its place on the Third Reading Calendar for one legislative day.

[H 31](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Nonini. Total - 1.

Total - 35.

Whereupon the President declared [H 31](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, 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 Winder 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 Winder, Chairman of the Committee of the Whole, reported out [S 1034](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1034 AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 37, 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 line 5, and insert: "TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY."

The Committee also has [H 12](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

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

[S 1034](#), 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.

The Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:01 p.m. until the hour of 11 a.m., Wednesday, February 8, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

THIRTY-FIRST LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 8, 2017

Senate Chamber

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

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Julia Madden, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 8, 2017

The JUDICIARY AND RULES Committee reports that [S 1050](#) and [S 1051](#) have been correctly printed.

LODGE, Chairman

[S 1050](#) and [S 1051](#) were referred to the Health and Welfare Committee.

February 8, 2017

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1034](#) have been correctly printed.

LODGE, Chairman

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

February 8, 2017

The JUDICIARY AND RULES Committee reports that [S 1034](#), as amended, has been correctly engrossed.

LODGE, Chairman

[S 1034](#), as amended, was filed for first reading.

February 7, 2017

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

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1020](#), [S 1021](#), and [S 1022](#) and ordered them transmitted to the House for the signature of the Speaker.

February 7, 2017

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:

Debbie Field to the State Board of Correction, term to expire January 1, 2023.

Paula K. Garay to the Sexual Offender Management Board, term to expire January 1, 2020.

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 7, 2017

The TRANSPORTATION Committee reports out [S 1043](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1043](#) was filed for second reading.

February 7, 2017

The EDUCATION Committee reports out [S 1041](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1041](#) was filed for second reading.

February 7, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1003](#) and [S 1007](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1003](#) and [S 1007](#) were filed for second reading.

February 7, 2017

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

Charlene Ann Maher to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

PATRICK, Chairman

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

February 8, 2017

The STATE AFFAIRS Committee reports out [S 1040](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[S 1040](#) was filed for second reading.

February 8, 2017

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:

John Chatburn as the Administrator of the Office of Energy and Mineral Resources, term to continue at the pleasure of the Governor.

SIDDOWAY, 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 Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 7, 2017

Dear Mr. President:

I transmit herewith [H 77](#) and [H 20](#), which have passed the House.

MAULIN, Chief Clerk

[H 77](#) and [H 20](#) were filed for first reading.

February 7, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 26](#), [H 6](#), [H 47](#), [H 48](#), and [H 49](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 26](#), [H 6](#), [H 47](#), [H 48](#), and [H 49](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Craig Hill was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Stennett, the Gubernatorial reappointment of Craig Hill as a member of the Lake Pend Oreille Basin 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 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 Resources and Environment Committee report relative to the Gubernatorial reappointment of Margaret Gail Chipman was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jordan, seconded by Senator Lee, the Gubernatorial reappointment of Margaret Gail Chipman as a member of the Oil and Gas 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 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

S 1052

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO DYED FUEL; AMENDING SECTION 63-2402, IDAHO CODE, TO REMOVE REFERENCE TO DYED FUELS; AMENDING SECTION 63-2423, IDAHO CODE, TO PROVIDE APPLICATION TO DYED FUELS; REPEALING SECTION 63-2425, IDAHO CODE, RELATING TO DYED FUEL; AMENDING SECTION 63-2427A, IDAHO CODE, TO REMOVE REFERENCE TO DYED FUEL AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 63-2427B, IDAHO CODE, TO REMOVE REFERENCE TO DYED FUEL.

S 1053

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO DUTIES OF THE IDAHO TRANSPORTATION BOARD; AMENDING SECTION 40-310, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE BOARD TO DEVELOP A HIGHWAY ACCESS MANAGEMENT SYSTEM BASED ON OBJECTIVE STANDARDS THAT WILL BALANCE THE ECONOMIC DEVELOPMENT OBJECTIVES OF PROPERTIES ABUTTING STATE OF IDAHO HIGHWAYS WITH THE TRANSPORTATION SAFETY AND ACCESS MANAGEMENT OBJECTIVES OF STATE HIGHWAYS IN A MANNER CONSISTENT WITH CERTAIN CRITERIA AND TO MAKE A TECHNICAL CORRECTION.

S 1054

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO ASSESSMENT OF DAMAGES IN EMINENT DOMAIN PROCEEDINGS; AMENDING SECTION 7-711, IDAHO CODE, TO REVISE PROCEDURES AND FACTORS REGARDING THE ASSESSMENT OF DAMAGE IN EMINENT DOMAIN PROCEEDINGS AND TO MAKE TECHNICAL CORRECTIONS.

S 1055
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO PERSONNEL; AMENDING SECTION 67-5309D, IDAHO CODE, TO AUTHORIZE THE DIRECTOR AND ADMINISTRATOR OF THE DIVISION OF HUMAN RESOURCES TO SEEK CERTAIN LEGAL REMEDIES REGARDING RECRUITMENT OR RETENTION BONUSES AND TO MAKE TECHNICAL CORRECTIONS.

S 1056
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO BAIL; AMENDING SECTION 19-2915, IDAHO CODE, TO REVISE PROVISIONS REGARDING FORFEITURE OF BAIL.

S 1057
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO EMPLOYEE COMPENSATION; AMENDING SECTION 67-5309B, IDAHO CODE, TO REVISE A PROVISION REGARDING JOB EVALUATION; AND AMENDING SECTION 67-5309C, IDAHO CODE, TO PROVIDE THAT THE ANNUAL SURVEY SHALL CONTAIN CERTAIN DATA; AND DECLARING AN EMERGENCY.

S 1058
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO TELEHEALTH ACCESS; AMENDING CHAPTER 57, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5714, IDAHO CODE, TO PROVIDE FOR COVERAGE FOR THE COST OF TELEHEALTH SERVICES, TO PROVIDE A DEFINITION AND TO PROVIDE FOR ENFORCEMENT.

S 1059
BY EDUCATION COMMITTEE
AN ACT

RELATING TO MASTER EDUCATOR PREMIUMS; AMENDING SECTION 33-1004I, IDAHO CODE, TO REVISE TERMINOLOGY, TO EXTEND MASTER EDUCATOR PREMIUM ELIGIBILITY TO PUPIL SERVICE STAFF EMPLOYEES UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1004F, IDAHO CODE, AS AMENDED BY SECTION 9, CHAPTER 229, LAWS OF 2015, TO REVISE TERMINOLOGY; AND PROVIDING AN EFFECTIVE DATE.

S 1060
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO HEALTH CARE; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1055, IDAHO CODE, TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH AND WELFARE SHALL MAKE AVAILABLE CERTAIN INFORMATION REGARDING CYTOMEGALOVIRUS.

S 1061
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO PERSONNEL; AMENDING SECTION 59-1607, IDAHO CODE, TO PROVIDE THAT ELECTED OFFICIALS SHALL BE INELIGIBLE FOR OVERTIME AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5303, IDAHO CODE, TO REVISE A PROVISION REGARDING NONCLASSIFIED EMPLOYEES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-5328, IDAHO CODE, TO PROVIDE THAT ELECTED OFFICIALS SHALL BE INELIGIBLE FOR OVERTIME, TO PROVIDE THAT CERTAIN EMPLOYEES SHALL BE ELIGIBLE FOR OVERTIME, TO PROVIDE THAT CERTAIN EMPLOYEES SHALL BE INELIGIBLE FOR OVERTIME AND TO MAKE TECHNICAL CORRECTIONS.

[S 1052](#), [S 1053](#), [S 1054](#), [S 1055](#), [S 1056](#), [S 1057](#), [S 1058](#), [S 1059](#), [S 1060](#), and [S 1061](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1034](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[H 77](#), by Local Government Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 20](#), 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 1042](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1027](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[S 1033](#), by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1018](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1018](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1030](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1030](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 23](#), having been held, 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 23](#) passed, title was approved, and the bill ordered returned to the House.

[H 30](#), 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. Senator Siddoway arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 30](#) passed, title was approved, and the bill ordered returned to the House.

[S 1032](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1032](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 13](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 13](#) 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 Hagedorn arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1031](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, 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 Winder 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 Winder, Chairman of the Committee of the Whole, reported out [H 12](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO H 12
AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 13, delete "twenty-one (21)" and insert: "~~twenty-one (21)~~ eighteen (18)".

CORRECTION TO TITLE

On page 1, delete line 4, and insert: "WHO HAS ATTAINED THE AGE OF EIGHTEEN YEARS AND HAS RESIDED WITHIN THE LEGISLATIVE DISTRICT FOR ONE YEAR PRECEDING THE ELECTION."

WINDER, Chairman

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

[H 12](#), 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.

The Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:09 p.m. until the hour of 11 a.m., Thursday, February 9, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

**THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 9, 2017**

Senate Chamber

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

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Hannah Smith, 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, 2017, was read and approved as corrected.

LODGE, 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 9, 2017

The JUDICIARY AND RULES Committee reports that [S 1052](#), [S 1053](#), [S 1054](#), [S 1055](#), [S 1056](#), [S 1057](#), [S 1058](#), [S 1059](#), [S 1060](#), and [S 1061](#) have been correctly printed.

LODGE, Chairman

[S 1052](#), [S 1053](#), and [S 1054](#) were referred to the Transportation Committee.

[S 1055](#) was referred to the Commerce and Human Resources Committee.

[S 1056](#) was referred to the Judiciary and Rules Committee.

[S 1057](#) and [S 1058](#) were referred to the Commerce and Human Resources Committee.

[S 1059](#) was referred to the Education Committee.

[S 1060](#) was referred to the Health and Welfare Committee.

[S 1061](#) was referred to the State Affairs Committee.

February 9, 2017

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 12](#) have been correctly printed.

LODGE, Chairman

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

February 6, 2017

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:

Eric D. Fredericksen as the State Appellate Public Defender, term to expire July 1, 2017.

Eric D. Fredericksen to the State Public Defense Commission, term to expire July 1, 2017.

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, 2017

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:

Erwin L. Sonnenberg to the Sexual Offender Management Board, term to expire January 1, 2020.

Kimberly Simmons to the Sexual Offender Management Board, term to expire January 1, 2020.

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, 2017

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 15](#) with the recommendation that it do pass.

JOHNSON, Chairman

[H 15](#) was filed for second reading.

February 8, 2017

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:

Beth Elroy to the Board of Environmental Quality, term to expire July 1, 2020.

Carol Mascarenas to the Board of Environmental Quality, term to expire July 1, 2020.

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.

February 8, 2017

The HEALTH AND WELFARE Committee reports out [S 1038](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, [S 1038](#) was referred to the Fourteenth Order of Business, General Calendar.

February 8, 2017

The HEALTH AND WELFARE Committee reports out [S 1037](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1037](#) 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 8, 2017

Dear Mr. President:

I transmit herewith [H 74](#), [H 75](#), [H 8](#), [H 9](#), and [H 11](#), which have passed the House.

MAULIN, Chief Clerk

[H 74](#), [H 75](#), [H 8](#), [H 9](#), and [H 11](#) were filed for first reading.

February 8, 2017

Dear Mr. President:

I return herewith [S 1036](#), which has passed the House.

MAULIN, Chief Clerk

[S 1036](#) 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 Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Debbie Field was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Burgoyne, the Gubernatorial reappointment of Debbie Field 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 his 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 Paula K. Garay was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Foreman, seconded by Senator Stennett, the Gubernatorial reappointment of Paula K. Garay 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 his 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 Charlene Ann Maher was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Jordan, the Gubernatorial appointment of Charlene Ann Maher 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 his 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 Ward-Engelking, seconded by Senator Bair, 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 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

S 1062 BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE MILITARY DIVISION FOR THE FEDERAL/STATE AGREEMENTS PROGRAM FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

S 1063**BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT**

RELATING TO IRRIGATION; AMENDING SECTION 43-725, IDAHO CODE, TO PROVIDE THAT CERTAIN STATE LANDS SHALL BE SUBJECT TO SPECIFIED LAW FOR THE LEVY AND COLLECTION OF ASSESSMENTS.

S 1064**BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT**

RELATING TO IRRIGATION; AMENDING SECTION 43-1101, IDAHO CODE, TO REVISE FEE PROVISIONS REGARDING PETITIONS FOR EXCLUSION; AMENDING SECTION 43-1104, IDAHO CODE, TO REVISE THE TIME IN WHICH HEARINGS ARE TO BE HELD REGARDING PETITIONS FOR EXCLUSION, TO REQUIRE PAYMENT OF OUTSTANDING ASSESSMENTS, TO PROVIDE FOR LIENS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 43-1107, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXCEPTIONS TO PAYMENT OF COSTS ASSOCIATED WITH EXCLUSION OF LAND, TO CLARIFY VERBIAGE, TO REVISE THE TIME IN WHICH HEARINGS ARE TO BE HELD AND TO MAKE TECHNICAL CORRECTIONS.

S 1065**BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT**

RELATING TO LAND OWNERSHIP; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 84, TITLE 67, IDAHO CODE, TO PROVIDE A POLICY REGARDING LAND OWNERSHIP, TO SET FORTH REQUIREMENTS FOR STATE AGENCIES REGARDING THE ACQUISITION AND SALE OF CERTAIN PROPERTIES, TO PROVIDE THAT UNDER SPECIFIED CONDITIONS STATE AGENCIES SHALL BE REQUIRED TO RECEIVE PERMISSION FOR ACQUISITION OF LAND FROM COUNTY COMMISSIONERS AND TO PROVIDE THAT UNDER SPECIFIED CONDITIONS THE FISH AND GAME COMMISSION SHALL NOT BE REQUIRED TO SELL LAND DUE TO CERTAIN LAND DONATIONS.

S 1066**BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE
AN ACT**

RELATING TO IDENTITY THEFT; AMENDING SECTION 28-51-105, IDAHO CODE, TO REQUIRE DISCLOSURE OF A SECURITY BREACH OF PERSONAL INFORMATION HELD BY A TAX PREPARER TO THE IDAHO STATE TAX COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1067**BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE
AN ACT**

RELATING TO BUILDING CODES; AMENDING SECTION 39-4105, IDAHO CODE, TO DEFINE THE TERM "OWNER-BUILDER" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-4116, IDAHO CODE, TO PROVIDE EXEMPTIONS FOR OWNER-BUILDERS; AND AMENDING SECTION 55-2506, IDAHO CODE, TO PROVIDE FOR ADDITIONAL DISCLOSURE INFORMATION.

S 1068**BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE IDAHO INVASIVE SPECIES ACT; AMENDING CHAPTER 8, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-818A, IDAHO CODE, TO ESTABLISH THE OFFICE OF INVASIVE SPECIES POLICY WITHIN THE OFFICE OF SPECIES CONSERVATION AND TO PROVIDE DUTIES OF THE OFFICE; AMENDING SECTION 22-1903, IDAHO CODE, TO REQUIRE THE INVASIVE SPECIES ACT TO BE ADMINISTERED IN CONJUNCTION WITH THE OFFICE OF INVASIVE SPECIES POLICY; AMENDING SECTION 22-1904, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 22-1906, IDAHO CODE, TO REVISE THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 22-1908, IDAHO CODE, TO PROVIDE THAT CERTAIN CHECK STATIONS MAY BE PRIORITIZED TO HAVE EXTENDED OPERATING HOURS AND TO PROVIDE A PENALTY FOR A PERSON FAILING TO STOP AT A CHECK STATION; AMENDING SECTION 22-1912, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR SHALL PURSUE FEDERAL GOVERNMENT PARTNERSHIPS AND FUNDING; AMENDING SECTION 22-1914, IDAHO CODE, TO PROVIDE CONDITIONS UNDER WHICH THE DIRECTOR SHALL ENTER INTO COOPERATIVE AGREEMENTS OR DELEGATE DUTIES TO CERTAIN OTHER ENTITIES; AND DECLARING AN EMERGENCY.

[S 1062](#), [S 1063](#), [S 1064](#), [S 1065](#), [S 1066](#), [S 1067](#), and [S 1068](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 12](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[H 74](#) and [H 75](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 8](#), [H 9](#), and [H 11](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1043](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1041](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1003](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1007](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1040](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1034](#), 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

S 1035 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?"

Pursuant to Senate Rule 39(H), Senator Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared **S 1035** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Mortimer, granted by unanimous consent, **S 1042** retained its place on the Third Reading Calendar for one legislative day.

S 1027 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 27.

NAYS—Buckner-Webb, Burgoyne, Johnson, Jordan, Nye, Stennett, Ward-Engelking. Total - 7.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared **S 1027** passed, title was approved, and the bill ordered transmitted to the House.

S 1033 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared **S 1033** 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 11:56 a.m. until the hour of 10:45 a.m., Friday, February 10, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 10, 2017

Senate Chamber

At the request of the President Pro Tempore, Acting President Keough called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senators Anthon, Davis, Guthrie, Lee, and Stennett, absent and formally excused by the Chair.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Ryanna McLean, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 9, 2017, was read and approved as corrected.

LODGE, 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 Lakey, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 104

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND DIRECTING THE DEPARTMENT OF ADMINISTRATION TO PROVIDE STATE OFFICERS OR EMPLOYEES WITH A HEALTH TRANSPARENCY TOOL OR A MEDICAL DIVERSION PROGRAM.

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

WHEREAS, it is the desire of the Idaho Legislature to improve access to the health care system while reducing costs for both state officers and employees; and

WHEREAS, the state employee health insurance program will be improved when employees have price transparency to state officers and employees so that they can make informed medical purchases.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Department of Administration, on or before July 1, 2018, provide a health transparency tool available through the state insurance carrier's website, that would give state officers and employees access to timely and accurate information about price, quality and availability of health care services in this state; or the Department of Administration may provide all state officers and employees with a medical diversion program that would allow a third-party vendor to contact state officers and employees when they need medical imaging or surgery and would provide lower cost options found in different medical facilities.

SCR 105

BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE STATE BOARD OF EDUCATION TO ENTER INTO AGREEMENTS WITH THE IDAHO STATE BUILDING AUTHORITY TO FINANCE THE CONSTRUCTION OF THE IDAHO CYBERCORE INTEGRATION CENTER AND IDAHO COLLABORATIVE COMPUTING CENTER.

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

WHEREAS, the State Board of Education has directed Idaho's institutions of higher education through board policy to be a driving force in innovation and economic development in the State of Idaho through collaboration and research programs in strategic areas and to serve as catalysts and engines to spur the creation of new knowledge, technologies, products and industries that in turn will lead to new advancements and opportunities for the State of Idaho; and

WHEREAS, the State Board of Education's higher education research policy emphasizes the need for extensive and rapid dissemination of new knowledge and the establishment of knowledge networks that facilitate public, private and academic institution interaction and collaborative relationships between academia and varied stakeholders outside of academia; and

WHEREAS, the State Board of Education desires to increase the quality and quantity of research and to encourage continued public and private support of research in Idaho; and

WHEREAS, the Idaho National Laboratory has proven to be an integral partner in advancing the research efforts of the State of Idaho in collaboration with Idaho's public institutions; and

WHEREAS, the existing consortium of the Idaho National Laboratory and Idaho's public research institutions at the Center for Advanced Energy Studies has proven to be of public use and provides a public benefit to Idaho; and

WHEREAS, it is in the best interest of the state for the Idaho State Building Authority to provide the facilities to be known as the "Idaho Cybercore Integration Center" and the "Idaho Collaborative Computing Center" for use by the Idaho National Laboratory, the University of Idaho, Boise State University, Idaho State University, Lewis-Clark State College, College of Southern Idaho, College of Western Idaho, North Idaho College, Eastern Idaho Technical College, other public agencies, and private companies to promote their educational, service and business needs; and

WHEREAS, the total par amount of bonds for the Idaho Cybercore Integration Center and the Idaho Collaborative Computing Center shall not exceed \$90 million; and

WHEREAS, the State Board of Education and the State Building Authority will report final lease terms and financial details to the Joint Finance-Appropriations Committee, the Senate Education Committee and the House of Representatives Education Committee; and

WHEREAS, a collaboration between the Idaho National Laboratory and Idaho's public higher education institutions for research and educational opportunities at the Idaho Cybercore Integration Center and the Idaho Collaborative Computing Center will be of public use and will provide a public benefit to Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature hereby authorizes and provides approval for the State Board of Education to enter into an agreement or agreements, either separately or together, with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary, to provide for the financing and development of research and educational facilities, and related facilities, at Idaho Falls, Idaho, for their uses and the uses of other public and/or private entities that may have affiliated, related or collaborative purposes.

BE IT FURTHER RESOLVED that this resolution constitutes authorization required by the provisions of Section 67-6410, Idaho Code.

SCR 106

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND HONORING MINORU YASUI FOR HIS COURAGE AND HIS COMMITMENT TO LIBERTY AND JUSTICE.

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

WHEREAS, Minoru Yasui was born on October 19, 1916, in Hood River, Oregon, the son of Japanese immigrants; and

WHEREAS, Mr. Yasui excelled academically and, in 1939, graduated with honors from the University of Oregon School of Law; and

WHEREAS, Mr. Yasui was admitted to practice law in September 1939 as the first Japanese American member of the Oregon State Bar; and

WHEREAS, Mr. Yasui, despite his distinguished academic record, was unable to find employment with any law firm in Oregon, and thus accepted a position as a consular attach with the Consulate General of Japan in Chicago; and

WHEREAS, Mr. Yasui resigned his position with the Japanese consulate immediately following the attack on Pearl Harbor and, as a second lieutenant in the United States Army Reserve, reported for duty at Fort Vancouver, Washington; and

WHEREAS, Mr. Yasui was denied the opportunity to serve our country as a soldier during World War II because of his ancestry; and

WHEREAS, in January 1942, Mr. Yasui opened his own law practice in Portland to assist persons of Japanese ancestry facing political and legal persecution during the war; and

WHEREAS, in March 1942, Public Proclamation No. 3 was issued, imposing a curfew on "all persons of Japanese ancestry," regardless of their citizenship; and

WHEREAS, on March 28, 1942, Mr. Yasui intentionally violated the curfew and volunteered to be arrested so that he could challenge the constitutionality of Public Proclamation No. 3; and

WHEREAS, Mr. Yasui was forced to await trial in the North Portland Livestock Pavilion along with 3,000 other Japanese Americans who had been forcibly removed from their homes; and

WHEREAS, on June 12, 1942, Mr. Yasui went on trial before the United States District Court for the District of Oregon, at which trial his citizenship and loyalty to the United States were unjustly impugned by the prosecution; and

WHEREAS, after his trial, but before the verdict was rendered, Mr. Yasui was transported to the Minidoka Relocation Center, an internment camp in Jerome County, Idaho; and

WHEREAS, in November 1942, Mr. Yasui returned to Portland to hear the verdict in his case; and

WHEREAS, the district court held that the curfew, as applied to American citizens, was unconstitutional, but further held that Mr. Yasui had effectively renounced his citizenship by working for the Japanese consulate, therefore finding him guilty of violating the curfew as a foreign national; and

WHEREAS, Mr. Yasui appealed his conviction and the holding on his citizenship to the United States Supreme Court; and

WHEREAS, Mr. Yasui spent nine months in solitary confinement at the Multnomah County Jail in Portland while awaiting the outcome of his case; and

WHEREAS, the Supreme Court issued its opinion on June 21, 1943, recognizing Mr. Yasui's citizenship but finding that the curfew could be lawfully applied to him, even as an American citizen, due to "wartime necessity," thus upholding his conviction; and

WHEREAS, in August 1943, Mr. Yasui was transported back to the Minidoka internment camp, where he was incarcerated until June 1944; and

WHEREAS, following his release from the camp, Mr. Yasui moved to Denver, Colorado, where he passed the bar exam but was denied admission to the bar because of his criminal conviction; and

WHEREAS, Mr. Yasui appealed to the Colorado Supreme Court and was granted admission to the Colorado State Bar; and

WHEREAS, as an attorney, an advocate, and a civil servant, Mr. Yasui spent the next four decades working tirelessly for civil and human rights, not only for persons of Japanese ancestry but also for immigrant communities, African Americans, Native Americans, Hispanics and people with disabilities; and

WHEREAS, Mr. Yasui was a dedicated community volunteer, serving as a scoutmaster, a mentor for young people, and a sponsor for youth education programs such as Presidential Classroom; and

WHEREAS, Mr. Yasui passed away on November 12, 1986, at the age of 70; and

WHEREAS, Mr. Yasui was posthumously awarded the Presidential Medal of Freedom on November 24, 2015, for his defense of Japanese Americans during World War II and for his lifelong work advancing civil and human rights; and

WHEREAS, Mr. Yasui serves as an inspiration to those in public life for his courage, his steadfast commitment to improving people's lives, and his belief – shared by the members of this Legislature – that "we are born into this world to make a difference."

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we honor Minoru Yasui's life, his legacy, and his commitment to liberty and justice for all.

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.

[SCR 104](#), [SCR 105](#), and [SCR 106](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

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

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 10, 2017

The JUDICIARY AND RULES Committee reports that [S 1062](#), [S 1063](#), [S 1064](#), [S 1065](#), [S 1066](#), [S 1067](#), and [S 1068](#) have been correctly printed.

LODGE, Chairman

[S 1062](#) was referred to the Finance Committee.

[S 1063](#), [S 1064](#), and [S 1065](#) were referred to the Resources and Environment Committee.

[S 1066](#) and [S 1067](#) were referred to the Local Government and Taxation Committee.

[S 1068](#) was referred to the Agricultural Affairs Committee.

February 9, 2017

The JUDICIARY AND RULES Committee reports that [S 1036](#) has been correctly enrolled.

LODGE, Chairman

The Acting President announced that Enrolled [S 1036](#) had been signed by the President Pro Tempore and ordered it transmitted to the House for the signature of the Speaker.

February 9, 2017

The EDUCATION Committee reports out [H 36](#), [H 37](#), and [H 58](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 36](#), [H 37](#), and [H 58](#) were filed for second reading.

February 9, 2017

The HEALTH AND WELFARE Committee reports out [H 10](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 10](#) was filed for second reading.

February 10, 2017

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

Dennis P. Duhren to the Bingo-Raffle Advisory Board, term to expire January 7, 2020.

James C. Hammond to the State Building Authority, term to expire January 1, 2022.

SIDDOWNAY, 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 10, 2017

The STATE AFFAIRS Committee reports out [H 54](#) and [H 77](#) with the recommendation that they do pass.

SIDDOWNAY, Chairman

[H 54](#) and [H 77](#) were filed for second reading.

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

Messages from the Governor

February 3, 2017

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that I have appointed Sarah Smith of 2319 Polk Street, Caldwell, Idaho, 83605 to be Acting State Senator for Legislative District 10, Canyon County, State of Idaho.

This appointment commences on Monday, February 13, 2017, and continues as long as necessary.

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 MEN, by these Present, that pursuant to the provisions of Section 59-917, *Idaho Code*, Jim Rice, State Senator, District 10, Canyon County, State of Idaho, has nominated, Sarah Smith of 2319 Polk Street, Caldwell, Idaho, 83605, to perform the duties of this office temporarily as Acting State Senator, District 10, Canyon County, State of Idaho.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Sarah Smith, of Caldwell, Idaho, to the office of State Senator District 10, for a term commencing Monday February 13, 2017, and continuing 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.

Done at Boise, the Capital of Idaho, this 3rd day of February, in the year of our Lord two thousand and seventeen and of the Independence of the United States of America, the two hundred and forty-first year.

/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.

The Acting President announced that Sarah Smith will receive the Oath of Office prior to convening on Monday, February 13th, 2017.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 9, 2017

Dear Mr. President:

I transmit herewith [H 112](#), [H 46](#), [H 78](#), and [H 57](#), which have passed the House.

MAULIN, Chief Clerk

[H 112](#), [H 46](#), [H 78](#), and [H 57](#) were filed for first reading.

February 9, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 22](#), [H 29](#), [H 31](#), [H 50](#), [H 24](#), [H 25](#), [H 2](#), [H 3](#), [H 4](#), and [H 5](#) for the signature of the President.

MAULIN, Chief Clerk

The Acting President announced that Enrolled [H 22](#), [H 29](#), [H 31](#), [H 50](#), [H 24](#), [H 25](#), [H 2](#), [H 3](#), [H 4](#), and [H 5](#) had been signed by the President Pro Tempore and ordered them returned to the House.

February 9, 2017

Dear Mr. President:

I return herewith Enrolled [S 1020](#), [S 1021](#), and [S 1022](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1020](#), [S 1021](#), and [S 1022](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Lakey, 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 1069

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO REAL ID; AMENDING SECTION 40-322, IDAHO CODE, TO PROVIDE THAT WHEN THE

IDAHO TRANSPORTATION BOARD AND THE IDAHO TRANSPORTATION DEPARTMENT ACHIEVE APPROVAL BY THE DEPARTMENT OF HOMELAND SECURITY FOR ISSUANCE OF REAL ID COMPLIANT DRIVER'S LICENSES AND IDENTIFICATION CARDS, APPLICANTS SHALL BE OFFERED THE OPTION OF OBTAINING A REAL ID COMPLIANT OR A REAL ID NONCOMPLIANT DRIVER'S LICENSE OR IDENTIFICATION CARD, TO PROVIDE THAT APPLICANTS SHALL BE PROVIDED WITH SPECIFIED INFORMATION REGARDING REAL ID COMPLIANT AND REAL ID NONCOMPLIANT CARDS AND TO MAKE A TECHNICAL CORRECTION.

S 1070

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420P, IDAHO CODE, TO PROVIDE FOR IDAHO ROTARY INTERNATIONAL SPECIALTY LICENSE PLATES; AND AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1071

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO LICENSE PLATES; AMENDING SECTION 49-428, IDAHO CODE, TO PROVIDE AN EXCEPTION TO THE APPLICABILITY OF SPECIFIED PROVISIONS REGARDING THE VISIBILITY OF LICENSE PLATES.

S 1072

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO DYED FUEL; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-675, IDAHO CODE, TO AUTHORIZE JOINT EXERCISE OF POWERS AGREEMENTS BETWEEN SPECIFIED AGENCIES; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-676, IDAHO CODE, TO PROVIDE THAT THE PROVISIONS OF SPECIFIED LAW SHALL BE CARRIED OUT THROUGH THE USE OF EXISTING RESOURCES AND OTHER FUNDS, TO PROVIDE THAT CERTAIN VEHICLES SHALL BE SUBJECT TO INSPECTION FOR DYED FUEL, TO PROVIDE CONDITIONS UNDER WHICH INSPECTIONS MAY BE CONDUCTED, TO PROVIDE THAT SPECIFIED PROVISIONS OF LAW SHALL NOT BE CONSTRUED TO REQUIRE REPORTING OF VIOLATIONS TO THE FEDERAL GOVERNMENT UNLESS OTHERWISE REQUIRED TO DO SO, TO PROVIDE FOR THE LIMITATION OF INSPECTION AUTHORITY, TO PROVIDE FOR OUTREACH AND EDUCATION, TO PROVIDE EXCEPTIONS TO APPLICABILITY, TO DEFINE A TERM, TO PROVIDE FOR LEGISLATIVE EVALUATION AND TO AUTHORIZE RULEMAKING; AMENDING SECTION 63-2425, IDAHO CODE, TO PROVIDE THAT THE PRESENCE OF DYE IN CERTAIN MOTOR VEHICLES AT A DESIGNATED CONCENTRATION OR GREATER SHALL CONSTITUTE A VIOLATION OF SPECIFIED LAW, TO PROVIDE AN EXCEPTION TO APPLICABILITY OF SPECIFIED VIOLATION PROVISIONS FOR CERTAIN VEHICLES, TO PROVIDE THAT CERTAIN PERSONS MAY

INSPECT, COLLECT AND SECURE SAMPLES OF SPECIAL FUEL TO DETECT THE PRESENCE OF DYE UNDER SPECIFIED CONDITIONS, TO PROVIDE AN EXCEPTION TO APPLICABILITY REGARDING CERTAIN INCIDENTAL CROSSINGS OF ROADS AND HIGHWAYS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 63-2460, IDAHO CODE, TO REVISE AND TO PROVIDE PENALTY PROVISIONS.

S 1073

BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO COMMERCIAL DRIVER'S LICENSES; AMENDING SECTION 49-306, IDAHO CODE, TO REVISE PROVISIONS REGARDING SKILLS TEST FEES FOR COMMERCIAL DRIVER'S LICENSES; AMENDING SECTION 49-306, IDAHO CODE, AS AMENDED BY SECTION 6, CHAPTER 54, LAWS OF 2015, TO REVISE PROVISIONS REGARDING SKILLS TEST FEES FOR COMMERCIAL DRIVER'S LICENSES; AND PROVIDING AN EFFECTIVE DATE.

S 1074

BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO PROCUREMENT BY POLITICAL SUBDIVISIONS; AMENDING SECTION 31-602, IDAHO CODE, TO PROVIDE THAT CERTAIN POWER AND AUTHORITY OF A COUNTY MAY BE DELEGATED BY THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 54-1903, IDAHO CODE, TO REVISE AN EXEMPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1926, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN CONTRACTS; AMENDING SECTION 67-2803, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXCLUSIONS; AMENDING SECTION 67-2805, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROCUREMENT OF PUBLIC WORKS CONSTRUCTION; AMENDING SECTION 67-2806, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROCUREMENT OF SERVICES OR PERSONAL PROPERTY; AND AMENDING CHAPTER 28, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2806A, IDAHO CODE, TO PROVIDE THAT A POLITICAL SUBDIVISION MAY UTILIZE A REQUEST FOR PROPOSAL PROCESS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FACTORS THAT MAY BE CONSIDERED IN A REQUEST FOR PROPOSAL PROCESS, TO PROVIDE MINIMUM REQUIREMENTS FOR A REQUEST FOR PROPOSAL AND TO PROVIDE REQUIREMENTS FOR NOTIFICATION, SOLICITATION AND CONSIDERATION OF CONTESTS IN A REQUEST FOR PROPOSAL PROCESS.

S 1075

BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-3812, IDAHO CODE, TO REVISE PROVISIONS REGARDING DIVIDENDS AND OTHER DISTRIBUTIONS.

S 1076

BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO PROTECTION OF PUBLIC EMPLOYEES; AMENDING SECTION 6-2104, IDAHO CODE, TO CLARIFY PROVISIONS REGARDING PROHIBITED ADVERSE ACTIONS AGAINST EMPLOYEES AND TO MAKE TECHNICAL CORRECTIONS.

S 1077

BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO INSURANCE; REPEALING CHAPTER 28, TITLE 49, IDAHO CODE, RELATING TO MOTOR VEHICLE SERVICE CONTRACTS; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 62, TITLE 41, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR SERVICE CONTRACT REIMBURSEMENT POLICIES, TO ESTABLISH MOTOR VEHICLE SERVICE CONTRACT PROVISIONS, TO PROVIDE REQUIREMENTS FOR MOTOR VEHICLE SERVICE CONTRACTS, TO SPECIFY UNFAIR AND DECEPTIVE ACTS OR PRACTICES AND TO PROVIDE PENALTIES, TO PROHIBIT CERTAIN ACTS, TO ESTABLISH RECORDKEEPING REQUIREMENTS, TO PROVIDE THAT CERTAIN LICENSING IS NOT REQUIRED, TO CLARIFY THE APPLICABILITY OF THE IDAHO INSURANCE GUARANTY ASSOCIATION ACT AND TO PROVIDE FOR ENFORCEMENT; AND AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 63, TITLE 41, IDAHO CODE, TO PROVIDE A SHORT TITLE AND SCOPE, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR A THEFT PROTECTION PROGRAM WARRANTY REIMBURSEMENT POLICY, TO ESTABLISH THEFT PROTECTION PROGRAM WARRANTY PROVISIONS, TO PROVIDE REQUIREMENTS FOR A THEFT PROTECTION PROGRAM WARRANTY, TO PROHIBIT DECEPTIVE SOLICITATION AND TO PROVIDE PENALTIES, TO PROHIBIT CERTAIN ACTS, TO ESTABLISH RECORDKEEPING REQUIREMENTS, TO PROVIDE THAT CERTAIN LICENSING IS NOT REQUIRED, TO CLARIFY THE APPLICABILITY OF THE IDAHO INSURANCE GUARANTY ASSOCIATION ACT AND TO PROVIDE FOR ENFORCEMENT.

S 1078

BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO CASUALTY INSURANCE CONTRACTS; AMENDING SECTION 41-2503, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING UNDERINSURED MOTOR VEHICLE COVERAGE; AND PROVIDING AN EFFECTIVE DATE.

S 1079

BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO THE LIMITED LINES TRAVEL INSURANCE ACT; AMENDING SECTION 41-1003, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING CHAPTER 10, TITLE 41, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 41-1090 THROUGH 41-1097, IDAHO CODE,

TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR LIMITED LINES TRAVEL INSURANCE PRODUCERS, TO REQUIRE REGISTRATION, TO PROVIDE FOR TYPES OF POLICIES, TO PROVIDE FOR RESPONSIBILITIES OF LIMITED LINES TRAVEL INSURANCE PRODUCERS, TO PROHIBIT A NEGATIVE OPTION OR OPTION TO OPT OUT IN CERTAIN INSTANCES AND TO PROVIDE FOR ENFORCEMENT.

S 1080

**BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE**

AN ACT

RELATING TO PROPERTY TAXES; AMENDING SECTION 63-811, IDAHO CODE, TO REMOVE LANGUAGE SPECIFYING THE DATE AFTER WHICH A COUNTY AUDITOR MUST DELIVER A MISSED PROPERTY ROLL TO THE TAX COLLECTOR.

S 1081

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE IMMUNIZATION ASSESSMENT BOARD; AMENDING SECTION 1, CHAPTER 153, LAWS OF 2015, TO EXTEND THE SUNSET DATE.

S 1082

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO HEALTH CARE; AMENDING TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 59, TITLE 31, IDAHO CODE, TO ESTABLISH THE COMMUNITY PRIMARY CARE PROGRAM, TO PROVIDE QUALIFICATIONS FOR PARTICIPATION IN THE PROGRAM, TO PROVIDE FOR AN APPLICATION, TO PROVIDE FOR PROGRAM ORIENTATION, TO PROVIDE THAT PROGRAM PARTICIPANTS SHALL RECEIVE CERTAIN CARE, TO ESTABLISH PROVISIONS REGARDING PERSONAL IMPROVEMENT PLANS, TO PROVIDE FOR RE-ENROLLMENT AND TO PROVIDE A LIFETIME LIMIT FOR PROGRAM PARTICIPANTS, TO PROVIDE FOR TERMINATION FROM THE PROGRAM, TO ESTABLISH PROVISIONS REGARDING PROGRAM FUNDING AND TO ESTABLISH POWERS AND DUTIES FOR THE BOARD OF THE CATASTROPHIC HEALTH CARE COST PROGRAM; AND PROVIDING A SUNSET DATE.

S 1069, S 1070, S 1071, S 1072, S 1073, S 1074, S 1075, S 1076, S 1077, S 1078, S 1079, S 1080, S 1081, and S 1082 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 112, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 46, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 78, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 57, 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 15, by Local Government Committee, was read the second time at length and filed for third reading.

S 1037, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 12, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

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

Motions and Resolutions

On request by Senator Lakey, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmations of Eric D. Fredericksen, and Beth Elroy retained their place on the calendar for Monday, February 13, 2017.

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

On motion by Senator Nye, seconded by Senator Bair, the Gubernatorial reappointment of Erwin L. Sonnenberg as a member of the Sexual Offender Management Board 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 reappointment 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 Acting President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Kimberly Simmons was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Winder, the Gubernatorial reappointment of Kimberly Simmons as a member of the Sexual Offender Management Board 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 reappointment 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 Acting President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Carol Mascarenas was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Jordan, the Gubernatorial reappointment of Carol Mascarenas as a member of the Board of Environmental Quality 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 reappointment 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.

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

Miscellaneous Business

On motion by Senator Lakey, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 11:22 a.m. until the hour of 10:45 a.m., Monday, February 13, 2017.

SENATOR SHAWN KEOUGH, Acting President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 13, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senator Den Hartog, absent and formally excused by the Chair; and Senator Keough, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Madison Smith, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 10, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 13, 2017

The JUDICIARY AND RULES Committee reports that [SCR 104](#), [SCR 105](#), [SCR 106](#), [SJR 101](#), [S 1069](#), [S 1070](#), [S 1071](#), [S 1072](#), [S 1073](#), [S 1074](#), [S 1075](#), [S 1076](#), [S 1077](#), [S 1078](#), [S 1079](#), [S 1080](#), [S 1081](#), and [S 1082](#) have been correctly printed.

LODGE, 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.

[SJR 101](#) was referred to the State Affairs Committee.

[S 1069](#), [S 1070](#), [S 1071](#), [S 1072](#), and [S 1073](#) were referred to the Transportation Committee.

[S 1074](#), [S 1075](#), [S 1076](#), [S 1077](#), [S 1078](#), and [S 1079](#) were referred to the Commerce and Human Resources Committee.

[S 1080](#) was referred to the Local Government and Taxation Committee.

[S 1081](#) and [S 1082](#) were referred to the Health and Welfare Committee.

Senator Keough was recorded present at this order of business.

February 10, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1020](#), [S 1021](#), and [S 1022](#) were delivered to the Office of the Governor at 3:14 p.m., February 10, 2017.

LODGE, Chairman

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

February 10, 2017

The FINANCE Committee reports out [H 112](#) and [S 1062](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 112](#) and [S 1062](#) were filed for second reading.

February 10, 2017

The JUDICIARY AND RULES Committee reports out [S 1011](#) and [S 1013](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1011](#) and [S 1013](#) were filed for second reading.

February 13, 2017

The STATE AFFAIRS Committee reports out [H 17](#), [H 18](#), [H 19](#), and [H 33](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 17](#), [H 18](#), [H 19](#), and [H 33](#) were filed for second reading.

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

Messages from the Governor

February 10, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Shellee Smith Daniels of Malad City, Idaho, was appointed to the State Public Defense Commission to serve a term commencing January 12, 2017, and expiring July 1, 2017.

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.

February 10, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Tom Katsilometes of Meridian, Idaho, was reappointed to the State Tax Commission to serve a term commencing March 8, 2017, and expiring March 8, 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 Local Government and Taxation Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 10, 2017

Dear Mr. President:

I transmit herewith [H 41](#), [H 43](#), and [H 101](#), which have passed the House.

MAULIN, Chief Clerk

[H 41](#), [H 43](#), and [H 101](#) were filed for first reading.

February 10, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 23](#), [H 30](#), and [H 13](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 23](#), [H 30](#), and [H 13](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmations of Eric D. Fredericksen retained their place on the calendar for one legislative day.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Beth Elroy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Souza, seconded by Senator Jordan, the Gubernatorial reappointment of Beth Elroy as a member of the Board of Environmental Quality 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 State Affairs Committee report relative to the Gubernatorial reappointment of Dennis P. Duehren was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Dennis P. Duehren as a member of the Bingo-Raffle Advisory 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 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 State Affairs Committee report relative to the Gubernatorial reappointment of James C. Hammond was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Vick, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of James C. Hammond as a member of the State Building Authority 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

S 1083

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO EMERGENCY COMMUNICATIONS OFFICERS; AMENDING SECTION 19-5101, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 19-5116, IDAHO CODE, TO PROVIDE FOR EMERGENCY COMMUNICATIONS OFFICERS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 51, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-5119, IDAHO CODE, TO PROVIDE THAT THE COUNCIL SHALL HAVE CERTAIN POWERS, TO PROVIDE STANDARDS OF TRAINING, EDUCATION AND EMPLOYMENT OF EMERGENCY COMMUNICATIONS OFFICERS, TO PROVIDE FOR CERTIFICATION, TO PROVIDE FOR CERTAIN PENALTIES AND TO PROVIDE FOR WHEN TRAINING AND CERTIFICATION SHALL BE COMPLETED.

[S 1083](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 41](#) and [H 43](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 101](#), 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

[H 36](#), [H 37](#), and [H 58](#), by Education Committee, were read the second time at length and filed for third reading.

[H 10](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 54](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 77](#), by Local Government 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 1042](#), 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—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1042](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1043](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1041](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1041](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1003](#) 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, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1003](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1007](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate.

On request by Senator Patrick, granted by unanimous consent, [S 1007](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1040](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor 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, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1040](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Motions and Resolutions

On request by Senator Davis, 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 Anthon providing opening remarks. The prayer was offered by Senator Foreman.

"The National Anthem" was performed by Katrina Tanner. Remarks were provided by Co-chairman Senator Crabtree. The Senate Pages offered their favorite Lincoln quotes. "America the Beautiful" was performed by Emma Packer.

Closing remarks were provided by Co-chairman Senator Anthon. He extended gratitude to all who helped with the program and the Lincoln Day Service was dissolved.

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

Reports of Standing Committees

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:08 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 Little presiding.

Roll call showed all members present except Acting Senator Smith, absent and formally excused by the Chair; and Senator Heider, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

February 13, 2017

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:

Gordon O. Hansen to the Parks and Recreation Board, term to expire June 30, 2019.

Michael Boren to the Parks and Recreation Board, term to expire July 1, 2018.

BAIR, 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 Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 107 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING THE FINDINGS OF THE LEGISLATURE AND RECOGNIZING AND HONORING GENE HARRIS FOR HIS LIFELONG ACHIEVEMENTS AS A CELEBRATED JAZZ MUSICIAN AS WELL AS HIS CULTURAL AND EDUCATIONAL CONTRIBUTIONS TO THE STATE OF IDAHO.

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

WHEREAS, Gene Harris was born in 1933 and moved to Boise in 1977, fully embracing Idaho as his home, and bringing many of the top jazz musicians in the world to play with him in Idaho. Gene Harris became a musical staple of Boise's nightlife, performing in venues including the Main Street Bistro, Peter Schott's Lounge, Ste. Chapelle Winery and the Boise River Festival, among others; and

WHEREAS, Gene Harris served as an ambassador for his adopted home state of Idaho with studio recordings and concert

performances throughout the world, including performances in the United Kingdom, Austria, Switzerland, Japan, Korea, the Philippines, the Soviet Union, East and West Berlin, Morocco, Budapest and Milan; and

WHEREAS, Gene Harris, with the Gene Harris All Star Big Band, earned a 1989 Grammy Award nomination for Best Big Band Jazz Instrumental; and

WHEREAS, in 1989, 1990 and 1991, Gene Harris assumed the mantle of pianist and leader of three big bands that traveled the globe, featuring some of the greatest names in jazz, known as the Superband Concert Tour, underwritten by a Philip Morris Jazz Grant; and

WHEREAS, Gene Harris vigorously promoted the arts in Idaho, receiving the Idaho Governor's Award for Excellence in the Arts in 1990, presented by then-Governor Cecil D. Andrus; and

WHEREAS, in 1996, Gene Harris, working with local politicians, businessmen, and artists, established the Gene Harris Endowment. The endowment is used to support scholarships for music students, a visiting jazz artist series, and the Gene Harris Jazz Festival, which has been an annual event since the spring of 1998. The idea for a festival began in the early 1990s when Gene and various other prominent musicians first discussed staging such an event to benefit music students and promote jazz, with the 20th annual Gene Harris Jazz Festival to be held April 5-7, 2017; and

WHEREAS, Gene Harris worked with former Governor Cecil Andrus and former Governor Phil Batt to promote arts in the Gem State, devoting his time to fostering and sustaining music education for students in Idaho. He acted as a role model, friend and mentor to many aspiring musicians throughout the State of Idaho, including international jazz vocal star Curtis Stigers and the late piano virtuoso Paul Tillotson; and

WHEREAS, also in 1996, the Kennedy Center in Washington, D.C., chose Gene Harris as Idaho's featured performer for State Days, a series of concerts started during the center's 25th anniversary season to present a variety of musical artists from all 50 states, chosen to represent the cultural richness of America; and

WHEREAS, though Gene Harris died in 2000, he left behind a lasting legacy that has touched many people since his death and that will continue to do so.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize and honor Gene Harris for his unparalleled talent as a jazz musician, his unrelenting dedication to the arts, and his commitment and contributions to education in the State of Idaho.

[SCR 107](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, 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 1084 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-711, IDAHO CODE, TO INCREASE THE COUNTY RECORDER FILING FEE FOR THE FILING OF DELINQUENCY LISTS.

S 1085**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO THE BOARD OF COUNTY COMMISSIONERS; PROVIDING LEGISLATIVE INTENT; AND AMENDING SECTION 31-710, IDAHO CODE, TO REVISE A PROVISION REGARDING NOTIFICATION OF MEETINGS OF THE BOARD AND TO REMOVE A PROVISION REGARDING PUBLIC NOTICE FOR CERTAIN MEETINGS.

S 1086**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO HIGHWAY DISTRICTS; AMENDING SECTION 40-1304, IDAHO CODE, TO REVISE THE PROCEDURE OF FILLING A VACANCY FOR A HIGHWAY DISTRICT COMMISSIONER IN THE EVENT THE BOARD IS UNABLE TO AGREE ON A SUCCESSOR AND TO MAKE TECHNICAL CORRECTIONS.

S 1087**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO HORSE RACING; AMENDING SECTION 54-2512, IDAHO CODE, TO REVISE A PROVISION REGARDING DISTRIBUTION OF THE SOURCE MARKET FEE AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION; AND PROVIDING A SUNSET DATE.

S 1088**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO THE IDAHO DNA DATABASE ACT OF 1996; AMENDING SECTION 19-5506, IDAHO CODE, TO PROVIDE THAT REGISTERED SEX OFFENDERS ARE REQUIRED TO SUBMIT DNA SAMPLES, TO PROVIDE THAT A COLLECTION FACILITY IS NOT REQUIRED TO COLLECT A DNA SAMPLE IN CERTAIN INSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 19-5507, IDAHO CODE, TO PROVIDE CERTAIN CONDITIONS FOR THE COLLECTION OF A DNA SAMPLE AND TO MAKE TECHNICAL CORRECTIONS.

S 1089**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO WITNESSES IN CRIMINAL PROCEEDINGS; AMENDING SECTION 19-3023, IDAHO CODE, TO PROVIDE THAT FACILITY DOGS SHALL BE ALLOWED TO REMAIN AT THE WITNESS STAND WITH A CHILD DURING TESTIMONY IN CERTAIN INSTANCES AND TO DEFINE A TERM.

S 1090**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO HEALTH CARE; AMENDING SECTION 39-4503, IDAHO CODE, TO REVISE PROVISIONS REGARDING PERSONS WHO MAY CONSENT TO THEIR OWN HEALTH CARE; AMENDING SECTION 39-4511A, IDAHO CODE, TO REVISE PROVISIONS REGARDING REVOCATION OF AN ADVANCE DIRECTIVE; AMENDING SECTION 39-4511B, IDAHO CODE, TO

REVISE PROVISIONS REGARDING SUSPENSION OF AN ADVANCE DIRECTIVE; AMENDING SECTION 39-4514, IDAHO CODE, TO REVISE PROVISIONS REGARDING PRESUMED CONSENT TO RESUSCITATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-402, IDAHO CODE, TO REVISE DEFINITIONS; AND AMENDING SECTION 66-405, IDAHO CODE, TO REVISE PROVISIONS REGARDING ORDER IN PROTECTIVE PROCEEDINGS FOR CERTAIN DEVELOPMENTALLY DISABLED PERSONS.

S 1091**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO LIMITED LIABILITY COMPANIES; AMENDING SECTION 30-25-701, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE DISSOLUTION OF A LIMITED LIABILITY COMPANY.

S 1092**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO RENEWAL OF JUDGMENTS; AMENDING SECTION 10-1111, IDAHO CODE, TO PROVIDE THAT A RENEWED JUDGMENT MAY BE RECORDED IN THE SAME MANNER AS THE ORIGINAL JUDGMENT, AND THE LIEN ESTABLISHED THEREBY SHALL CONTINUE FOR TEN YEARS FROM THE DATE OF THE RENEWED JUDGMENT AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

S 1093**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO UNLAWFUL ENTRY; AMENDING SECTION 18-7034, IDAHO CODE, TO REVISE THE PENALTIES FOR THE CRIME OF UNLAWFUL ENTRY, TO PROVIDE FOR RESTITUTION AND TO MAKE A TECHNICAL CORRECTION.

S 1094**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO CRIMINAL HISTORY CHECKS; AMENDING SECTION 33-130, IDAHO CODE, TO AUTHORIZE THE PROVISION OF A CRIMINAL HISTORY CHECK TO THE EMPLOYING SCHOOL DISTRICT OF CERTAIN INDIVIDUALS; AND DECLARING AN EMERGENCY.

S 1095**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO SPECIAL EDUCATION; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 61, TITLE 33, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS, TO DEFINE TERMS, TO PROVIDE FOR THE MEDICAL NECESSITY OF SERVICES, TO ESTABLISH THE INTERAGENCY STUDENT SERVICES SUPPORT COMMITTEE, TO AUTHORIZE A MEDICAID ADMINISTRATIVE CLAIMING PLAN, TO PROVIDE FOR A PROFESSIONAL DEVELOPMENT PROGRAM AND TO REQUIRE ACCOUNTABILITY; AND DECLARING AN EMERGENCY.

S 1096
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SCHOOLS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1004G, IDAHO CODE, TO PROVIDE FUNDING FOR SCHOOL DISTRICT EMPLOYER HEALTH CARE COST ADJUSTMENTS.

S 1097
BY EDUCATION COMMITTEE
AN ACT

RELATING TO MASTER TEACHER PREMIUMS; AMENDING SECTION 33-1004I, IDAHO CODE, AS AMENDED BY SECTION 10, CHAPTER 229, LAWS OF 2015, TO REMOVE LANGUAGE REGARDING LOCAL SCHOOL DISTRICT PLANS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1004K, IDAHO CODE, TO PROVIDE AN ALTERNATIVE TO MASTER SCHOOL PREMIUMS WHEREIN LOCAL SCHOOL DISTRICT PROGRAMS UTILIZE MASTER TEACHER PREMIUM MONEYS TO REWARD TEACHERS FOR REACHING MEASURABLE STUDENT ACHIEVEMENT TARGETS, TO PROVIDE FOR THE DISTRIBUTION OF FUNDS, TO PROVIDE FOR A CHANGE OF OPTION AND TO AUTHORIZE RULEMAKING; AND PROVIDING AN EFFECTIVE DATE.

S 1098
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO OIL AND GAS; AMENDING CHAPTER 3, TITLE 47, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 47-331, IDAHO CODE, TO REQUIRE PRODUCERS TO FILE MONTHLY STATEMENTS WITH THE IDAHO STATE TAX COMMISSION, TO PROVIDE FOR CONTENTS OF THE STATEMENTS, TO PROVIDE THAT STATEMENTS OR REPORTS SHALL BE SIGNED AND SWORN TO BY THE PRODUCER OR A DESIGNEE AND TO PROVIDE FOR AUDITS.

S 1099
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO THE DEPARTMENT OF LANDS; AMENDING SECTION 58-104A, IDAHO CODE, TO PROVIDE FOR AN ADMINISTRATOR TO HANDLE MATTERS OF OIL AND GAS CONSERVATION AND TO PROVIDE QUALIFICATIONS.

S 1100
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO OIL AND GAS; AMENDING CHAPTER 3, TITLE 47, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 47-305, IDAHO CODE, TO REQUIRE THAT WHEN PAYMENT IS MADE TO ANY OWNER OF A ROYALTY INTEREST, CERTAIN INFORMATION SHALL BE INCLUDED ON THE PAYOR'S CHECK STUB OR ON AN ATTACHMENT TO THE FORM OF PAYMENT, TO PROVIDE THAT OTHER INFORMATION MAY BE REQUESTED, TO PROVIDE FOR THE EXPRESSION OF CALCULATION, TO PROVIDE FOR GAS VOLUME MEASUREMENT, TO PROVIDE FOR ROYALTIES DUE FOR CERTAIN PRODUCTION, TO PROVIDE THAT ROYALTIES SHALL NOT BE REDUCED BY COSTS, TO PROVIDE THAT

CERTAIN RECORDS SHALL BE MAINTAINED AND MADE AVAILABLE AND TO PROVIDE FOR VIOLATIONS AND PENALTIES; AMENDING SECTION 47-318, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 47-319, IDAHO CODE, TO REVISE CONFIDENTIALITY PROVISIONS, TO PROVIDE FOR DISCLOSURE OF CERTAIN RECORDS, TO PROVIDE THAT CERTAIN RECORDS SHALL BE AVAILABLE TO STATE AGENCIES, TO PROVIDE THAT CONFIDENTIALITY CLAUSES SHALL APPLY AND TO PROVIDE FOR CLAIMS OF EXEMPTION; AMENDING CHAPTER 3, TITLE 47, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 47-319A, IDAHO CODE, TO PROVIDE FOR METERING OF PRODUCTION, TO DEFINE TERMS, TO PROVIDE FOR INVENTORIES, TO PROVIDE FOR CUSTODY TRANSFER METERS, TO PROVIDE FOR THE REGISTRATION OF ALL PERSONS ENGAGED IN METER PROVING OR TESTING, TO PROVIDE FOR QUALIFICATION, TO PROVIDE AN EXEMPTION FROM REGISTRATION, TO PROVIDE THAT CERTAIN STANDARDS SHALL APPLY, TO PROVIDE FOR THE TESTING OF METERS AND TO PROVIDE FOR VARIANCES; AMENDING CHAPTER 3, TITLE 47, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 47-319B, IDAHO CODE, TO PROVIDE REQUIREMENTS REGARDING THE COMMINGLING OF PRODUCTION; AMENDING SECTION 47-321, IDAHO CODE, TO PROVIDE FOR ORDERS REGARDING SPACING UNITS AND TO PROVIDE FOR TEMPORARY SPACING UNITS; AMENDING SECTION 47-322, IDAHO CODE, AS AMENDED IN SECTION 2 OF HOUSE BILL NO. 64, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-FOURTH IDAHO LEGISLATURE, TO REVISE APPLICATION FOR INTEGRATION ORDER PROVISIONS, TO REMOVE AN EXCEPTION TO REQUIREMENTS REGARDING GOOD FAITH EFFORTS TO INFORM UNCOMMITTED OWNERS OF AN INTENT TO DEVELOP MINERAL RESOURCES IN A PROPOSED SPACING UNIT AND TO REVISE CONFIDENTIALITY PROVISIONS; AMENDING SECTION 47-324, IDAHO CODE, AS AMENDED IN SECTION 3 OF HOUSE BILL NO. 64, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-FOURTH IDAHO LEGISLATURE, TO REMOVE CERTAIN REDACTION AND MAILING REQUIREMENTS; AND AMENDING SECTION 47-325, IDAHO CODE, TO PROVIDE FOR CIVIL PENALTIES FOR VIOLATION OF ORDERS AND TO REMOVE ARCHAIC VERBIAGE.

S 1101
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO WATER; AMENDING SECTION 42-1414, IDAHO CODE, TO LIMIT THE FEES IMPOSED FOR STOCK WATERING CLAIMS.

S 1102
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO STOCKWATER RIGHTS; REPEALING CHAPTER 5, TITLE 42, IDAHO CODE, RELATING TO STOCKWATER RIGHTS; AMENDING TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 5, TITLE 42, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROHIBIT THE ACQUISITION OF CERTAIN STOCKWATER RIGHTS, TO PROVIDE THAT CERTAIN PERMITTEES SHALL NOT BE CONSIDERED AGENTS OF THE FEDERAL GOVERNMENT, TO LIMIT THE USE

OF CERTAIN STOCKWATER RIGHTS, TO PROVIDE FOR THE EFFECT OF AN ILLEGAL CHANGE OF OWNERSHIP OR TRANSFER, TO PROVIDE FOR SEVERABILITY, TO PROVIDE THAT SPECIFIED LAW SHALL BE CONTROLLING; AND DECLARING AN EMERGENCY.

[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](#), and [S 1102](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [H 12](#), as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:43 p.m. until the hour of 10:45 a.m., Tuesday, February 14, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 14, 2017

Senate Chamber

President Little called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senators Agenbroad, Crabtree, Keough, Lee, Martin, Mortimer, Nye, Patrick, Souza, and Ward-Engelking, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Jack Wolthuis, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 14, 2017

The JUDICIARY AND RULES Committee reports that [SCR 107](#), [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](#), and [S 1102](#) have been correctly printed.

LODGE, Chairman

[SCR 107](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1083](#) was referred to the Judiciary and Rules Committee.

[S 1084](#) and [S 1085](#) were referred to the Local Government and Taxation Committee.

[S 1086](#) was referred to the Transportation Committee.

[S 1087](#) was referred to the State Affairs Committee.

[S 1088](#), [S 1089](#), [S 1090](#), [S 1091](#), [S 1092](#), and [S 1093](#) were referred to the Judiciary and Rules Committee.

[S 1094](#), [S 1095](#), [S 1096](#), and [S 1097](#) were referred to the Education Committee.

[S 1098](#), [S 1099](#), [S 1100](#), [S 1101](#), and [S 1102](#) were referred to the Resources and Environment Committee.

February 13, 2017

The EDUCATION Committee reports out [H 74](#) and [H 75](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 74](#) and [H 75](#) were filed for second reading.

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

Messages from the Governor

February 8, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Dr. Troy Rohn of 4623 N. Bantry Place, Boise, Idaho 83702, to be Acting State Senator for Legislative District 19, Ada County, State of Idaho.

This appointment commences on Wednesday, February 15, 2017, through Friday, February 17, 2017.

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 MEN, by these present, 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 4623 N. Bantry Place, Boise, Idaho, 83702, to perform the duties of this office temporarily as Acting State Senator, District 19, Ada County, State of Idaho.

NOW, THEREFORE, I, C.L. "Butch" Otter, 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 State Senator District 19, for a term commencing Wednesday February 15, through Friday, February 17, 2017.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this Eighth day of February, in the year of our Lord two thousand and seventeen and of the Independence of the United States of America, the two hundred and forty-first year.

/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.

The President announced that Dr. Troy Rohn will receive the Oath of Office prior to convening Wednesday, February 15, 2017.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 13, 2017

Dear Mr. President:

I transmit herewith [H 64](#), [H 96](#), [H 97](#), [H 92](#), [HCR 4](#), [H 124](#), [H 7](#), [H 73](#), and [HCR 3](#), which have passed the House.

MAULIN, Chief Clerk

[H 64](#), [H 96](#), [H 97](#), [H 92](#), [HCR 4](#), [H 124](#), [H 7](#), [H 73](#), and [HCR 3](#) were filed for first reading.

February 13, 2017

Dear Mr. President:

I return herewith Enrolled [S 1036](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1036](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, 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 64](#) and [H 96](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 97](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 92](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 4](#), by Commerce and Human Resources Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[H 124](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 7](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 73](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[HCR 3](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 112](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1062](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1011](#) and [S 1013](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 17](#), [H 18](#), and [H 19](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 33](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

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

Motions and Resolutions

Senators Agenbroad, Crabtree, Johnson, Keough, Lee, Martin, Mortimer, Nye, Patrick, Souza, and Ward-Engelking were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, [SCR 104](#) retained its place on the calendar for Wednesday, February 15, 2017.

On request by Senator Davis, granted by unanimous consent, [SCR 105](#) was referred to the Education Committee.

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

On motion by Senator Anthon, seconded by Senator Burgoyne, the Gubernatorial appointment of Eric D. 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 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 announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Eric D. Fredericksen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Anthon, seconded by Senator Burgoyne, the Gubernatorial appointment of Eric D. Fredericksen 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 his 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 Gordon O. Hansen 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 appointment of Gordon O. Hansen 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 his 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 Michael Boren was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jordan, seconded by Senator Bayer, the Gubernatorial appointment of Michael Boren 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 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 Davis, granted by unanimous consent, [SCR 104](#) was referred to the Commerce and Human Resources Committee.

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 Buckner-Webb, seconded by Senator Davis, [SCR 106](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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

Third Reading of Bills

[S 1043](#) 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 Den Hartog, granted by unanimous consent, [S 1043](#) retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Patrick, granted by unanimous consent, [S 1007](#), having been held, was referred to the Fourteenth Order of Business, General Calendar.

[S 1034](#), as amended, 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the President declared [S 1034](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 15](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the President declared [H 15](#) passed, title was approved, and the bill ordered returned to the House.

[S 1037](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the President declared [S 1037](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:04 p.m. until the hour of 10:45 a.m., Wednesday, February 15, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

THIRTY-EIGHTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 15, 2017

Senate Chamber

President Little called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senator Patrick, absent and formally excused by the Chair; and Senators Keough and Stennett, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Tia Youtz, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

Senator Stennett was recorded present at this order of business.

SCR 108

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND MAKING A FORMAL APPLICATION TO CONGRESS TO CALL A CONVENTION FOR THE SOLE PURPOSE OF PROPOSING FOR RATIFICATION AN AMENDMENT TO THE CONSTITUTION WHICH REQUIRES A BALANCED FEDERAL BUDGET.

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

WHEREAS, Article V of the Constitution of the United States mandates that upon the "Application of the Legislatures of two thirds of the several States" Congress shall "call a Convention for proposing Amendments"; and

WHEREAS, the Legislature deems an amendment to the United States Constitution requiring a balanced federal budget is necessary for the good of the American people.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature of the State of Idaho hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that in the absence of a national emergency the total of all federal outlays made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

BE IT FURTHER RESOLVED that the Secretary of the Senate is hereby directed to transmit copies of this application to the President and Secretary of the Senate and to the Speaker and Clerk of the House of Representatives of the Congress, and copies to the members of the said Senate and House of Representatives from this state; also to transmit copies hereof to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

BE IT FURTHER RESOLVED this application is to be considered as covering the balanced budget amendment language of the presently outstanding balanced budget applications from other states including, but not limited to, previously adopted applications from Alabama (SJR 100 - 2011), Alaska (1982), Arkansas (HJR 1 - 1979), Colorado (SJM 1 - 1978), Florida (SM 658 - 2014), Georgia (SR 371 - 2014), Indiana (SJR 8 - 1979), Iowa (SJR 1 - 1979), Kansas (SCR 1661 - 1979), Louisiana (HCR 70 - 2014), Maryland (SJR 4 - 1977), Michigan (SJR V - 2014), Mississippi (HCR 51 - 1975), Missouri (SCR 3 - 1983), Nebraska (LR 106 - 1979), Nevada (SJR 22 - 1979), New Hampshire (HCR 40 - 2012), New Mexico (SJR 1979), North Carolina (SJR 1 - 1979), North Dakota (HCR 3015 - 2015), Ohio (SJR 5 - 2014), Oklahoma (SJR 4 - 2016), Pennsylvania (R 236 - 1979), South Dakota (HJR 1001 - 2015), Tennessee (HJR 548 - 2014), Texas (HCR 31 - 1979), Utah (HJR 7 - 2015) and West Virginia (HCR 36 - 2016); and this application shall be aggregated with same for the purpose of attaining the two-thirds of states necessary to require the calling of a convention for proposing a balanced budget amendment, but shall not be aggregated with any applications on any other subject.

BE IT FURTHER RESOLVED this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject. It supersedes all previous applications by this legislature on the same subject.

SCR 108 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 14, 2017

The JUDICIARY AND RULES Committee reports that Enrolled **S 1036** was delivered to the Office of the Governor at 11:15 a.m., February 14, 2017.

LODGE, Chairman

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

February 14, 2017

The FINANCE Committee reports out [H 124](#) with the recommendation that it do pass.

KEOUGH, Chairman

[H 124](#) was filed for second reading.

February 14, 2017

The TRANSPORTATION Committee reports out [H 20](#) and [S 1069](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 20](#) and [S 1069](#) were filed for second reading.

February 14, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1008](#) and [S 1047](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1008](#) and [S 1047](#) were filed for second reading.

February 14, 2017

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:

John Rusche to the Idaho Health Insurance Exchange Board, term to expire April 10, 2020.

Terry Gestrin to the State Insurance Fund Board, term to expire December 1, 2018.

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.

Senator Keough was recorded present at this order of business.

February 15, 2017

The STATE AFFAIRS Committee reports out [S 1061](#) with the recommendation that it be re-referred.

SIDDOWAY, Chairman

There being no objection, [S 1061](#) was referred to the Commerce and Human Resources Committee.

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

Messages from the Governor

February 14, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Todd Lakey of Nampa, Idaho, was reappointed to the State Insurance Fund Board to serve a term commencing December 1, 2016, and expiring December 1, 2018.

This appointment was made subject to confirmation by the Senate, and 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 reappointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 14, 2017

Dear Mr. President:

I transmit herewith [H 100](#), [H 102](#), [H 104](#), and [H 90](#), which have passed the House.

MAULIN, Chief Clerk

[H 100](#), [H 102](#), [H 104](#), and [H 90](#) 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, [SCR 107](#) retained its place on the calendar for Monday, February 20, 2017.

The Senate advanced to the Eleventh Order of Business.

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

S 1103

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO SCHOOL DISTRICTS; AMENDING SECTION 33-313, IDAHO CODE, TO PROVIDE THAT THE BOUNDARIES OF SCHOOL TRUSTEE ZONES SHALL BE DRAWN ALONG VOTING PRECINCT BOUNDARIES TO THE GREATEST EXTENT POSSIBLE AND TO CLARIFY A DATE; AMENDING CHAPTER 4, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-403, IDAHO CODE, TO AUTHORIZE THE LOCAL OPTION OF SCHOOL DISTRICTWIDE VOTING FOR SCHOOL BOARD TRUSTEES; AMENDING SECTION 33-405, IDAHO CODE, TO REVISE THE QUALIFICATIONS OF A SCHOOL ELECTOR IN CERTAIN CIRCUMSTANCES; AMENDING SECTION 33-501, IDAHO CODE, TO REVISE CERTAIN DATES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-503, IDAHO CODE, TO REVISE THE ELECTION DATE FOR SCHOOL DISTRICT TRUSTEES, TO PROVIDE FOR THE ELECTION OF A CANDIDATE RECEIVING THE MOST VOTES WITHIN A SCHOOL DISTRICT UNDER THE LOCAL OPTION, AND TO PROVIDE A TERM EXPIRATION DATE FOR INCUMBENT TRUSTEES; AMENDING SECTION 33-505, IDAHO CODE, TO REVISE A CERTAIN DATE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-510, IDAHO CODE, TO REVISE A CERTAIN DATE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION

34-1702, IDAHO CODE, TO PROVIDE FOR THE REQUIRED NUMBER OF SIGNATURES ON A RECALL PETITION UNDER CERTAIN CIRCUMSTANCES.

[S 1103](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 100](#) and [H 102](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 104](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 90](#), by Resources and Conservation 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

[H 74](#) and [H 75](#), by Education Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1043](#), 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. Senator Den Hartog arose as sponsor of the bill. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Lakey, Lee, Lodge, Martin, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Burgoyne, Johnson, Keough, Mortimer. Total - 4.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared [S 1043](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 36](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared [H 36](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared [H 37](#) passed, title was approved, and the bill ordered returned to the House.

[H 58](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared [H 58](#) 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 Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Vick disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared [H 10](#) passed, title was approved, and the bill ordered returned to the House.

H 54 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared **H 54** passed, title was approved, and the bill ordered returned to the House.

H 77 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared **H 77** 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 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, Crabtree, Den Hartog, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Souza, Stennett, Ward-Engelking, Winder. Total - 28.

NAYS—Foreman, Smith (Rice), Thayn, Vick. Total - 4.

Absent and excused—Davis, Hagedorn, Patrick. Total - 3.

Total - 35.

Whereupon the President declared **H 112** passed, title was approved, and the bill ordered returned to the House.

S 1062 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared **S 1062** 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, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared **S 1011** passed, title was approved, and the bill ordered transmitted to the House.

S 1013 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Foreman arose as sponsor 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared **S 1013** passed, title was approved, and the bill ordered transmitted to the House.

H 17 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Keough. Total - 1.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared [H 17](#) 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 Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

President Pro Tempore Hill assumed the Chair.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 18](#) passed, title was approved, and the bill ordered returned to the House.

[H 19](#) 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, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 19](#) passed, title was approved, and the bill ordered returned to the House.

[H 33](#) 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, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Nonini. Total - 1.

Absent and excused—Den Hartog, Patrick. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 33](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, 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 Winder 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 Winder, Chairman of the Committee of the Whole, reported out [H 12](#), as amended in the Senate, without recommendation, amended as follows:

SENATE AMENDMENT TO the SENATE AMENDMENT TO H 12 AMENDMENT TO THE AMENDMENT

On page 1 of the printed amendment, delete lines 2 and 3, and insert:

"On page 1 of the printed bill, delete lines 13 and 14, and insert: "ator unless he shall have attained the age of ~~twenty-one(21) years at the time of the general election,~~ is a citizen of the United States and shall have"".

CORRECTION TO THE CORRECTION TO TITLE

On page 1 of the printed amendment, delete lines 5 through 7, and insert:

"On page 1, delete line 4, and insert: "WITHIN THE LEGISLATIVE DISTRICT FOR ONE YEAR PRECEDING THE ELECTION."".

The Committee also has [S 1038](#) and [S 1007](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

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

[H 12](#), as amended in the Senate, 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.

The Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:07 p.m. until the hour of 11 a.m., Thursday, February 16, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 16, 2017

Senate Chamber

President Little 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; and Senator Keough, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Bryon Beams, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 16, 2017

The JUDICIARY AND RULES Committee reports that [SCR 108](#) and [S 1103](#) have been correctly printed.

LODGE, Chairman

On request by Senator Davis, granted by unanimous consent, [SCR 108](#) was referred to the State Affairs Committee.

[S 1103](#) was referred to the Education Committee.

February 16, 2017

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 12](#), as amended in the Senate, have been correctly printed.

LODGE, Chairman

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

February 15, 2017

The JUDICIARY AND RULES Committee reports out [S 1023](#), [S 1024](#), [S 1025](#), and [S 1026](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1023](#), [S 1024](#), [S 1025](#), and [S 1026](#) were filed for second reading.

Senator Keough was recorded present at this order of business.

February 15, 2017

The STATE AFFAIRS Committee reports out [H 57](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[H 57](#) was filed for second reading.

February 15, 2017

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 32](#) and [S 1080](#) with the recommendation that they do pass.

JOHNSON, Chairman

[H 32](#) and [S 1080](#) were filed for second reading.

February 15, 2017

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:

Tom Katsilometes to the State Tax Commission, term to expire March 8, 2023.

JOHNSON, 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, 2017

The HEALTH AND WELFARE Committee reports out [S 1081](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1081](#) was filed for second reading.

February 15, 2017

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

Andrew J. Scoggin to the State Board of Education, term to expire July 1, 2021.

Brian Scigliano to the Public Charter School Commission, term to expire May 12, 2020.

Sherrilynn W. Bair to the Public Charter School Commission, term to expire May 12, 2020.

Wanda Chillingworth Quinn to the Public Charter School Commission, term to expire May 12, 2020.

MORTIMER, 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 Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 15, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John D. Blakley of Nampa, Idaho, was appointed to the Aeronautics Advisory Board to serve a term commencing February 10, 2017, and expiring January 31, 2022.

This appointment was made subject to confirmation by the Senate, and 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 Transportation Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 15, 2017

Dear Mr. President:

I transmit herewith [HCR 5](#), which has passed the House.

MAULIN, Chief Clerk

[HCR 5](#) was filed for first reading.

February 15, 2017

Dear Mr. President:

I return herewith [SCR 102](#), which has passed the House.

MAULIN, Chief Clerk

[SCR 102](#) 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 Commerce and Human Resources Committee report relative to the Gubernatorial appointment of John Rusche 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 John Rusche 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 his 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 Terry Gestrin was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayne, seconded by Senator Jordan, the Gubernatorial reappointment of Terry Gestrin 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 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

S 1104

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO MAGISTRATES; AMENDING SECTION 1-2205, IDAHO CODE, TO REMOVE A CERTAIN POWER OF THE DISTRICT MAGISTRATES COMMISSION; AMENDING SECTION 1-2206, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 1-2207, IDAHO CODE, TO PROVIDE FOR THE APPOINTMENT OF MAGISTRATES WHEN CERTAIN VACANCIES OCCUR, TO PROVIDE FOR THE REASSIGNMENT OF CERTAIN MAGISTRATES, TO PROVIDE THAT THE SUPREME COURT SHALL SUBMIT A CERTAIN REPORT AND TO PROVIDE THAT THE SUPREME COURT MAY REQUEST CERTAIN APPROVAL AND APPROPRIATIONS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 1-2220, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1105

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THEFT; AMENDING SECTION 18-2403, IDAHO CODE, TO PROVIDE FOR OTHER EQUIPMENT IN CERTAIN TYPES OF THEFT.

[S 1104](#) and [S 1105](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 12](#), as amended in the Senate, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[HCR 5](#), by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 124](#), by Appropriations Committee, was read the second time at length and filed for third reading.

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

[S 1069](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1008](#) and [S 1047](#), by Commerce and Human Resources 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 74](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rohn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senator Keough. Senators Davis, Lakey, Martin, Stennett, and Winder rose in support of the call.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senator Anthon, absent and formally excused by the Chair; and Senators Bair, Bayer, Burgoyne, Guthrie, Hagedorn, Johnson, Mortimer, Nonini, Siddoway, Vick, and Ward-Engelking, absent and excused.

The President directed the Sergeant at Arms to find and present Senators Bair, Bayer, Burgoyne, Guthrie, Hagedorn, Johnson, Mortimer, Nonini, Siddoway, Vick, and Ward-Engelking to the Senate.

Senators Bair, Bayer, Burgoyne, Guthrie, Hagedorn, Johnson, Mortimer, Nonini, Siddoway, Vick, and Ward-Engelking were recorded present.

On request by Senator Keough, granted by unanimous consent, the Call was lifted.

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 74](#) passed, title was approved, and the bill ordered returned to the House.

[H 75](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Bair, Bayer, Brackett, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 75](#) passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:12 p.m. until the hour of 10:30 a.m., Friday, February 17, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FORTIETH LEGISLATIVE DAY
FRIDAY, FEBRUARY 17, 2017

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Anthon, Burgoyne, and Thayn, absent and formally excused by the Chair; and Senators Davis, Lakey, and Souza, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Kit Bush, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 16, 2017, was read and approved as corrected.

LODGE, 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 109

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND HONORING CATHY HOLLAND-SMITH, UPON HER RETIREMENT, FOR HER SERVICE TO THE LEGISLATURE AND TO THE PEOPLE OF IDAHO.

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

WHEREAS, on July 31, 1994, Cathy Holland-Smith was hired as a budget and policy analyst in the Legislative Services Office, having worked for the State of Idaho since September 10, 1987; and

WHEREAS, in 2006, Cathy was promoted to Manager of the Division of Budget and Policy Analysis in the Legislative Services Office, in which position she has performed exemplary work for the Legislature and the people of Idaho; and

WHEREAS, Cathy has been nationally recognized for her leadership and her contributions to the Legislature and the public, including her selection as a Toll Fellow by the Council of State Governments in 2011; and

WHEREAS, though Cathy is originally from Massachusetts, she chose to make Idaho her home; and

WHEREAS, Cathy's lifelong commitment to the public good began with her service to our country in the United States Air Force; and

WHEREAS, Cathy will be retiring in June 2017; and

WHEREAS, Cathy's warmth, humor, professionalism and tremendous abilities will be greatly missed by the Legislature and by her colleagues.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize, honor and commend Cathy Holland-Smith for her services to the Legislature and to the people of Idaho, and we wish her well in retirement.

[SCR 109](#) 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 17, 2017

The JUDICIARY AND RULES Committee reports that [S 1104](#) and [S 1105](#) have been correctly printed.

LODGE, Chairman

[S 1104](#) and [S 1105](#) were referred to the Judiciary and Rules Committee.

February 17, 2017

The JUDICIARY AND RULES Committee reports that [SCR 102](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [SCR 102](#) and ordered it transmitted to the House for the signature of the Speaker.

February 16, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1049](#), [S 1055](#), and [S 1075](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1049](#), [S 1055](#), and [S 1075](#) were filed for second reading.

February 16, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1074](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1074](#) was referred to the Fourteenth Order of Business, General Calendar.

February 16, 2017

The TRANSPORTATION Committee reports out [H 27](#) and [S 1070](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 27](#) and [S 1070](#) were filed for second reading.

February 16, 2017

The HEALTH AND WELFARE Committee reports out [H 8](#), [H 9](#), and [HCR 3](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 8](#) and [H 9](#) were filed for second reading.

[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.

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

Messages from the Governor

February 16, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1020](#), [S 1021](#), [S 1022](#), and [S 1036](#)

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
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 16, 2017

Dear Mr. President:

I transmit herewith [H 38](#) and [H 118](#), which have passed the House.

MAULIN, Chief Clerk

[H 38](#) and [H 118](#) were filed for first reading.

February 16, 2017

Dear Mr. President:

I return herewith [S 1005](#), [S 1016](#), [S 1032](#), and [S 1042](#), which have passed the House.

MAULIN, Chief Clerk

[S 1005](#), [S 1016](#), [S 1032](#), and [S 1042](#) were referred to the Judiciary and Rules Committee for enrolling.

February 16, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 15](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 15](#) 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 1106

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO TOBACCO; AMENDING THE HEADING FOR CHAPTER 57, TITLE 39, IDAHO CODE; AMENDING SECTION 39-5701, IDAHO CODE, TO REVISE PROVISIONS REGARDING LEGISLATIVE FINDINGS AND INTENT; AMENDING SECTION 39-5702, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 39-5703, IDAHO CODE, TO REVISE THE LEGAL AGE FOR A PERSON TO POSSESS OR USE TOBACCO PRODUCTS OR ELECTRONIC CIGARETTES OR TO COMMIT OTHER ACTS RELATING TO TOBACCO PRODUCTS OR ELECTRONIC CIGARETTES; AMENDING SECTION 39-5704, IDAHO CODE, TO REVISE PROVISIONS REGARDING PERMITS; AMENDING SECTION 39-5705, IDAHO CODE, TO REVISE PROVISIONS REGARDING SALE OR DISTRIBUTION OF TOBACCO PRODUCTS TO PERSONS UNDER A CERTAIN AGE; AMENDING SECTION 39-5706, IDAHO CODE, TO REVISE PROVISIONS REGARDING A CERTAIN EXEMPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5708, IDAHO CODE, TO REVISE PROVISIONS REGARDING CIVIL PENALTIES FOR CERTAIN VIOLATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5709, IDAHO CODE, TO REVISE PROVISIONS REGARDING CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS; AMENDING SECTION 39-5710, IDAHO CODE, TO REVISE PROVISIONS REGARDING ENFORCEMENT ACTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5711, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 39-5714, IDAHO CODE, TO REVISE PROVISIONS REGARDING REQUIREMENTS FOR DELIVERY SALES; AMENDING SECTION 39-5715, IDAHO CODE, TO REVISE PROVISIONS REGARDING AGE VERIFICATION REQUIREMENTS; AMENDING SECTION 39-5717, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHIPPING REQUIREMENTS FOR TOBACCO PRODUCTS AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-5717A, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHIPPING REQUIREMENTS FOR ELECTRONIC CIGARETTES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-8421, IDAHO CODE, TO REVISE DEFINITIONS AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-8423, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-8424, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 56-227F, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

[S 1106](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 38](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 118](#), 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 1023](#), [S 1024](#), [S 1025](#), and [S 1026](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 57](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 32](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1080](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

[S 1081](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 12](#), as amended in the Senate, as amended in the Senate, 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 Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Tom Katsilometes retained its place on the calendar for Monday, February 20, 2017.

The President announced that the Education Committee report relative to the Gubernatorial appointment of Andrew J. Scoggin was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Rohn, seconded by Senator Mortimer, the Gubernatorial appointment of Andrew J. Scoggin as a member of the State Board of Education was confirmed by voice vote.

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

Senators Davis and Souza were recorded present at this order of business.

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

On motion by Senator Winder, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Brian Scigliano as a member of the Public Charter School Commission was confirmed by voice vote.

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

Senator Lakey was recorded present at this order of business.

The President announced that the Education Committee report relative to the Gubernatorial appointment of Sherrilynn W. Bair was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Bair disclosed a possible conflict of interest under applicable law.

On motion by Senator Bair, seconded by Senator Nye, the Gubernatorial appointment of Sherrilynn W. Bair as a member of the Public Charter School Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 announced that the Education Committee report relative to the Gubernatorial reappointment of Wanda Chillingworth Quinn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nonini, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Wanda Chillingworth Quinn as a member of the Public Charter School Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for 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 Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

President Pro Tempore Hill assumed the Chair.

[H 124](#) 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, Bair, Bayer, Brackett, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rohn (Buckner-Webb), Siddoway, Smith (Rice), Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Anthon, Burgoyne, Thayn. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 124](#) 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 Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Davis, Stennett, and Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rohn (Buckner-Webb), Smith (Rice), Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Foreman, Siddoway. Total - 2.

Absent and excused—Anthon, Burgoyne, Thayne. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 20](#) passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned in honor of the first group of Senate Pages at 11:31 a.m. until the hour of 10 a.m., Monday, February 20, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FORTY-THIRD LEGISLATIVE DAY
MONDAY, FEBRUARY 20, 2017

Senate Chamber

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

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Shanyce Barber, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 17, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Keough was recorded present at this order of business.

February 20, 2017

The JUDICIARY AND RULES Committee reports that [SCR 109](#) and [S 1106](#) have been correctly printed.

LODGE, Chairman

[SCR 109](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1106](#) was referred to the State Affairs Committee.

February 20, 2017

The JUDICIARY AND RULES Committee reports that [S 1005](#), [S 1016](#), [S 1032](#), and [S 1042](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1005](#), [S 1016](#), [S 1032](#), and [S 1042](#) and ordered them transmitted to the House for the signature of the Speaker.

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

Messages from the House

February 17, 2017

Dear Mr. President:

I transmit herewith [HJM 2](#), [H 70](#), and [H 132](#), which have passed the House.

MAULIN, Chief Clerk

[HJM 2](#), [H 70](#), and [H 132](#) were filed for first reading.

February 17, 2017

Dear Mr. President:

I return herewith [SCR 106](#) and [S 1028](#), which have passed the House.

MAULIN, Chief Clerk

[SCR 106](#) and [S 1028](#) were referred to the Judiciary and Rules Committee for enrolling.

February 17, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 36](#), [H 37](#), [H 58](#), [H 10](#), [H 54](#), [H 77](#), [H 112](#), [H 17](#), [H 18](#), [H 19](#), and [H 33](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 36](#), [H 37](#), [H 58](#), [H 10](#), [H 54](#), [H 77](#), [H 112](#), [H 17](#), [H 18](#), [H 19](#), and [H 33](#) and ordered them returned to the House.

On request by Senator Davis, 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

[HJM 2](#), by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[H 70](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 132](#), 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 1049](#), [S 1055](#), and [S 1075](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 27](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1070](#), by Transportation Committee, was read the second time at length and filed for third reading.

[H 8](#) and [H 9](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

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

Motions and Resolutions

The President announced that [SCR 107](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Winder, seconded by Senator Buckner-Webb, [SCR 107](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, 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 Mark Harris and Senator Dan Foreman. The Invocation was delivered by Senator Heider. "Amazing Grace" was performed by Aimee Harris accompanied by Phillip Olsen. The Service was coordinated by Candace Villarreal, Secretary to the Secretary of the Senate.

IN THE SENATE A SENATE MEMORIAL

WHEREAS, the late Senator GRANT R. IPSEN passed on since the close of the Second Regular Session of the Sixty-third Legislature to wit, June 5th, 2016.

WHEREAS, the late Senator GRANT R. IPSEN served in the interest of Ada County during the Fifty-second through the Fifty-sixth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-fourth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator GRANT R. IPSEN; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-fourth 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 GRANT R. IPSEN family.

On motion by Senator Martin, seconded by Senator Lodge, the Memorial to the late Senator Ipsen was adopted by voice vote.

IN THE SENATE A SENATE MEMORIAL

WHEREAS, the late Senator CLAUDE J. BURTENSHAW passed on since the close of the Second Regular Session of the Sixty-third Legislature to wit, August 27th, 2016.

WHEREAS, the late Senator CLAUDE J. BURTENSHAW served in the interest of Madison County during the Thirty-fifth Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-fourth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator CLAUDE J. BURTENSHAW; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-fourth 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 CLAUDE J. BURTENSHAW family.

On motion by Senator Davis, seconded by Senator Stennett, the Memorial to the late Senator Burtenshaw was adopted by voice vote.

IN THE SENATE A SENATE MEMORIAL

WHEREAS, the late Senator and Lieutenant Governor MARK G. RICKS passed on since the close of the Second Regular Session of the Sixty-third Legislature to wit, September 29th, 2016.

WHEREAS, the late Senator and Lieutenant Governor MARK G. RICKS served in the interest of Madison County during the Forty-fifth through the Fifty-second Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-fourth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator and Lieutenant Governor MARK G. RICKS; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-fourth 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 MARK G. RICKS family.

On motion by President Pro Tempore Hill, seconded by Senator Stennett, the Memorial to the late Senator and Lieutenant Governor Ricks was adopted by voice vote.

IN THE SENATE A SENATE MEMORIAL

WHEREAS, the late Senator KENNETH L. ROBISON passed on since the close of the Second Regular Session of the Sixty-third Legislature to wit, October 16th, 2016.

WHEREAS, the late Senator KENNETH L. ROBISON served in the interest of Ada County during the Forty-fifth Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-fourth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator KENNETH L. ROBISON; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-fourth 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 KENNETH L. ROBISON family.

On motion by Senator Buckner-Webb, seconded by Senator Winder, the Memorial to the late Senator Robison was adopted by voice vote.

**IN THE SENATE
A SENATE MEMORIAL**

WHEREAS, the late Senator ROBERT W. SAXVIK passed on since the close of the Second Regular Session of the Sixty-third Legislature to wit, October 18th, 2016.

WHEREAS, the late Senator ROBERT W. SAXVIK served in the interest of Cassia County during the Forty-first through the Forty-third Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-fourth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator ROBERT W. SAXVIK; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-fourth 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 ROBERT W. SAXVIK family.

On motion by Senator Anthon, seconded by Senator Jordan, the Memorial to the late Senator Saxvik was adopted by voice vote.

**IN THE SENATE
A SENATE MEMORIAL**

WHEREAS, the late Senator JOHN D. HANSEN passed on since the close of the Second Regular Session of the Sixty-third Legislature to wit, January 8th, 2017.

WHEREAS, the late Senator JOHN D. HANSEN served in the interest of Bonneville County during the Forty-ninth through the Fifty-fourth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-fourth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator JOHN D. HANSEN; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-fourth 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 JOHN D. HANSEN family.

On motion by Senator Davis, seconded by Senator Stennett, the Memorial to the late Senator Hansen was adopted by voice vote.

"Meditation in Thais" was performed by Aimee Harris accompanied by Phillip Olsen. The Benediction was offered by Senator Lodge and the Memorial Service was dissolved.

President Pro Tempore Hill assumed the Chair.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned in memory of the late Senators Grant R. Ipsen, Claude J. Burtenshaw, Mark G. Ricks, Kenneth L. Robison, Robert W. Saxvik, and John D. Hansen at 12:36 p.m. until the hour of 10:30 a.m., Tuesday, February 21, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FORTY-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 21, 2017

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Mortimer and Stennett, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by McKinley Bradshaw, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, 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, DECLARING
JUNE AS POST-TRAUMATIC STRESS INJURY
AWARENESS MONTH, DECLARING JUNE 27 AS
POST-TRAUMATIC STRESS INJURY AWARENESS DAY
AND URGING THE DEPARTMENT OF HEALTH AND
WELFARE AND THE DIVISION OF VETERANS SERVICES
TO EDUCATE PEOPLE ABOUT POST-TRAUMATIC
STRESS INJURY.

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

WHEREAS, all citizens of the United States possess the basic human right to the preservation of personal dignity; and

WHEREAS, all citizens of the United States deserve the investment of every possible resource to ensure their lasting physical, mental and emotional well-being; and

WHEREAS, the brave men and women of the United States Armed Forces proudly serve this country and risk their lives to protect our freedom; and

WHEREAS, the diagnosis known as Post-Traumatic Stress Disorder (PTSD) was first defined by the American Psychiatric Association in 1980 to commonly and more accurately understand and treat veterans who had endured severe traumatic combat stress; and

WHEREAS, combat stress has historically been viewed as a mental illness caused by a preexisting flaw of character or ability, and the word "disorder" carries a stigma that perpetuates this misconception; and

WHEREAS, Post-Traumatic Stress Injury (PTSI) can occur after experiencing a severely traumatic event to include, but not be exclusive to, sexual assault, child abuse, high-impact collisions and crashes, natural disasters, acts of terrorism and military combat; and

WHEREAS, Post-Traumatic Stress Injury is a very common injury to the brain that is treatable and repairable; and

WHEREAS, referring to the complications from post-traumatic stress as a disorder perpetuates the stigma of and bias against mental illness, and this stigma can discourage the injured from seeking proper and timely medical treatment; and

WHEREAS, making Post-Traumatic Stress Injury less stigmatized and more honorable can favorably influence those affected and encourage them to seek help without fear of retribution or shame; and

WHEREAS, proper and timely treatment can diminish suicide rates; and

WHEREAS, all citizens suffering from Post-Traumatic Stress Injury deserve our compassion and consideration, and those who have received these wounds in action against an enemy of the United States further deserve our tribute and acknowledgment.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that June of each year be designated as Post-Traumatic Stress Injury Awareness Month and that June 27 of each year be designated as Post-Traumatic Stress Injury Awareness Day.

BE IT FURTHER RESOLVED that the Legislature respectfully urges the Department of Health and Welfare and the Division of Veterans Services to continue working to educate victims of abuse, crime and natural disasters, service members, veterans and their families, and the general public about the causes, symptoms and treatment of Post-Traumatic Stress Injury.

[SCR 110](#) 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 20, 2017

The JUDICIARY AND RULES Committee reports that [SCR 106](#) and [S 1028](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [SCR 106](#) and [S 1028](#) and ordered them transmitted to the House for the signature of the Speaker.

February 20, 2017

The RESOURCES AND ENVIRONMENT Committee reports out [S 1063](#), [S 1064](#), and [S 1099](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1063](#), [S 1064](#), and [S 1099](#) were filed for second reading.

February 20, 2017

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:

C. Wayne Hunsucker to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 2019.

Tom Long to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 2019.

BAIR, 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 20, 2017

The JUDICIARY AND RULES Committee reports out [S 1089](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1089](#) was filed for second reading.

February 20, 2017

The HEALTH AND WELFARE Committee reports out [H 43](#) and [S 1060](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 43](#) and [S 1060](#) were filed for second reading.

February 20, 2017

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:

Janet Penfold to the State Board of Health and Welfare, term to expire January 1, 2021.

Tom Stroschein to the State Board of Health and Welfare, term to expire January 7, 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.

February 20, 2017

The EDUCATION Committee reports out [S 1059](#) and [S 1094](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1059](#) and [S 1094](#) were filed for second reading.

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

Messages from the House

February 20, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 74](#) and [H 75](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 74](#) and [H 75](#) and ordered them returned to the House.

February 20, 2017

Dear Mr. President:

I return herewith Enrolled [SCR 102](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 102](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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 Martin, seconded by Senator Jordan, [HCR 3](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Stennett was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, [SCR 109](#) retained its place on the calendar for Thursday, February 23, 2017.

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial reappointment of Tom Katsilometes was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Burgoyne disclosed a possible conflict of interest under applicable law.

On motion by Senator Burgoyne, seconded by Senator Smith, the Gubernatorial reappointment of Tom Katsilometes as a member of the State Tax Commission was confirmed by voice vote.

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

Senator Mortimer 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 1107

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO COMMERCIAL DRIVER'S LICENSES; AMENDING SECTION 49-306, IDAHO CODE, TO REVISE PROVISIONS REGARDING SKILLS TEST FEES FOR COMMERCIAL DRIVER'S LICENSES; AMENDING SECTION 49-306, IDAHO CODE, AS AMENDED BY SECTION 6, CHAPTER 54, LAWS OF 2015, TO REVISE PROVISIONS REGARDING SKILLS TEST FEES FOR COMMERCIAL DRIVER'S LICENSES; AND PROVIDING AN EFFECTIVE DATE.

S 1108

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO SALARIES OF JUDGES; AMENDING SECTION 1-201, IDAHO CODE, TO INCREASE A CERTAIN SALARY AMOUNT RECEIVED BY THE CHIEF JUSTICE OF THE SUPREME COURT; AMENDING SECTION 1-703, IDAHO CODE, TO INCREASE A CERTAIN ANNUAL SALARY AMOUNT RECEIVED BY THE ADMINISTRATIVE JUDGE; AMENDING SECTION 1-2408, IDAHO CODE, TO INCREASE A CERTAIN ANNUAL SALARY AMOUNT RECEIVED BY THE CHIEF JUDGE OF THE COURT OF APPEALS; AND AMENDING SECTION 59-502, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO REVISE PROVISIONS RELATING TO SALARIES OF JUDGES.

S 1109

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE STATE BOARD OF CORRECTION; AMENDING SECTION 20-213A, IDAHO CODE, TO PROVIDE THAT HEARINGS OF THE COMMISSION SHALL BE HELD IN ACCORDANCE WITH THE OPEN MEETINGS LAW, TO PROVIDE THAT CERTAIN INITIAL REVIEWS MAY BE HELD IN EXECUTIVE SESSION, TO PROVIDE THAT CERTAIN DELIBERATIONS AND VOTING SHALL BE MADE IN EXECUTIVE SESSION, TO PROVIDE FOR FIREARM RESTORATION IN CERTAIN INSTANCES, TO PROVIDE THAT CERTAIN RECORDS SHALL BE AVAILABLE TO CERTAIN PERSONS, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

[S 1107](#), [S 1108](#), and [S 1109](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

[S 1069](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1069](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1008](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1008](#) passed, title was approved, and the bill ordered transmitted to the House.

President Pro Tempore Hill assumed the Chair.

[S 1047](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Smith disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1047](#) passed, title was approved, and the bill ordered transmitted to the House.

President Little returned to the Chair.

[S 1023](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Foreman arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **S 1024** passed, title was approved, and the bill ordered transmitted 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **S 1025** 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **S 1026** 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 Smith arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. 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 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, Bair, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Siddoway, Souza, Stennett, Thayne, Ward-Engelking, Winder. Total - 29.

NAYS—Anthon, Bayer, Den Hartog, Nonini, Smith (Rice), Vick. Total - 6.

Total - 35.

Whereupon the President declared **S 1081** passed, title was approved, and the bill ordered transmitted to the House.

H 12, as amended in the Senate, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared **H 12**, as amended in the Senate, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

President Pro Tempore Hill assumed the Chair.

H 57 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayne, Vick, Winder. Total - 30.

NAYS—Brackett, Foreman, Hagedorn, Lodge, Ward-Engelking. Total - 5.

Total - 35.

Whereupon the President Pro Tempore declared **H 57** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:09 p.m. until the hour of 10:30 a.m., Wednesday, February 22, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FORTY-FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 22, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Brigham Cardon, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, 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 HONORING AND CONGRATULATING CECILIA VIOLETTA LOPEZ FOR HER ACHIEVEMENTS IN OPERA.

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

WHEREAS, Cecilia Violetta Lopez, a Mexican American, is an Idaho native, born and raised in Rupert to parents who immigrated from Mexico; and

WHEREAS, Ms. Lopez credits her parents with instilling in her a powerful work ethic; and

WHEREAS, Ms. Lopez inherited her love of music from her mother, who taught her traditional Mexican songs to pass time while they harvested beets during the summer months; and

WHEREAS, even Ms. Lopez's name is associated with music, as Saint Cecilia is the patron saint of music, and Violetta is the protagonist in the opera "La Traviata," a role that Ms. Lopez went on to play to great acclaim; and

WHEREAS, Ms. Lopez learned English as a child by watching "Sesame Street," a show that also served as her first introduction to opera; and

WHEREAS, as a student at Minico High School, Ms. Lopez excelled academically and was a member of the elite dance team and two choirs; and

WHEREAS, Ms. Lopez was a local celebrity in Rupert and was often invited to sing at rodeos, weddings and quinceaneras; and

WHEREAS, following high school, Ms. Lopez worked as an orthopedic technician, married, started a family, and was encouraged by her husband to study music; and

WHEREAS, Ms. Lopez attended college at the University of Nevada-Las Vegas, where she majored in music education and began to perform in operas; and

WHEREAS, after graduating from UNLV, Ms. Lopez, a soprano with a range of four octaves, was hired by Opera San Jose; and

WHEREAS, in her years since graduating college, Ms. Lopez has had a fellowship with Martina Arroyo in New York City and has sung with opera companies across the nation, including Opera Idaho, Opera Tampa, Ash Lawn Opera, Virginia Opera, Opera Saratoga, the Michigan Opera Theatre, Eugene Opera and Loft Opera; and

WHEREAS, Ms. Lopez has won numerous accolades as an opera performer, including both first place and the Audience Favorite Award at the Irene Dalis Competition in 2014; and

WHEREAS, Ms. Lopez joined the Metropolitan Opera in 2015 and made her Carnegie Hall debut in 2016; and

WHEREAS, Ms. Lopez's performance as Violetta in "La Traviata" with the Metropolitan Opera was praised by a critic for the New York Observer as "among the loveliest I have witnessed on any stage"; and

WHEREAS, Ms. Lopez will soon make her European debut singing the role of Norina in "Don Pasquale" with Zomeropera in Belgium; and

WHEREAS, Ms. Lopez will once again appear in Idaho during the 2017-2018 season, singing with the Boise Philharmonic and performing the role of Adina in "The Elixir of Love" with Opera Idaho; and

WHEREAS, Ms. Lopez was recently named one of "25 Rising Stars" by Opera News; and

WHEREAS, while on a visit to Idaho in 2016, Ms. Lopez appeared at rural schools from Bruneau to Grandview, encouraging students to explore "outside their bubble" and follow their dreams; and

WHEREAS, Ms. Lopez's hard work, determination and dedication to her art serve as an inspiration for all Idahoans in pursuing their goals and overcoming obstacles.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we honor and congratulate Cecilia Violetta Lopez for her many achievements in the world of opera.

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

February 22, 2017

The JUDICIARY AND RULES Committee reports that **SCR 110**, **S 1107**, **S 1108**, and **S 1109** have been correctly printed.

LODGE, 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 1107](#) was referred to the Transportation Committee.

[S 1108](#) and [S 1109](#) were referred to the Judiciary and Rules Committee.

February 22, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 102](#) was delivered to the Office of the Secretary of State at 11:23 a.m., February 21, 2017.

LODGE, Chairman

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

February 21, 2017

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:

Gerald Trebesch to the State Soil and Water Conservation Commission, term to expire July 1, 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.

February 21, 2017

The TRANSPORTATION Committee reports out [S 1072](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1072](#) was filed for second reading.

February 21, 2017

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1084](#) and [S 1085](#) with the recommendation that they do pass.

JOHNSON, Chairman

[S 1084](#) and [S 1085](#) were filed for second reading.

February 21, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1046](#), [S 1057](#), and [S 1061](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1046](#), [S 1057](#), and [S 1061](#) were filed for second reading.

February 21, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1077](#) and [S 1039](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1077](#) and [S 1039](#) were referred to the Fourteenth Order of Business, General Calendar.

February 22, 2017

The HEALTH AND WELFARE Committee reports out [H 41](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 41](#) was filed for second reading.

February 21, 2017

The EDUCATION Committee reports out [H 73](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 73](#) was filed for second reading.

February 22, 2017

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:

Amber Christine Larna to the Bingo-Raffle Advisory Board, term to expire January 7, 2019.

Judy Bicknell Taylor as the Administrator of the Office on Aging, term to continue at the pleasure of the Governor.

SIDDOWAY, 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 22, 2017

The STATE AFFAIRS Committee reports out [H 92](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[H 92](#) was filed for second reading.

February 22, 2017

The STATE AFFAIRS Committee reports out [H 104](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [H 104](#) was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

February 21, 2017

Dear Mr. President:

I transmit herewith [H 133](#), [H 95](#), [HCR 11](#), [H 153](#), [H 126](#), [H 149](#), [H 86](#), [H 87](#), and [H 98](#), which have passed the House.

MAULIN, Chief Clerk

[H 133](#), [H 95](#), [HCR 11](#), [H 153](#), [H 126](#), [H 149](#), [H 86](#), [H 87](#), and [H 98](#) were filed for first reading.

February 21, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 124](#) and [H 20](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 124](#) and [H 20](#) and ordered them returned to the House.

February 21, 2017

Dear Mr. President:

I return herewith Enrolled [S 1005](#), [S 1016](#), [S 1032](#), and [S 1042](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1005](#), [S 1016](#), [S 1032](#), and [S 1042](#) 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 Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of C. Wayne Hunsucker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bayer, seconded by Senator Stennett, the Gubernatorial reappointment of C. Wayne Hunsucker as a member of the Idaho Outfitters and Guides Licensing 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 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 Resources and Environment Committee report relative to the Gubernatorial reappointment of Tom Long was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Siddoway, the Gubernatorial reappointment of Tom Long as a member of the Idaho Outfitters and Guides Licensing 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 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 Health and Welfare Committee report relative to the Gubernatorial reappointment of Janet Penfold 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 Janet Penfold as a member of the State Board of Health and Welfare 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 Health and Welfare Committee report relative to the Gubernatorial reappointment of Tom Stroschein 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 Tom Stroschein as a member of the State Board of Health and Welfare 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 motion by Senator Davis, 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:

Shanyce Barber, Payette
McKinley Bradshaw, Ammon
Bridger Cardon, Ammon
Brigham Cardon, Ammon
Anika Draper, Idaho Falls
Melissa Freeman, Caldwell
Sydney Madsen, Meridian
Ethan Oleson, Eagle
Aaron Swanson, Rigby

Whereupon the President Pro Tempore 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.

The Senate advanced to the Eleventh Order of Business.

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

S 1110

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-675, IDAHO CODE, TO PROHIBIT THE RELEASE OF EMISSIONS UNDER CERTAIN CONDITIONS, TO PROHIBIT CERTAIN MODIFICATION OF DIESEL-POWERED VEHICLES AND TO PROVIDE FOR VIOLATIONS AND PENALTIES; AND AMENDING SECTION 49-236, IDAHO CODE, TO PROVIDE FOR VIOLATIONS AND PENALTIES.

S 1111

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO STOCKWATER RIGHTS; REPEALING CHAPTER 5, TITLE 42, IDAHO CODE, RELATING TO STOCKWATER RIGHTS; AMENDING TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 5,

TITLE 42, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROHIBIT THE ACQUISITION OF CERTAIN STOCKWATER RIGHTS, TO PROVIDE THAT CERTAIN PERMITTEES SHALL NOT BE CONSIDERED AGENTS OF THE FEDERAL GOVERNMENT, TO LIMIT THE USE OF CERTAIN STOCKWATER RIGHTS, TO PROVIDE FOR THE EFFECT OF AN ILLEGAL CHANGE OF OWNERSHIP OR TRANSFER, TO PROVIDE FOR SEVERABILITY, TO PROVIDE THAT SPECIFIED LAW SHALL BE CONTROLLING; AND DECLARING AN EMERGENCY.

[S 1110](#) and [S 1111](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 133](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 95](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 11](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 153](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 126](#) and [H 149](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 86](#), [H 87](#), and [H 98](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1063](#), [S 1064](#), and [S 1099](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[S 1089](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 43](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1060](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1059](#) and [S 1094](#), by Education Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1049](#) 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, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1049](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lakey, granted by unanimous consent, [S 1055](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1075](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1075](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1070](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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 Johnson disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Jordan, Keough, Lakey, Martin, Nonini, Nye, Patrick, Souza, Stennett, Ward-Engelking. Total - 23.

NAYS—Bair, Den Hartog, Hill, Johnson, Lee, Lodge, Mortimer, Siddoway, Smith (Rice), Thayn, Vick, Winder. Total - 12.

Total - 35.

Whereupon the President Pro Tempore declared [S 1070](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 32](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Mortimer. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 32](#) passed, title was approved, and the bill ordered returned to the House.

President Pro Tempore Hill called Senator Johnson to the Chair.

[H 27](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the Acting President declared [H 27](#) passed, title was approved, and the bill ordered returned to the House.

[H 8](#) 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, Brackett, Buckner-Webb, Burgoyne, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Martin, Mortimer, Nye, Patrick, Stennett, Ward-Engelking, Winder. Total - 17.

NAYS—Anthon, Bair, Bayer, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Lakey, Lee, Lodge, Nonini, Siddoway, Smith (Rice), Souza, Thayn, Vick. Total - 17.

Absent and excused—Hill. Total - 1.

Total - 35.

A tie vote having resulted in the roll call, the Acting President declared that [H 8](#) had failed to pass the Senate and ordered the bill returned to the House.

[H 9](#) 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, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Ward-Engelking. Total - 30.

NAYS—Den Hartog, Smith (Rice), Vick. Total - 3.

Absent and excused—Hill, Winder. Total - 2.

Total - 35.

Whereupon the Acting President declared [H 9](#) passed, title was approved, and the bill ordered returned to the House.

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

General Calendar

On request by Senator Patrick, granted by unanimous consent, [S 1007](#) was referred to Commerce and Human Resources Committee.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:03 p.m. until the hour of 10:30 a.m., Thursday, February 23, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 23, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 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 Keith Buhler.

The Pledge of Allegiance was led by Bridger Cardon, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 23, 2017

The JUDICIARY AND RULES Committee reports that [SCR 111](#), [S 1110](#), and [S 1111](#) have been correctly printed.

LODGE, 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.

[S 1110](#) was referred to the Transportation Committee.

[S 1111](#) was referred to the Resources and Environment Committee.

February 22, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1005](#), [S 1016](#), [S 1032](#), and [S 1042](#) were delivered to the Office of the Governor at 11:25 a.m., February 22, 2017.

LODGE, Chairman

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

February 22, 2017

The JUDICIARY AND RULES Committee reports out [S 1090](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1090](#) was referred to the Fourteenth Order of Business, General Calendar.

February 22, 2017

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:

Shellee Smith Daniels to the State Public Defense Commission, term to expire July 1, 2017.

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 22, 2017

The HEALTH AND WELFARE Committee reports out [H 7](#) and [H 38](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 7](#) and [H 38](#) were filed for second reading.

February 22, 2017

The HEALTH AND WELFARE Committee reports out [H 11](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, [H 11](#) was referred to the Fourteenth Order of Business, General Calendar.

February 22, 2017

The JUDICIARY AND RULES Committee reports out [H 97](#), [S 1083](#), [S 1091](#), and [S 1092](#) with the recommendation that they do pass.

LODGE, Chairman

[H 97](#), [S 1083](#), [S 1091](#), and [S 1092](#) 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 22, 2017

Dear Mr. President:

I transmit herewith [H 142](#), [H 143](#), [H 145](#), [H 166](#), [HCR 6](#), [H 151](#), [HCR 8](#), [H 81](#), [H 115](#), [H 128](#), [H 129](#), [HCR 13](#), [H 105](#), and [H 107](#), which have passed the House.

MAULIN, Chief Clerk

[H 142](#), [H 143](#), [H 145](#), [H 166](#), [HCR 6](#), [H 151](#), [HCR 8](#), [H 81](#), [H 115](#), [H 128](#), [H 129](#), [HCR 13](#), [H 105](#), and [H 107](#) were filed for first reading.

February 22, 2017

Dear Mr. President:

I return herewith [S 1062](#) and [S 1004](#), which have passed the House.

MAULIN, Chief Clerk

[S 1062](#) and [S 1004](#) were referred to the Judiciary and Rules Committee for enrolling.

February 22, 2017

Dear Mr. President:

I return herewith Enrolled [SCR 106](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 106](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

February 22, 2017

Dear Mr. 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.

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 [SCR 109](#) was before the Senate for final consideration.

Moved by Senator Keough, seconded by Senator Ward-Engelking, that [SCR 109](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 109](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 110](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Foreman, seconded by Senator Jordan, [SCR 110](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the committee report of the gubernatorial reappointment confirmation of Gerald Trebesch retained its place on the calendar for one legislative day.

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

On motion by Senator Stennett, seconded by Senator Hagedorn, the gubernatorial appointment of Amber Christine Larna as a member of the Bingo-Raffle Advisory 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 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 Ward-Engelking, seconded by Senator Lee, the gubernatorial appointment of Judy Bicknell Taylor as the Administrator of the Office on Aging 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 Senate advanced to the Eleventh Order of Business.

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

S 1112 BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2017; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

S 1113 BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO THE IDAHO CRIMINAL JUSTICE SYSTEM; AMENDING SECTION 20-210, IDAHO CODE, TO REVISE THE COMPOSITION OF THE BOARD, TO PROVIDE THAT CERTAIN MEMBERS OF THE BOARD MAY MEET TO MAKE CERTAIN DECISIONS AND TO REVISE COMPENSATION FOR BOARD MEMBERS; AMENDING SECTION 20-213A, IDAHO CODE, TO PROVIDE THAT CERTAIN MEETINGS BY LESS THAN A MAJORITY OF THE COMMISSION SHALL BE EXEMPT FROM THE OPEN MEETINGS LAW, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 20-219, IDAHO CODE, TO PROVIDE THAT A HEARING SHALL NOT BE REQUIRED IN RULES REGARDING CERTAIN SANCTIONS AND REWARDS; AMENDING SECTION 20-223, IDAHO

CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE CERTAIN RULEMAKING AUTHORITY, TO PROVIDE THAT THE COMMISSION SHALL CONSIDER CERTAIN FACTORS IN MAKING ANY PAROLE OR COMMUTATION DECISION, TO REVISE PROVISIONS REGARDING CERTAIN RULEMAKING AUTHORITY, TO REVISE A PROVISION REGARDING PROGRAMMING, TO REVISE A PROVISION REGARDING REPORTING REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 20-229B, IDAHO CODE, TO REVISE TERMINOLOGY, TO REVISE A PROVISION REGARDING COMMISSION RULINGS AND TO REMOVE PROVISIONS REGARDING COMMISSION RULINGS; AND AMENDING SECTION 19-2513, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

S 1114

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO REGULATION OF ALCOHOL; PROVIDING LEGISLATIVE FINDINGS; REPEALING SECTION 23-614, IDAHO CODE, RELATING TO PROHIBITED ACTS AND PENALTIES FOR THOSE ACTS; AMENDING CHAPTER 6, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-614, IDAHO CODE, TO PROVIDE PROHIBITED ACTS BY A PERMITTEE OR HIS AGENT OR EMPLOYEE, TO REQUIRE SUPERVISION, TO PROVIDE EXCEPTIONS, TO PROVIDE PENALTIES AND TO PROVIDE FOR ADMINISTRATIVE ACTION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

[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 142](#), [H 143](#), [H 145](#), and [H 166](#), by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[HCR 6](#), by Commerce and Human Resources Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[H 151](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 8](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 81](#), [H 115](#), [H 128](#), and [H 129](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 13](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[H 105](#) and [H 107](#), by Education Committee, were 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 1072](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1084](#) and [S 1085](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1046](#) and [S 1057](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1061](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 41](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 73](#), by Education Committee, was read the second time at length and filed for third reading.

[H 92](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 97](#), by Judiciary, Rules and Administration 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 1055](#), 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1055](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1063](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Nye. Total - 2.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1063](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1064](#) and [S 1099](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1089](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Smith (Rice), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1089](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, **H 97** was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

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

Miscellaneous Business

On motion by Senator Davis, 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 24, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

**FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 24, 2017**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Anika Draper, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 23, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 24, 2017

The JUDICIARY AND RULES Committee reports that [S 1112](#), [S 1113](#), and [S 1114](#) have been correctly printed.

LODGE, Chairman

[S 1112](#) was referred to the Finance Committee.

[S 1113](#) was referred to the Judiciary and Rules Committee.

[S 1114](#) was referred to the State Affairs Committee.

February 23, 2017

The JUDICIARY AND RULES Committee reports that [S 1062](#) and [S 1004](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1062](#) and [S 1004](#) and ordered them transmitted to the House for the signature of the Speaker.

February 24, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1028](#) was delivered to the Office of the Governor at 11:07 a.m., February 23, 2017.

LODGE, Chairman

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

February 24, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 106](#) was delivered to the Office of the Secretary of State at 11:08 a.m., February 23, 2017.

LODGE, Chairman

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

February 23, 2017

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:

Dwight Horsch to the Idaho Transportation Board, term to expire January 31, 2023.

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.

February 23, 2017

The TRANSPORTATION Committee reports out [H 78](#), [H 132](#), and [S 1107](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 78](#), [H 132](#), and [S 1107](#) were filed for second reading.

February 23, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1045](#) with the recommendation that it do pass.

PATRICK, Chairman

[S 1045](#) was filed for second reading.

February 23, 2017

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 153](#) with the recommendation that it do pass.

JOHNSON, Chairman

[H 153](#) was filed for second reading.

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

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:23 a.m. until the hour of 10:30 a.m., Monday, February 27, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FIFTIETH LEGISLATIVE DAY
MONDAY, FEBRUARY 27, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Melissa Freeman, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 24, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 112

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DIVISION OF BUILDING SAFETY RELATING TO RULES OF THE PUBLIC WORKS CONTRACTORS LICENSE BOARD.

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 of the Public Works Contractors License Board 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-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 07.05.01, Division of Building Safety, Rules of the Public Works Contractors License Board, adopted as a pending rule under Docket Number 07-0501-1601, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 113

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

TO ENCOURAGE HOSPITALS IN THE STATE OF IDAHO TO HELP DEVELOP RESIDENCY PROGRAMS FOR NEW IDAHO PHYSICIANS.

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

WHEREAS, Idaho ranks 48th in the nation for the number of actively practicing physicians per 100,000 population, with just 180.7 physicians per 100,000 population; and

WHEREAS, more than 25% of physicians in Idaho are over the age of 60 years old and therefore are approaching retirement; and

WHEREAS, in 2009, the Medical Education Subcommittee of the Idaho State Board of Education named as its top priority the expansion of medical residency programs in Idaho; and

WHEREAS, in 2016, the Governor's Medical Education Work Group of the Idaho State Board of Education made the growth of accredited residency programs its top priority for the production of a quality healthcare workforce for Idaho; and

WHEREAS, Idaho ranks 47th in the nation for the number of residency positions available to medical school graduates; and

WHEREAS, 54% of medical school graduates who complete their residencies in Idaho stay in Idaho, which is well above the national average retention rate of 44%; and

WHEREAS, Idaho is ranked second in the nation for the percentage increase in the number of residency positions in Idaho between 2004 and 2014, in areas such as family medicine, internal medicine and psychiatry; and

WHEREAS, there are still many types of residencies that are not offered in Idaho, forcing Idaho medical school graduates to go to other states if they specialize in areas such as emergency care, pediatrics or general surgery; and

WHEREAS, creating new residency positions is a good investment for Idaho, as it results in a higher likelihood that the new physicians who complete their residencies in Idaho will stay in the state; and

WHEREAS, much of the federal money that previously assisted in setting up new residency positions in Idaho has been capped; and

WHEREAS, all of Idaho will benefit from an increase in the number of residency positions in Idaho, and especially an increase in the types of residency positions in Idaho, such as adding general surgery, emergency care and pediatrics; and

WHEREAS, Idaho hospitals should be encouraged to invest in Idaho by providing funding and faculty for setting up new residency positions in their facilities.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that hospitals in Idaho are hereby encouraged to take the actions needed to establish new residency programs and additional residency positions in their facilities for Idaho medical student graduates, thus planting the seeds for a new crop of physicians practicing in Idaho.

[SCR 112](#) and [SCR 113](#) 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 24, 2017

The STATE AFFAIRS Committee reports out [SCR 108](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[SCR 108](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 24, 2017

The FINANCE Committee reports out [S 1112](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1112](#) was filed for second reading.

February 24, 2017

The JUDICIARY AND RULES Committee reports out [S 1088](#) and [S 1108](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1088](#) and [S 1108](#) 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 24, 2017

Dear Mr. President:

I transmit herewith [H 150](#), [H 108](#), [H 156](#), [HCR 15](#), [HCR 16](#), and [H 113](#), which have passed the House.

MAULIN, Chief Clerk

[H 150](#), [H 108](#), [H 156](#), [HCR 15](#), [HCR 16](#), and [H 113](#) were filed for first reading.

February 24, 2017

Dear Mr. President:

I return herewith [S 1003](#), [S 1037](#), [S 1040](#), [SCR 101](#), and [S 1009](#), which have passed the House.

MAULIN, Chief Clerk

[S 1003](#), [S 1037](#), [S 1040](#), [SCR 101](#), and [S 1009](#) were referred to the Judiciary and Rules Committee for enrolling.

February 24, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 32](#), [H 27](#), and [H 9](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 32](#), [H 27](#), and [H 9](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that [SCR 111](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Winder, [SCR 111](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, 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 1115

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE POLICE FOR THE BRAND INSPECTION PROGRAM FOR FISCAL YEAR 2017 TO PROVIDE FOR LIVESTOCK SOFTWARE; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR FISCAL YEAR 2018; AND DECLARING AN EMERGENCY.

S 1116

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2017; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE MANAGEMENT SERVICES PROGRAM FOR FISCAL YEAR 2017 TO PROVIDE FOR AN EVALUATION AND ATTORNEY'S FEES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE MANAGEMENT SERVICES PROGRAM FOR FISCAL YEAR 2017 TO PROVIDE FOR AN EVALUATION; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE MEDICAL SERVICES PROGRAM FOR FISCAL YEAR 2017 TO PROVIDE FOR CONTRACT COSTS; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE COUNTY AND OUT-OF-STATE PLACEMENT PROGRAM FOR FISCAL YEAR 2017 DUE TO CONTRACT SAVINGS; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE CORRECTIONAL ALTERNATIVE PLACEMENT PROGRAM FOR FISCAL YEAR 2017 DUE TO CONTRACT SAVINGS; AND DECLARING AN EMERGENCY.

S 1117

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO RESERVES AND SURPLUS OF SELF-FUNDED INSURANCE PLANS; AMENDING SECTION 41-4010, IDAHO CODE, TO ALLOW THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO EXTEND THE PERIOD FOR MINIMUM SURPLUS REQUIREMENTS FOR A PERIOD NOT TO EXCEED TWELVE MONTHS IF CERTAIN CONDITIONS OCCUR FOR NEWLY FORMED PLANS WITH NO PRIOR OPERATING HISTORY.

S 1118
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-106, IDAHO CODE, TO PROVIDE THAT INDIVIDUALS OR LANDOWNERS THAT HAVE BEEN ISSUED A KILL PERMIT BY THE DIRECTOR OF THE DEPARTMENT OF FISH AND GAME OR HIS DESIGNEE, IN CONJUNCTION WITH THEIR RESPONSIBILITY FOR FIELD DRESSING THE ANIMALS TAKEN, MAY KEEP ONE ANIMAL FOR THEIR PERSONAL USE AND TO PROVIDE THAT UNDER CERTAIN CONDITIONS A SECOND ANIMAL SUBSEQUENTLY TAKEN MAY BE KEPT BY THE INDIVIDUAL OR LANDOWNER.

S 1119
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 74-105, IDAHO CODE, TO PROVIDE THAT CERTAIN RECORDS OF THE STATE PUBLIC DEFENSE COMMISSION SHALL BE EXEMPT FROM DISCLOSURE AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1120
BY JUDICIARY AND RULES COMMITTEE
 AN ACT

RELATING TO FORCIBLE DETAINER; AMENDING SECTION 6-302, IDAHO CODE, TO REVISE THE DEFINITION OF "FORCIBLE DETAINER" AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 6-310, IDAHO CODE, TO REVISE PROCEDURES IN AN ACTION FOR POSSESSION OF PROPERTY; AMENDING SECTION 6-311A, IDAHO CODE, TO PROVIDE FOR A JUDGMENT FOR FORCIBLE DETAINER; AND AMENDING SECTION 6-317, IDAHO CODE, TO REVISE WHEN TREBLE DAMAGES ATTACH.

S 1121
BY JUDICIARY AND RULES COMMITTEE
 AN ACT

RELATING TO THE SAFE ROUTES TO SCHOOL HEALTHY KIDS PROGRAM; AMENDING TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 25, TITLE 40, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE FOR THE SAFE ROUTES TO SCHOOL HEALTHY KIDS PROGRAM, TO DEFINE TERMS, TO PROVIDE FOR THE ADMINISTRATION OF THE PROGRAM, TO PROVIDE FOR A FUND, TO PROVIDE FOR SOLICITATION OF RECOMMENDATIONS AND TO PROVIDE FOR REPORTING; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1122
BY JUDICIARY AND RULES COMMITTEE
 AN ACT

RELATING TO COMMISSIONERS ON UNIFORM LAWS; AMENDING SECTION 67-1701, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS SHALL BE MEMBERS OF THE COMMISSION ON UNIFORM STATE LAWS; AMENDING SECTION 67-1702, IDAHO CODE, TO CLARIFY THAT A COMMISSIONER APPOINTED BY THE GOVERNOR SHALL HAVE A CERTAIN TERM OF OFFICE AND TO CLARIFY PER DIEM PAYMENTS TO

LIFE MEMBER COMMISSIONERS; AND PROVIDING AN EFFECTIVE DATE.

S 1115, S 1116, S 1117, S 1118, S 1119, S 1120, S 1121, and S 1122 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 150, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 108, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 156, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

HCR 15 and HCR 16, by Agricultural Affairs Committee, were introduced, read at length, and referred to the Agricultural Affairs Committee.

H 113, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 78 and H 132, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

S 1107, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1045, 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

H 153 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Crabtree. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 153 passed, title was approved, and the bill ordered returned to the House.

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

Petitions, Resolutions, and Memorials

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

Reports of Standing Committees

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

Third Reading of Bills

[S 1060](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Foreman, Nonini, Siddoway. Total - 3.

Absent and excused—Crabtree. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1060](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1059](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Crabtree. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1059](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1094](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Crabtree. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1094](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1072](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1084](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Crabtree. Total - 1.

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 Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Crabtree. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1085](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1046](#) 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Crabtree. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1046](#) 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 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Crabtree. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1057](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1061](#) 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Crabtree. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1061](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, 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 Winder 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 Winder, Chairman of the Committee of the Whole, reported out [S 1074](#), [S 1077](#), and [S 1039](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1074

AMENDMENT TO SECTION 5

On page 10 of the printed bill, in line 20, following "public" insert: "by the governing board or the board's designee"; also in line 20, following "time" delete "," and insert: ";. The governing board's designee shall"; also in line 20, following "thereafter" delete "to" and insert: "tø"; in line 21, delete "be compiled and submitted" and insert: "be compiled and submitted compile and submit"; also in line 21, following "award" insert: "or, if authorized, approve the award".

SENATE AMENDMENT TO S 1077

AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 23, following "penses." insert: "An agreement whereby an employer, or a third party contracted by the employer, provides mileage reimbursement and incidental maintenance and repairs to its employees for personal vehicles used for business purposes shall not be considered a motor vehicle service contract or a contract of insurance."

SENATE AMENDMENT TO S 1039

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 21, following "Code." insert: "An employee in the career information system (CIS) bureau of the Idaho department of labor who is designated nonclassified as of July 1, 2017, may make a onetime irrevocable election to remain nonclassified until vacating the position. Such an election must be made no later than August 1, 2017, at which time the position will automatically convert to classified. When the position is designated classified, it is subject to the provisions of chapter 53, title 67, Idaho Code.".

CORRECTION TO TITLE

On page 1, in line 4, following "PLOYEES" insert: "AND TO PROVIDE FOR A ONETIME IRREVOCABLE ELECTION".

The Committee also has [S 1038](#), [H 104](#), [S 1090](#), and [H 11](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

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

[S 1074](#), as amended, [S 1077](#), as amended, and [S 1039](#), 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 Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

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

Messages from the House

February 27, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 97](#) and [H 153](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 97](#) and [H 153](#) and ordered them returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:04 p.m. until the hour of 10 a.m., Tuesday, February 28, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, FEBRUARY 28, 2017

Senate Chamber

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

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senators Bair, Bayer, Davis, and Lodge, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Sydney Madsen, 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, 2017, was read and approved as corrected.

LODGE, 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 102 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 102](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Davis was recorded present at this order of business.

February 28, 2017

The JUDICIARY AND RULES Committee reports that [SCR 112](#), [SCR 113](#), [S 1115](#), [S 1116](#), [S 1117](#), [S 1118](#), [S 1119](#), [S 1120](#), [S 1121](#), and [S 1122](#) have been correctly printed.

LODGE, Chairman

[SCR 112](#) and [SCR 113](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1115](#) and [S 1116](#) were referred to the Finance Committee.

[S 1117](#) was referred to the Commerce and Human Resources Committee.

[S 1118](#) was referred to the Resources and Environment Committee.

[S 1119](#) was referred to the State Affairs Committee.

[S 1120](#) was referred to the Judiciary and Rules Committee.

[S 1121](#) was referred to the Education Committee.

[S 1122](#) was referred to the Judiciary and Rules Committee.

February 27, 2017

The JUDICIARY AND RULES Committee reports that [S 1003](#), [S 1037](#), [S 1040](#), [SCR 101](#), and [S 1009](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1003](#), [S 1037](#), [S 1040](#), [SCR 101](#), and [S 1009](#) and ordered them transmitted to the House for the signature of the Speaker.

February 28, 2017

The JUDICIARY AND RULES Committee reports that [S 1074](#), as amended, [S 1077](#), as amended, and [S 1039](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1074](#), as amended, [S 1077](#), as amended, and [S 1039](#), as amended, were filed for first reading.

February 28, 2017

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1074](#), [S 1077](#), and [S 1039](#) have been correctly printed.

LODGE, Chairman

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

Senator Bayer was recorded present at this order of business.

February 27, 2017

The STATE AFFAIRS Committee reports out [HCR 11](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[HCR 11](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Lodge was recorded present at this order of business.

February 27, 2017

The STATE AFFAIRS Committee reports out [H 126](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [H 126](#) was referred to the Fourteenth Order of Business, General Calendar.

February 27, 2017

The JUDICIARY AND RULES Committee reports out [S 1109](#) and [S 1113](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1109](#) and [S 1113](#) were filed for second reading.

February 27, 2017

The RESOURCES AND ENVIRONMENT Committee reports out [HCR 5](#), [HJM 2](#), and [S 1098](#) with the recommendation that they do pass.

BAIR, Chairman

[HCR 5](#) and [HJM 2](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1098](#) 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 27, 2017

Dear Mr. President:

I transmit herewith [H 141](#), [H 168](#), [H 169](#), [H 170](#), [H 171](#), [H 123](#), [H 146](#), [H 180](#), [H 119](#), and [H 122](#), which have passed the House.

MAULIN, Chief Clerk

[H 141](#), [H 168](#), [H 169](#), [H 170](#), [H 171](#), [H 123](#), [H 146](#), [H 180](#), [H 119](#), and [H 122](#) were filed for first reading.

February 27, 2017

Dear Mr. President:

I return herewith Enrolled [S 1062](#) and [S 1004](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1062](#) and [S 1004](#) 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 Transportation Committee report relative to the Gubernatorial reappointment of Dwight Horsch 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 reappointment of Dwight Horsch as a member of the Idaho Transportation Board was confirmed by voice vote.

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

Senator Bair was recorded present at this order of business.

On request by Senator Davis, 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 1123

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO SCHOOLS; AMENDING SECTION 33-1006, IDAHO CODE, TO PROVIDE FOR THE COSTS OF TRANSPORTATION TO AND FROM CERTAIN APPROVED SCHOOL ACTIVITIES IN THE TRANSPORTATION SUPPORT PROGRAM AND TO MAKE TECHNICAL CORRECTIONS.

S 1124

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PARENTS AND GUARDIANS; AMENDING SECTION 15-5-104, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN IMMEDIATE DELEGATION OF POWERS, TO PROVIDE FOR HOW LONG AN IMMEDIATE DELEGATION SHALL CONTINUE, TO PROVIDE FOR A SPRINGING DELEGATION OF POWERS IN CERTAIN INSTANCES, TO PROVIDE PROCEDURES FOR A SPRINGING DELEGATION OF POWERS, TO PROVIDE THAT A DELEGATION OF POWERS SHALL NOT FORECLOSE CERTAIN PROCEEDINGS, TO PROVIDE THAT A DELEGATION OF POWERS SHALL NOT SUPERSEDE A COURT ORDER, TO PROVIDE CERTAIN REQUIREMENTS FOR THE DELEGATION OF POWERS TO CO-GUARDIANS, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

S 1125

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO COURTS; AMENDING SECTION 1-1624, IDAHO CODE, TO REVISE TERMINOLOGY, TO REVISE A DEFINITION, TO DEFINE A TERM, TO PROVIDE THAT A DELINQUENCY SHALL NOT EXIST IN CERTAIN INSTANCES AND TO PROVIDE FOR A WRITTEN OBJECTION TO A SET-OFF.

S 1126
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO SAFE HAVENS; AMENDING SECTION 39-8202, IDAHO CODE, TO ADD FIRE STATION TO THE DEFINITION OF "SAFE HAVEN" AND TO MAKE TECHNICAL CORRECTIONS.

[S 1123](#), [S 1124](#), [S 1125](#), and [S 1126](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1074](#), as amended, [S 1077](#), as amended, and [S 1039](#), as amended, by Commerce and Human Resources Committee, were read the first time at length and filed for second reading.

[H 141](#), [H 168](#), [H 169](#), [H 170](#), and [H 171](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 123](#), [H 146](#), and [H 180](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 119](#) and [H 122](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1112](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1088](#) and [S 1108](#), by Judiciary and Rules 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 1072](#), having been held, 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), Senators Brackett, Nye, Keough, Patrick, and Thayn disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Brackett, Hagedorn, Keough, Martin, Nonini, Nye, Patrick, Winder. Total - 8.

NAYS—Agenbroad, Anthon, Bair, Bayer, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Mortimer, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking. Total - 26.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared that [S 1072](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1083](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Foreman arose as sponsor 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1083](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1091](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1091](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1092](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1092](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:03 p.m. until the hour of 10:15 a.m., Wednesday, March 1, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FIFTY-SECOND LEGISLATIVE DAY
WEDNESDAY, MARCH 1, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:15 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Ethan Oleson, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 1, 2017

The JUDICIARY AND RULES Committee reports that [SJR 102](#), [S 1123](#), [S 1124](#), [S 1125](#), and [S 1126](#) have been correctly printed.

LODGE, Chairman

[SJR 102](#) was referred to the State Affairs Committee.

[S 1123](#) was referred to the Education Committee.

[S 1124](#) and [S 1125](#) were referred to the Judiciary and Rules Committee.

[S 1126](#) was referred to the Health and Welfare Committee.

March 1, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1062](#) and [S 1004](#) were delivered to the Office of the Governor at 11 a.m., February 28, 2017.

LODGE, Chairman

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

President Little assumed the Chair.

February 28, 2017

The AGRICULTURAL AFFAIRS Committee reports out [H 133](#) with the recommendation that it do pass.

RICE, Chairman

[H 133](#) was filed for second reading.

February 28, 2017

The FINANCE Committee reports out [S 1115](#) and [S 1116](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1115](#) and [S 1116](#) were filed for second reading.

February 28, 2017

The TRANSPORTATION Committee reports out [S 1086](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1086](#) was filed for second reading.

February 28, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1058](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1058](#) was referred to the Fourteenth Order of Business, General Calendar.

February 28, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 46](#) and [SCR 104](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 46](#) was filed for second reading.

[SCR 104](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 28, 2017

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

Todd Lakey to the State Insurance Fund Board, term to expire December 1, 2018.

PATRICK, Chairman

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

February 28, 2017

The EDUCATION Committee reports out [H 105](#), [H 107](#), and [SCR 105](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 105](#) and [H 107](#) were filed for second reading.

[SCR 105](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 28, 2017

The HEALTH AND WELFARE Committee reports out [H 81](#), [H 128](#), and [HCR 8](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 81](#) and [H 128](#) were filed for second reading.

[HCR 8](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

Messages from the Governor

February 28, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mary E. Hughes of Boise, Idaho, was appointed to the Idaho Endowment Fund Investment Board to serve a term commencing February 27, 2017, and expiring April 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 State Affairs Committee.

February 28, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1005](#), [S 1016](#), [S 1028](#), [S 1032](#), and [S 1042](#)

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
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 28, 2017

Dear Mr. President:

I transmit herewith [H 120](#), [H 139](#), [H 185](#), [H 195](#), [H 207](#), and [H 208](#), which have passed the House.

MAULIN, Chief Clerk

[H 120](#), [H 139](#), [H 185](#), [H 195](#), [H 207](#), and [H 208](#) were filed for first reading.

On request by Senator Davis, 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 1127

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2018; PROVIDING LEGISLATIVE INTENT FOR THE MORTGAGE RECOVERY FUND; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1128

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1129

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2018; APPROPRIATING AND TRANSFERRING MONEYS TO THE WORKFORCE DEVELOPMENT TRAINING FUND; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

[S 1127](#), [S 1128](#), and [S 1129](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Rice was recorded present at this order of business.

[H 120](#) and [H 139](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 185](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 195](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 207](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 208](#), 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 1109](#) and [S 1113](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1098](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[S 1074](#), as amended, [S 1077](#), as amended, and [S 1039](#), as amended, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

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

Motions and Resolutions

The President announced that [SCR 108](#) was before the Senate for final consideration.

Moved by Senator Hagedorn, seconded by Senator Lakey, that [SCR 108](#) be adopted. The question being, "Shall the resolution be adopted?"

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Davis.

President Pro Tempore Hill and Senators Bair, Hagedorn, Martin, Stennett, and Winder supported the request for a roll call vote.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Hagedorn, Hill, Lakey, Lodge, Mortimer, Rice, Siddoway, Souza, Thayn. Total - 11.

NAYS—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Harris, Heider, Johnson, Jordan, Keough, Lee, Martin, Nonini, Nye, Patrick, Stennett, Vick, Ward-Engelking, Winder. Total - 24.

Total - 35.

Whereupon the President declared that the Senate has failed to adopt [SCR 108](#) and ordered the resolution filed in the office of the Secretary of the Senate.

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

Third Reading of Bills

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 1:05 p.m. until the hour of 10 a.m., Thursday, March 2, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, MARCH 2, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Patrick, absent and formally excused by the Chair; and Senators Anthon, Davis, and Siddoway, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Aaron Swanson, 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, 2017, was read and approved as corrected.

LODGE, 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 114

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 NATURAL RESOURCE ISSUES.

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

WHEREAS, the First Regular Session of the Sixty-third Idaho Legislature adopted House Concurrent Resolution No. 8, which authorized the appointment of a committee to undertake and complete a two-year study of natural resource issues, including issues relating to water, throughout the State of Idaho; and

WHEREAS, the committee's official term expired on November 30, 2016, and numerous natural resource-related

issues continue to pose concerns for the future of Idaho and the quality of life our citizens enjoy; and

WHEREAS, natural resource issues of continued concern include, but are not limited to, stabilization of the water distribution system, the status of aquifers throughout the state and wildlife.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a two-year committee to undertake and complete a study of natural resource issues of importance to the State of Idaho. The committee shall consist of ten legislators, with five from the Senate and five from the House of Representatives. The Legislative Council shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the Legislative Council is authorized to also appoint ad hoc legislative members to serve on the committee.

BE IT FURTHER RESOLVED that the cochairmen of the committee are authorized to appoint advisors with technical expertise in the water supply arena and are expected to receive input from stakeholders in the water rights system of Idaho to attempt to stabilize the water delivery system in this state.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations and proposed legislation.

BE IT FURTHER RESOLVED that the committee shall make a progress report to the Second Regular Session of the Sixty-fourth Idaho Legislature and shall make a report detailing its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixty-fifth Idaho Legislature.

SCR 115

BY STATE AFFAIRS COMMITTEE

A SENATE RESOLUTION

STATING FINDINGS OF THE SENATE AND RECOGNIZING, HONORING AND COMMENDING DIANE KELLY FOR HER SERVICE TO THE IDAHO STATE SENATE AND TO THE PEOPLE OF IDAHO.

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

WHEREAS, on May 18, 2009, Diane Kelly was hired as the Senate Minority Chief of Staff and performed exemplary work for the Senate Minority Caucus; and

WHEREAS, Diane was active in her community, hosting annual Idaho Foodbank fundraisers in her home and serving on the Board of Directors of Cancer Connection Idaho; and

WHEREAS, Diane was personable and kind, and her passion for making positive change and making those around her feel valued was an incredible asset to the Senate; and

WHEREAS, Diane retired on July 27, 2016, and passed away at the age of 54 on November 12, 2016; and

WHEREAS, although Diane has passed away, her humor, wit, love and charm will be forever remembered and missed by her friends, family and colleagues.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the First Regular Session of the Sixty-fourth Idaho Legislature, that we recognize, honor and commend Diane Kelly for her service to the Idaho State Senate and to the people of Idaho.

SJM 101
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-fourth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, there is a pending proposal, requiring congressional approval, to designate Craters of the Moon National Monument as a national park. The area commonly known as "Craters of the Moon" is comprised of three distinct areas. The national park proposal applies only to the original Craters of the Moon National Monument that comprises 54,000 acres. The additional 646,000 acres will remain the same; and

WHEREAS, President Calvin Coolidge designated the Craters of the Moon National Monument in 1924 with the intent of eventually designating it as a national park, yet Idaho remains the only western state without a national park; and

WHEREAS, in 1941, President Franklin D. Roosevelt excluded a portion of land from the Craters of the Moon National Monument and transferred it to Idaho for purposes of constructing a highway that became U.S. 20/26 that runs through the proposed national park. Designation as a national park would not affect use of U.S. 20/26 in any way or cause restrictions on any type of shipment, including agricultural shipments; and

WHEREAS, the State of Idaho supports a national park designation, provided such designation:(a) is restricted to Craters of the Moon National Monument that comprises 54,000 acres; (b) is conditioned upon the guarantee that no future national monument or monuments shall be designated within the boundaries of the additional 646,000 acres, or in any county adjacent to the national park, if so designated, or in any county adjacent to the additional 646,000 acres; and (c) is conditioned on there being no imposition of federal requirements or restrictions relating to the use of tarps during shipments on U.S. 20/26; and

WHEREAS, the State of Idaho further expresses its support for a national park designation, provided such designation: (a) is conditioned on the federal government: (i) placing 400 feet of land centered along U.S. 20/26 that runs through any portion of the 646,000 additional acres, not located within the proposed national park boundaries, under the ownership of the State of Idaho, and (ii) transferring ownership of such amount of land to the State of Idaho as is necessary so that the state will own a total of 400 feet of land centered along U.S. 20/26 that runs through the proposed national park boundaries. Such transfers are necessary to ensure continued use of the highway without restrictions on any type of shipment, such as agricultural shipments, which include, but are not limited to, shipments of alfalfa, hay, straw, fuel and commercial commodities; and (b) is further conditioned on the recognition and continuation of existing multiple uses and management practices in and around the park including, but not limited to, public access, grazing, hunting, trapping, camping and motorized vehicle use, as well as authorized aerial hunting by APHIS/USDA for protection of livestock and wildlife, with no federal restrictions on any of these practices; and

WHEREAS, national park designation has broad local support, including the regional business community and a coalition of city and county governments, including Blaine, Butte, Lincoln, Power, Bingham, Minidoka, Camas and Bonneville county commissioners and the city councils of Arco, Mackay and

Carey, all having voted to support a national park designation; and

WHEREAS, Craters of the Moon is the largest young basaltic lava field in the continental United States, has a stunning array of volcanism and serves as an outstanding outdoor classroom that attracts thousands of students every year. The site also contains the first wilderness lands managed by the National Park Service and therefore has historical significance to the National Park System; and

WHEREAS, redesignating Craters of the Moon National Monument as a national park would greatly increase the number of visitors to Craters of the Moon, thereby greatly enhancing the economic development of Butte County, Blaine County and all surrounding areas.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the State of Idaho supports congressional approval of the designation of Craters of the Moon National Monument as Craters of the Moon National Park, provided such designation: (a) is restricted to Craters of the Moon National Monument that comprises 54,000 acres; (b) is conditioned upon the guarantee that no future national monument or monuments shall be designated within the boundaries of the additional 646,000 acres, or in any county adjacent to the national park, if so designated, or in any county adjacent to the additional 646,000 acres; and (c) is conditioned on there being no imposition of federal requirements or restrictions relating to the use of tarps during shipments on U.S. 20/26.

BE IT FURTHER RESOLVED that the State of Idaho further expresses its support for congressional approval of the designation of Craters of the Moon National Monument as Craters of the Moon National Park, provided such designation: (a) is conditioned on the federal government: (i) placing 400 feet of land centered along U.S. 20/26 that runs through any portion of the 646,000 additional acres, not located within the proposed national park boundaries, under the ownership of the State of Idaho, and (ii) transferring ownership of such amount of land to the State of Idaho as is necessary so that the state will own a total of 400 feet of land centered along U.S. 20/26 that runs through the proposed national park boundaries. Such transfers are necessary to ensure continued use of the highway without restrictions on any type of shipment, such as agricultural shipments, which include, but are not limited to, shipments of alfalfa, hay, straw, fuel and commercial commodities; and (b) is further conditioned on the recognition and continuation of existing multiple uses and management practices in and around the park including, but not limited to, public access, grazing, hunting, trapping, camping and motorized vehicle use, as well as authorized aerial hunting by APHIS/USDA for protection of livestock and wildlife, with no federal restrictions on any of these practices.

BE IT FURTHER RESOLVED that the State of Idaho looks for the designation to enhance the economies of the surrounding communities and the people of Idaho.

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.

SCR 114, **SCR 115**, and **SJM 101** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senators Anthon and Siddoway were recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 2, 2017

The JUDICIARY AND RULES Committee reports that [S 1127](#), [S 1128](#), and [S 1129](#) have been correctly printed.

LODGE, Chairman

[S 1127](#), [S 1128](#), and [S 1129](#) were referred to the Finance Committee.

March 1, 2017

The FINANCE Committee reports out [H 208](#) with the recommendation that it do pass.

KEOUGH, Chairman

[H 208](#) was filed for second reading.

March 1, 2017

The JUDICIARY AND RULES Committee reports out [S 1093](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1093](#) was filed for second reading.

March 1, 2017

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:

Raymond David Moore to the Commission on Pardons and Parole, term to expire January 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 1, 2017

The RESOURCES AND ENVIRONMENT Committee reports out [H 52](#), [H 96](#), [S 1101](#), and [S 1111](#) with the recommendation that they do pass.

BAIR, Chairman

[H 52](#), [H 96](#), [S 1101](#), and [S 1111](#) were filed for second reading.

March 1, 2017

The HEALTH AND WELFARE Committee reports out [H 115](#) and [H 129](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 115](#) and [H 129](#) were filed for second reading.

March 1, 2017

The EDUCATION Committee reports out [H 70](#), [H 113](#), and [S 1123](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 70](#), [H 113](#), and [S 1123](#) were filed for second reading.

March 1, 2017

The EDUCATION Committee reports out [S 1121](#) with the recommendation that it be re-referred.

MORTIMER, Chairman

There being no objection, [S 1121](#) was referred to the Transportation Committee.

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

Messages from the Governor

March 1, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1004](#) and [S 1062](#)

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
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, 2017

Dear Mr. President:

I transmit herewith [H 199](#), [H 201](#), [H 136](#), [H 138](#), [H 140](#), [H 191](#), [H 106](#), [H 152](#), [H 181](#), [H 182](#), [H 183](#), [H 184](#), [HCR 9](#), [HCR 19](#), [HCR 12](#), and [H 130](#), which have passed the House.

MAULIN, Chief Clerk

[H 199](#), [H 201](#), [H 136](#), [H 138](#), [H 140](#), [H 191](#), [H 106](#), [H 152](#), [H 181](#), [H 182](#), [H 183](#), [H 184](#), [HCR 9](#), [HCR 19](#), [HCR 12](#), and [H 130](#) were filed for first reading.

March 1, 2017

Dear Mr. President:

I return herewith Enrolled [S 1003](#), [S 1037](#), [S 1040](#), and [S 1009](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1003](#), [S 1037](#), [S 1040](#), and [S 1009](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 1, 2017

Dear Mr. 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.

Senator Davis was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, [SCR 112](#) retained its place on the calendar for one legislative day.

The President Pro Tempore announced that [SCR 113](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Winder, seconded by Senator Burgoyne, [SCR 113](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [HCR 11](#) was before the Senate for final consideration.

Moved by Senator Keough, seconded by Senator Ward-Engelking, that [HCR 11](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [HCR 11](#) adopted, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that [HCR 5](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Vick, seconded by Senator Jordan, [HCR 5](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that [HJM 2](#) was before the Senate for final consideration.

Moved by Senator Bair, seconded by Senator Siddoway, that [HJM 2](#) be adopted. The question being, "Shall the memorial be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [HJM 2](#) adopted, title was approved, and the memorial ordered returned to the House.

The President Pro Tempore announced that [SCR 104](#) was before the Senate for final consideration.

Moved by Senator Thayn, seconded by Senator Burgoyne, that [SCR 104](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 104](#) adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [SCR 105](#) retained its place on the calendar for one legislative day.

The President Pro Tempore announced that [HCR 8](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Souza, seconded by Senator Jordan, [HCR 8](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the gubernatorial reappointment of Todd Lakey was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Burgoyne, the gubernatorial reappointment of Todd Lakey as a member of the State Insurance Fund 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 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

S 1130

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-675, IDAHO CODE, TO PROHIBIT THE RELEASE OF EMISSIONS UNDER CERTAIN

CONDITIONS, TO PROHIBIT CERTAIN MODIFICATION OF DIESEL-POWERED VEHICLES, TO DEFINE TERMS AND TO PROVIDE FOR VIOLATIONS AND PENALTIES; AND AMENDING SECTION 49-236, IDAHO CODE, TO PROVIDE FOR VIOLATIONS AND PENALTIES.

S 1131
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ABORTION; AMENDING SECTION 18-609, IDAHO CODE, TO REQUIRE CERTAIN INFORMATION ABOUT THE RIGHT TO OBSERVE HEARTBEAT MONITORING OF THE UNBORN CHILD AND ABOUT WHERE FURTHER INFORMATION CAN BE OBTAINED CONCERNING CHEMICAL ABORTIONS, INCLUDING ANY INTERVENTIONS THAT MAY AFFECT THEIR EFFECTIVENESS OR RESULT IN ABORTION REVERSALS, TO BE POSTED ON THE WEBSITE OF THE DEPARTMENT OF HEALTH AND WELFARE; TO REQUIRE PHYSICIANS OR THEIR AGENTS TO INFORM PATIENTS ABOUT THE AVAILABILITY OF ULTRASOUND TO OBSERVE THE UNBORN CHILD'S HEARTBEAT MONITORING; AND PROVIDING SEVERABILITY.

S 1132
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1133
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

S 1134
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1135
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE ENDOWMENT FUND INVESTMENT BOARD FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING A CONTINUOUS APPROPRIATION FOR CERTAIN COSTS; AND EXPRESSING LEGISLATIVE INTENT REGARDING THE TRANSFER OF MONEYS FROM THE EARNINGS RESERVE FUNDS TO THE INCOME FUNDS.

[S 1130](#), [S 1131](#), [S 1132](#), [S 1133](#), [S 1134](#), and [S 1135](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 199](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 201](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 136](#) and [H 138](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 140](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 191](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 106](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 152](#), [H 181](#), [H 182](#), [H 183](#), and [H 184](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 9](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[HCR 19](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Judiciary and Rules Committee.

[HCR 12](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

[H 130](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 133](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1115](#) and [S 1116](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1086](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 46](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 105](#) and [H 107](#), by Education Committee, were read the second time at length and filed for third reading.

[H 81](#) and [H 128](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1107](#) 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Foreman. Total - 1.

Absent and excused–Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1107](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1045](#) retained its place on the Third Reading Calendar for one legislative day.

President Pro Tempore Hill called Senator Crabtree to the Chair.

[S 1112](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Foreman. Total - 1.

Absent and excused–Patrick. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1112](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1088](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Hagedorn. Total - 1.

Absent and excused–Patrick. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1088](#) 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 Davis 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, Lodge, 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Patrick. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1108](#) passed, title was approved, and the bill ordered transmitted to the House.

Acting President Crabtree called Senator Agenbroad to the Chair.

[S 1109](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Johnson. Total - 1.

Absent and excused–Patrick. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1109](#) 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.

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

Reports of Standing Committees

March 2, 2017

The JUDICIARY AND RULES Committee reports that [S 1130](#) has been correctly printed.

LODGE, Chairman

[S 1130](#) was referred to the Transportation 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 Johnson, by voice vote, the Senate adjourned at 12:09 p.m. until the hour of 10 a.m., Friday, March 3, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 3, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Shanyce Barber, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 2, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 3, 2017

The JUDICIARY AND RULES Committee reports that [SCR 114](#), [SCR 115](#), [SJM 101](#), [S 1131](#), [S 1132](#), [S 1133](#), [S 1134](#), and [S 1135](#) have been correctly printed.

LODGE, Chairman

[SCR 114](#), [SCR 115](#), 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 1131](#) was referred to the State Affairs Committee.

[S 1132](#), [S 1133](#), [S 1134](#), and [S 1135](#) were referred to the Finance Committee.

March 3, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1003](#), [S 1037](#), [S 1040](#), and [S 1009](#) were delivered to the Office of the Governor at 10:45 a.m., March 2, 2017.

LODGE, Chairman

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

March 3, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 101](#) was delivered to the Office of the Secretary of State at 10:46 a.m., March 2, 2017.

LODGE, Chairman

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

March 2, 2017

The AGRICULTURAL AFFAIRS Committee reports out [HCR 15](#) and [HCR 16](#) with the recommendation that they do pass.

RICE, Chairman

[HCR 15](#) and [HCR 16](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 2, 2017

The FINANCE Committee reports out [S 1127](#), [S 1128](#), and [S 1129](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1127](#), [S 1128](#), and [S 1129](#) were filed for second reading.

March 2, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 100](#), [H 101](#), [H 102](#), [S 1079](#), and [S 1117](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 100](#), [H 101](#), [H 102](#), [S 1079](#), and [S 1117](#) were filed for second reading.

March 2, 2017

The TRANSPORTATION Committee reports out [S 1121](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1121](#) was filed for second reading.

March 2, 2017

The TRANSPORTATION Committee reports out [S 1130](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [S 1130](#) was referred to the Fourteenth Order of Business, General Calendar.

March 2, 2017

The HEALTH AND WELFARE Committee reports out [S 1126](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, [S 1126](#) was referred to the Fourteenth Order of Business, General Calendar.

March 2, 2017

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 185](#) and [H 207](#) with the recommendation that they do pass.

JOHNSON, Chairman

[H 185](#) and [H 207](#) were filed for second reading.

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

Messages from the Governor

March 1, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sarah E. Griffin of Boise, Idaho, was appointed to the Idaho Personnel Commission to serve a term commencing February 28, 2017, 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 Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 2, 2017

Dear Mr. President:

I transmit herewith [H 121](#), [H 188](#), [H 148](#), [H 200](#), [H 202](#), [H 193](#), and [H 203](#), which have passed the House.

MAULIN, Chief Clerk

[H 121](#), [H 188](#), [H 148](#), [H 200](#), [H 202](#), [H 193](#), and [H 203](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Raymond David Moore as a member of the Commission on Pardons and Parole was referred back to the Judiciary and Rules Committee.

The Senate advanced to the Eleventh Order of Business.

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

S 1136 **BY FINANCE COMMITTEE** AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2017 FOR DEPREDATION PAYMENTS; AND DECLARING AN EMERGENCY.

S 1137 **BY FINANCE COMMITTEE** AN ACT

APPROPRIATING MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES.

S 1138 **BY FINANCE COMMITTEE** AN ACT

APPROPRIATING MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1136](#), [S 1137](#), and [S 1138](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 121](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 188](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 148](#), [H 200](#), and [H 202](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 193](#) and [H 203](#), by State Affairs Committee, were 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 208](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1093](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 52](#) and [H 96](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[S 1101](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[S 1111](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 115](#) and [H 129](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 70](#) and [H 113](#), by Education Committee, were read the second time at length and filed for third reading.

[S 1123](#), by State Affairs Committee, was read the second time at length and filed for third reading.

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

Motions and Resolutions

Senator Rice was recorded present at this order of business.

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

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills. **S 1111** was placed ahead of **S 1101**.

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

Motions and Resolutions

On request by Senator Davis, 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 Senator Nye providing opening remarks. The guest speaker was the Honorable David Leroy.

The Trail Wind Honor Choir performed "Here We Have Idaho" and "Oye", under the direction of Julie A. Vachal and accompanied by Susie Egbert. Senator Nye presented the Idaho State Flag to the Honor Choir.

Closing remarks were provided by Senator Agenbroad. He extended gratitude to all who helped with the program and the Idaho Day Service was dissolved.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 11:56 a.m. until the hour of 10 a.m., Monday, March 6, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 6, 2017

Senate Chamber

At the request of President Pro Tempore, Acting President Vick called the Senate to order at 10 a.m.

Roll call showed all members present except President Pro Tempore Hill, and Senator Buckner-Webb, absent and formally excused by the Chair.

On request by Senator Davis, granted by unanimous consent, the journal reflects that the duties of the governor have devolved upon the president of the senate pro tempore, Brent Hill, pursuant to Article IV Section 14, inasmuch as the Governor and Lieutenant Governor are absent from the state.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by McKinley Bradshaw, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 3, 2017, was read and approved as corrected.

LODGE, 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 Davis, 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 AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF THE IMPOSITION OF AN ANNUAL REGISTRATION FEE AND IN ADDITION THERETO, THE IMPOSITION OF AN OPERATING FEE BY WEIGHT CLASS BASED ON THE TOTAL MILES THE OWNER OPERATED SUCH VEHICLE ON ROADS AND HIGHWAYS IN THE STATE, COUNTY, CITY AND HIGHWAY DISTRICT SYSTEMS IN IDAHO DURING EACH QUARTER OF THE CALENDAR YEAR, ON ALL COMMERCIAL VEHICLES, IRRESPECTIVE OF BODY TYPE, AND ON ALL FARM VEHICLES HAVING A

MAXIMUM GROSS WEIGHT IN EXCESS OF SIXTY THOUSAND POUNDS.

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

WHEREAS, in 2015, House Bill No. 312, As Amended in the Senate, As Amended in the Senate, was enacted by the First Regular Session of the Sixty-third Idaho Legislature. Section 10 of the bill provided: "LEGISLATIVE INTENT. It is the intent of the Legislature that on or before January 1, 2019, there shall be imposed on all commercial vehicles, irrespective of body type, and on all farm vehicles having a maximum gross weight in excess of sixty thousand (60,000) pounds, an annual registration fee and in addition thereto, an operating fee by weight class based on the total miles the owner operated such vehicle on roads and highways in the state, county, city and highway district systems in Idaho during each quarter of the calendar year."

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth 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 the imposition of an annual registration fee and in addition thereto, the imposition of an operating fee by weight class based on the total miles the owner operated such vehicle on roads and highways in the state, county, city and highway district systems in Idaho during each quarter of the calendar year, on all commercial vehicles, irrespective of body type, and on all farm vehicles having a maximum gross weight in excess of sixty thousand (60,000) pounds. 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 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-fourth Idaho Legislature.

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 103 to present an amendment to the Idaho Constitution to amend Article 1, Section 22 to provide additional rights to Idaho crime victims to be present and be heard in the criminal justice process.

/s/ President Pro Tempore, Brent Hill

/s/ Senate Majority Leader, Bart M. Davis

/s/ Assistant Majority Leader, Chuck Winder

/s/ Majority Caucus Chair, Todd M. Lakey

Upon presentation of the petition, the Acting President waived the provisions of Joint Rule 20 for the introduction of **SJR 103**. The correspondence was ordered filed in the office of the Secretary of the Senate.

SJR 103
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.

[SCR 116](#) and [SJR 103](#) 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 6, 2017

The JUDICIARY AND RULES Committee reports that [S 1136](#), [S 1137](#), and [S 1138](#) have been correctly printed.

LODGE, Chairman

[S 1136](#), [S 1137](#), and [S 1138](#) were referred to the Finance Committee.

March 3, 2017

The STATE AFFAIRS Committee reports out [H 149](#) with the recommendation that it do pass.

SIDDOWNAY, Chairman

[H 149](#) was filed for second reading.

March 3, 2017

The FINANCE Committee reports out [S 1132](#), [S 1133](#), [S 1134](#), and [S 1135](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1132](#), [S 1133](#), [S 1134](#), and [S 1135](#) were filed for second reading.

March 3, 2017

The JUDICIARY AND RULES Committee reports out [S 1105](#) and [S 1122](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1105](#) and [S 1122](#) were filed for second reading.

March 3, 2017

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:

Raymond David Moore to the Commission on Pardons and Parole, term to expire January 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.

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

Messages from the Governor

March 3, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jerry F. Aldape of Boise, Idaho, was appointed to the Idaho Endowment Fund Investment Board to serve a term commencing February 21, 2017, and expiring April 11, 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.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 3, 2017

Dear Mr. President:

I transmit herewith [H 219](#), [H 222](#), [H 204](#), [H 216](#), [H 224](#), [H 225](#), [H 226](#), [H 228](#), [HCR 21](#), [HCR 22](#), and [HCR 17](#), which have passed the House.

MAULIN, Chief Clerk

[H 219](#), [H 222](#), [H 204](#), [H 216](#), [H 224](#), [H 225](#), [H 226](#), [H 228](#), [HCR 21](#), [HCR 22](#), and [HCR 17](#) were filed for first reading.

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

General Calendar

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

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

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [S 1038](#), [H 104](#), [H 126](#), [S 1058](#), and [S 1126](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1038
AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 5, following "processed" insert: ", including the right to contest the emergency proceedings and appeal,".

SENATE AMENDMENT TO H 104
AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 7 through 31, and insert:

"SECTION 1. That Section 54-2514A, Idaho Code, be, and the same is hereby amended to read as follows:

54-2514A. DOG RACING ILLEGAL AFTER THE EFFECTIVE DATE OF THIS ACT. (1) On and after the effective date of this act, live dog races and pari-mutuel betting on such races or the training of dogs to compete in live dog races shall be illegal in the state of Idaho. Notwithstanding any other provision of law to the contrary, the provisions of this section shall not be deemed to alter or affect simulcasts and simulcast pari-mutuel wagering at a facility that was licensed and authorized prior to January 1, 1996, to conduct live dog races and pari-mutuel wagering on them prior to the effective date of this act, and horse and dog race simulcasts and pari-mutuel wagering on such simulcasts may be conducted at that facility, or at an alternate facility in the same county and approved by the commission as if the facility were still licensed and under the same conditions and restrictions imposed by law on a licensee. Under no circumstances shall the provisions of this section or section 54-2512, Idaho Code, be used to grant more than one (1) license to conduct simulcast pari-mutuel wagering in any county. Any person participating or conducting a live dog race or pari-mutuel betting on such a live dog race or the training of dogs to compete in live dog races in violation of this section shall be guilty of a felony.

(2) The provisions of subsection (1) of this section shall not apply to exhibition-style live dog races upon which no pari-mutuel betting occurs on or off the site of the race or training, where the maximum track length and race does not exceed one hundred fifty (150) feet, or to the training of dogs to compete in exhibition-style live dog races, conducted at county fairs. The proper care, humane treatment and protection of a dog participating in an exhibition dog race shall be the responsibility of its owner, and all dog races and associated training shall be conducted in a manner consistent with the provisions of chapter 35, title 25, Idaho Code.

(3) The provisions of subsection (1) of this section shall not apply to a sled dog race or to the training of dogs for a sled dog race meeting the requirements of this subsection and upon which no pari-mutuel betting occurs on or off the site of the race or training. A "sled dog race" means a timed competition of teams of sled dogs that pull a sled with the dog musher standing on the runners of the sled. The proper care, humane treatment and protection of a dog participating in a sled dog race shall be the responsibility of its owner, and all sled dog races and associated training shall be conducted in a manner consistent with the provisions of chapter 35, title 25, Idaho Code."

CORRECTION TO TITLE

On page 1, delete lines 4 and 5, and insert: "CERTAIN EXHIBITION-STYLE LIVE DOG RACES, TO PROVIDE THAT THE PROHIBITION ON DOG RACES SHALL NOT APPLY TO CERTAIN SLED DOG RACES AND TO PROVIDE A DEFINITION AND CONDITIONS."

SENATE AMENDMENT TO H 126 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 29 through 31, and insert: "ers present at the joint public meeting. If the county commissioners cannot agree on the appointment of a commissioner, all the interested persons who received the highest and equal number of votes shall have their names placed in a container. The county commissioner with the most continuous length of service shall draw one (1) name from the container. The person whose name is drawn shall then be appointed to fill the vacancy. The certificate of"

AMENDMENT TO SECTION 3

On page 2, delete lines 24 through 26, and insert: "at the joint public meeting. If the county commissioners cannot agree on the appointment of a commissioner, all the interested persons who received the highest and equal number of votes shall have their names placed in a container. The county commissioner with the most continuous length of service shall draw one (1) name from the container. The person whose name is drawn shall then be appointed to fill the vacancy. The certificate of such"

AMENDMENT TO SECTION 4

On page 3, delete lines 36 through 39, and insert: "select the individual by a coin toss to be conducted at a fire protection board meeting. Candidates for the vacancy shall be invited by the board to attend the meeting and observe the coin toss. The candidate who wins the coin toss shall be appointed to fill the vacancy in the following manner. If the county commissioners cannot agree on the appointment of a commissioner, all the interested persons who received the highest and equal number of votes shall have their names placed in a container. The county commissioner with the most continuous length of service shall draw one (1) name from the container. The person whose name is drawn shall then be appointed to fill the vacancy."

SENATE AMENDMENT TO S 1058 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 10 through 29 and insert:

"54-5714. TELEHEALTH COVERAGE. (1) Telehealth services received by a resident of this state and provided in a manner consistent with this chapter shall be eligible for coverage by a health benefit plan in a manner equitable to the reimbursement of such services as provided in person.

(2) For purposes of this section, "health benefit plan" means a health benefit plan as defined in section 41-4703 or 41-5203, Idaho Code, or the state medical assistance plan.

(3) This section shall be enforced by, and negotiated rulemaking under chapter 52, title 67, Idaho Code, shall be conducted by, the following:

- (a) The director of the department of health and welfare, with respect to the state medical assistance plan; and
- (b) The director of the department of insurance."

SENATE AMENDMENT TO S 1126 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 22 through 24, and insert:

"(e) Medical personnel when making an emergency response to a "911" call from a custodial parent, for the purpose of taking temporary physical custody of a child pursuant to the provisions of this act acting or serving in the capacity as a licensed provider, affiliated with a recognized Idaho EMS agency. For purposes"

CORRECTION TO TITLE

On page 1, delete lines 2 through 4, and insert: "RELATING TO SAFE HAVENS; AMENDING SECTION 39-8202, IDAHO CODE, TO REVISE THE DEFINITION OF "SAFE HAVEN" AND TO MAKE TECHNICAL CORRECTIONS."

The Committee also has [S 1090](#), [H 11](#), and [S 1130](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

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

[S 1038](#), as amended, [S 1058](#), as amended, and [S 1126](#), 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 104](#), as amended in the Senate, and [H 126](#), 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 Tenth Order of Business.

Motions and Resolutions

The Acting President announced that [SCR 112](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Jordan, [SCR 112](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Acting President announced that [SCR 105](#) was before the Senate for final consideration.

Moved by Senator Mortimer, seconded by Senator Ward-Engelking, that [SCR 105](#) be adopted. The question being, "Shall the resolution be adopted?"

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, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

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

Total - 35.

Whereupon the Acting President declared [SCR 105](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The Acting President announced that [SCR 114](#) was before the Senate for final consideration.

Moved by Senator Bair, seconded by Senator Jordan, that [SCR 114](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Buckner-Webb, Davis, Hill. Total - 3.

Total - 35.

Whereupon the Acting President declared [SCR 114](#) adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [SCR 115](#) retained its place on the calendar for Thursday, March 9, 2017.

The Acting President announced that [SJM 101](#) was before the Senate for final consideration.

Moved by Senator Siddoway, seconded by Senator Nye, that [SJM 101](#) be adopted. The question being, "Shall the memorial be adopted?"

Pursuant to Senate Rule 26A(3), Senator Davis arose with a point of order.

Pursuant to Senate Rule 39(H), Senator Siddoway disclosed a possible conflict of interest under applicable law.

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Bayer. Senators Bair, Den Hartog, Guthrie, Harris, and Thayn supported the request for a roll call vote.

Roll call resulted as follows:

AYES—Bair, Brackett, Burgoyne, Davis, Hagedorn, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 20.

NAYS—Agenbroad, Anthon, Bayer, Crabtree, Den Hartog, Foreman, Guthrie, Harris, Nonini, Patrick, Rice, Souza, Vick. Total - 13.

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

Total - 35.

Whereupon the Acting President declared [SJM 101](#) adopted, title was approved, and the memorial ordered transmitted to the House.

The Acting President announced that [HCR 15](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Den Hartog, seconded by Senator Ward-Engelking, [HCR 15](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Acting President announced that [HCR 16](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Den Hartog, seconded by Senator Jordan, [HCR 16](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

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

Reports of Standing Committees

March 6, 2017

The JUDICIARY AND RULES Committee reports that [S 1038](#), as amended, [S 1058](#), as amended, and [S 1126](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1038](#), as amended, [S 1058](#), as amended, and [S 1126](#), as amended, were filed for first reading.

March 6, 2017

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1038](#), [H 104](#), [H 126](#), [S 1058](#), and [S 1126](#) have been correctly printed.

LODGE, Chairman

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

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

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

S 1139

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO HEALTH CARE; AMENDING CHAPTER 13, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-1396, IDAHO CODE, TO PROVIDE THAT CERTAIN HOSPITALS OR FACILITIES SHALL SPECIFY WHICH PERSONS MAY ADMIT PATIENTS TO SUCH HOSPITALS OR FACILITIES OR TO SPECIFIC UNITS WITHIN SUCH HOSPITALS OR FACILITIES; AMENDING SECTION 66-318, IDAHO CODE, TO REVISE PROVISIONS REGARDING AUTHORITY TO ADMIT VOLUNTARY PATIENTS IN FACILITIES FOR THE MENTALLY ILL; AMENDING SECTION 66-324, IDAHO CODE, TO REVISE PROVISIONS REGARDING AUTHORITY TO RECEIVE INVOLUNTARY PATIENTS IN FACILITIES FOR THE MENTALLY ILL; AND AMENDING SECTION 66-409, IDAHO CODE, TO REVISE PROVISIONS REGARDING AUTHORITY TO ADMIT PERSONS INTO FACILITIES FOR THE DEVELOPMENTALLY DISABLED.

S 1140

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO EDUCATION; AMENDING CHAPTER 12, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1213, IDAHO CODE, TO AUTHORIZE THE PARAPROFESSIONAL PATHWAY TO CERTIFICATION PROGRAM.

S 1141

**BY FINANCE COMMITTEE
AN ACT**

PROVIDING FINDINGS OF THE LEGISLATURE; PROVIDING LEGISLATIVE INTENT ON USE OF FUNDS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE DISASTER EMERGENCY FUND; PROVIDING LEGISLATIVE INTENT ON THE USE OF FUNDS; PROVIDING DIRECTION REGARDING ELIGIBILITY FOR GRANT FUNDING; PROVIDING DIRECTION REGARDING MATCH REQUIREMENTS; PROVIDING DIRECTION REGARDING METHOD OF SELECTION FOR GRANTS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE EMERGENCY RELIEF FUND AND GRANTING CONTINUOUS APPROPRIATION AUTHORITY; APPROPRIATING AND TRANSFERRING MONEYS FROM THE CONSUMER PROTECTION FUND TO THE GENERAL FUND; AND DECLARING AN EMERGENCY.

S 1142

**BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO THE HEALTH CARE ASSISTANCE PROGRAM; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-270, IDAHO CODE, TO PROVIDE A SHORT TITLE; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-271, IDAHO CODE, TO ESTABLISH THE HEALTH CARE ASSISTANCE PROGRAM; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-272, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-273, IDAHO CODE, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR PROGRAM PARTICIPANTS; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-274, IDAHO CODE, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR HEALTH CARE PROVIDERS; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-275, IDAHO CODE, TO PROVIDE THAT PROGRAM PARTICIPANTS SHALL BE ANNUALLY ENROLLED BASED ON PROGRAM AVAILABILITY AND TO PROVIDE THAT PARTICIPANTS WILL BE ANNUALLY REASSESSED TO DETERMINE IF THEY SHALL CONTINUE IN THE PROGRAM; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-276, IDAHO CODE, TO PROVIDE FOR PAYMENT TO PROVIDERS AND TO PROVIDE THAT PROGRAM PARTICIPANTS WILL BE CHARGED FEES; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-277, IDAHO CODE, TO PROVIDE POWERS AND DUTIES OF THE DIRECTOR OF THE STATE DEPARTMENT OF HEALTH AND WELFARE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SUNSET DATE.

S 1143

**BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO DRIVING WITHOUT MOTOR VEHICLE INSURANCE; AMENDING SECTION 49-1229, IDAHO CODE, TO PROVIDE A FELONY PENALTY FOR A THIRD OR SUBSEQUENT VIOLATION OF DRIVING WITHOUT REQUIRED MOTOR VEHICLE INSURANCE WITHIN A PERIOD OF FIVE YEARS.

S 1144

**BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO REGULATION OF ALCOHOL; PROVIDING LEGISLATIVE FINDINGS; REPEALING SECTION 23-614, IDAHO CODE, RELATING TO PROHIBITED ACTS AND PENALTIES FOR THOSE ACTS; AMENDING CHAPTER 6, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-614, IDAHO CODE, TO PROVIDE PROHIBITED ACTS BY A PERMITTEE OR HIS AGENT OR EMPLOYEE, TO REQUIRE SUPERVISION, TO PROVIDE EXCEPTIONS, TO PROVIDE PENALTIES AND TO PROVIDE FOR ADMINISTRATIVE ACTION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

[S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), and [S 1144](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 104](#), as amended in the Senate, and [H 126](#), as amended in the Senate, by State Affairs Committee, were read the first time at length and filed for second reading.

[S 1038](#), as amended, and [S 1058](#), as amended, by Commerce and Human Resources Committee, were read the first time at length and filed for second reading.

[S 1126](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[H 219](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 222](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 204](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 216](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 224](#), [H 225](#), and [H 226](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 228](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[HCR 21](#) and [HCR 22](#), by Business Committee, were introduced, read at length, and referred to the Commerce and Human Resources Committee.

[HCR 17](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1127](#), [S 1128](#), and [S 1129](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 100](#), [H 101](#), and [H 102](#), by Business Committee, were read the second time at length and filed for third reading.

[S 1079](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1117](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1121](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 185](#) and [H 207](#), by Revenue and Taxation 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 Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by Senate Finance Committee bills, followed by House bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:06 p.m. until the hour of 10 a.m., Tuesday, March 7, 2017.

STEVE VICK, Acting President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 7, 2017

Senate Chamber

At the request of President Pro Tempore, Acting President Stennett called the Senate to order at 10 a.m.

Roll call showed all members present except President Pro Tempore Hill, absent and formally excused by the Chair; and Senators Buckner-Webb and Lodge, absent and excused.

On request by Senator Davis, granted by unanimous consent, the journal reflects that the duties of the governor have devolved upon the president of the senate pro tempore, Brent Hill, pursuant to Article IV Section 14, inasmuch as the Governor and Lieutenant Governor are absent from the state.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Bridger Cardon, Page.

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

Reports of Standing Committees

March 7, 2017

The JUDICIARY AND RULES Committee reports that [SCR 116](#), [SJR 103](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), and [S 1144](#) have been correctly printed.

LODGE, Chairman

On request by Senator Senator Davis, granted by unanimous consent, [SCR 116](#) was referred to the Transportation Committee.

[SJR 103](#) was referred to the State Affairs Committee.

[S 1139](#) was referred to the Health and Welfare Committee.

[S 1140](#) was referred to the Education Committee.

[S 1141](#) was referred to the Finance Committee.

[S 1142](#) was referred to the Health and Welfare Committee.

[S 1143](#) was referred to the Judiciary and Rules Committee.

[S 1144](#) was referred to the State Affairs Committee.

March 6, 2017

The STATE AFFAIRS Committee reports out [H 152](#), [H 181](#), [H 182](#), [H 183](#), and [S 1119](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 152](#), [H 181](#), [H 182](#), [H 183](#), and [S 1119](#) were filed for second reading.

March 6, 2017

The STATE AFFAIRS Committee reports out [H 184](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [H 184](#) was referred to the Fourteenth Order of Business, General Calendar.

Senators Buckner-Webb and Lodge were recorded present at this order of business.

March 6, 2017

The FINANCE Committee reports out [H 219](#), [H 224](#), [H 225](#), [H 226](#), [S 1136](#), [S 1137](#), and [S 1138](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 219](#), [H 224](#), [H 225](#), [H 226](#), [S 1136](#), [S 1137](#), and [S 1138](#) were filed for second reading.

March 6, 2017

The RESOURCES AND ENVIRONMENT Committee reports out [H 51](#), [H 53](#), [H 64](#), [H 90](#), and [S 1118](#) with the recommendation that they do pass.

BAIR, Chairman

[H 51](#), [H 53](#), [H 64](#), [H 90](#), and [S 1118](#) were filed for second reading.

March 6, 2017

The JUDICIARY AND RULES Committee reports out [S 1120](#) and [S 1125](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1120](#) and [S 1125](#) were filed for second reading.

March 6, 2017

The EDUCATION Committee reports out [S 1103](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1103](#) was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

March 6, 2017

Dear Mr. President:

I transmit herewith [H 227](#), [H 205](#), [H 237](#), [H 238](#), [H 239](#), [H 243](#), [H 211](#), [HCR 24](#), [HJM 3](#), [HJM 4](#), [HCR 23](#), [H 215](#), [H 93](#), [H 197](#), [H 209](#), [H 212](#), [H 213](#), [H 111](#), as amended, [H 99](#), as amended, [H 154](#), as amended, [H 186](#), as amended, and [H 131](#), as amended, which have passed the House.

MAULIN, Chief Clerk

[H 227](#), [H 205](#), [H 237](#), [H 238](#), [H 239](#), [H 243](#), [H 211](#), [HCR 24](#), [HJM 3](#), [HJM 4](#), [HCR 23](#), [H 215](#), [H 93](#), [H 197](#), [H 209](#), [H 212](#), [H 213](#), [H 111](#), as amended, [H 99](#), as amended, [H 154](#), as amended, [H 186](#), as amended, and [H 131](#), as amended, were filed for first reading.

March 6, 2017

Dear Mr. President:

I transmit herewith Enrolled [HCR 11](#), [HCR 5](#), [HJM 2](#), and [HCR 8](#) for the signature of the President.

MAULIN, Chief Clerk

The Acting President announced that Enrolled [HCR 11](#), [HCR 5](#), [HJM 2](#), and [HCR 8](#) will be held at the desk for the signature of the President and, when so signed, will be returned to the House.

On request by Senator Davis, 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 1145 BY FINANCE COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE WELFARE DIVISION FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2018; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; PROHIBITING TRANSFERS FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; REQUIRING BIENNIAL REPORTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE BENEFIT PAYMENTS PROGRAM FOR FISCAL YEAR 2017; REDUCING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

S 1146 BY FINANCE COMMITTEE AN ACT

RELATING TO APPROPRIATIONS TO THE DIVISION OF BUILDING SAFETY; APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED

FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

[S 1145](#) and [S 1146](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 227](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 205](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 237](#), [H 238](#), and [H 239](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 243](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 211](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[HCR 24](#), by Transportation and Defense Committee, was introduced, read at length, and referred to the Transportation Committee.

[HJM 3](#), by Health and Welfare Committee, was introduced, read at length, and referred to the State Affairs Committee.

[HJM 4](#), by State Affairs Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[HCR 23](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

[H 215](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 93](#), [H 197](#), and [H 209](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 212](#) and [H 213](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 111](#), as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 99](#), as amended, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 154](#), 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 186](#), as amended, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 131](#), as amended, 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

[H 149](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1132](#), [S 1133](#), [S 1134](#), and [S 1135](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1105](#) and [S 1122](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 104](#), as amended in the Senate, and [H 126](#), as amended in the Senate, by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1038](#), as amended, and [S 1058](#), as amended, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1126](#), 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 1045](#), having been held, 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 31.

NAYS—Foreman, Nonini, Vick. Total - 3.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1045](#) 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?"

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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1113](#) 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 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman, Nonini. Total - 2.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1098](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1074](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1077](#), as amended, 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, Brackett, Buckner-Webb, Burgoyne, Davis, Hagedorn, Heider, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Stennett, Thayn, Ward-Engelking. Total - 19.

NAYS—Anthon, Bair, Bayer, Crabtree, Den Hartog, Foreman, Guthrie, Harris, Lakey, Nonini, Rice, Siddoway, Souza, Vick, Winder. Total - 15.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1077](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1039](#), 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1039](#), as amended, 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 Nonini arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1086](#) 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 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, Crabtree, Davis, Guthrie, Harris, Heider, Jordan, Lee, Lodge, Martin, Nonini, Nye, Rice, Souza, Vick, Winder. Total - 21.

NAYS—Burgoyne, Den Hartog, Foreman, Hagedorn, Johnson, Keough, Lakey, Mortimer, Patrick, Siddoway, Stennett, Thayn, Ward-Engelking. Total - 13.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1093](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1111](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1101](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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 Brackett disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Hagedorn. Total - 1.

Absent and excused—Burgoyne, Hill. Total - 2.

Total - 35.

Whereupon the Acting President declared [S 1101](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Buckner-Webb, by voice vote the Senate recessed at 12:12 p.m. until the hour of 4:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Little assumed the Chair.

Roll call showed all members present except Senator 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 7, 2017

March 7, 2017

The FINANCE Committee reports out [H 227](#), [H 237](#), [H 238](#), [H 239](#), and [S 1141](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 227](#), [H 237](#), [H 238](#), [H 239](#), and [S 1141](#) were filed for second reading.

March 7, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 63](#) and [S 1048](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 63](#) and [S 1048](#) were filed for second reading.

March 7, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 118](#) and [S 1076](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [H 118](#) and [S 1076](#) were referred to the Fourteenth Order of Business, General Calendar.

March 7, 2017

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:

John D. Blakley to the Aeronautics Advisory Board, term to expire January 31, 2022.

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 7, 2017

The TRANSPORTATION Committee reports out [H 156](#) and [SCR 116](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 156](#) was filed for second reading.

[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.

March 7, 2017

The HEALTH AND WELFARE Committee reports out [H 191](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 191](#) was filed for second reading.

The EDUCATION Committee reports out [H 108](#) and [HCR 12](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 108](#) was filed for second reading.

[HCR 12](#) 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 Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senator Lodge was recorded present at this order of business.

[S 1123](#) 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared [S 1123](#) 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 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman, Vick. Total - 2.

Absent and excused—Nonini. Total - 1.

Total - 35.

Whereupon the President declared [S 1079](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1117](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1121](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Stennett, Ward-Engelking, Winder. Total - 27.

NAYS—Bair, Den Hartog, Foreman, Guthrie, Siddoway, Souza, Thayn, Vick. Total - 8.

Total - 35.

Whereupon the President declared [S 1121](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1115](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Jordan, Lakey. Total - 2.

Total - 35.

Whereupon the President declared [S 1115](#) 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 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Foreman. Total - 1.

Absent and excused—Jordan, Lakey, Siddoway. Total - 3.

Total - 35.

Whereupon the President declared [S 1116](#) 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 Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Agenbroad and Mortimer disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1127](#) 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 Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Jordan, Lakey. Total - 2.

Total - 35.

Whereupon the President declared [S 1128](#) 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 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Jordan, Lakey. Total - 2.

Total - 35.

Whereupon the President declared [S 1129](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by Senate Finance Committee bills, followed by House bills amended in the Senate, followed by House bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:05 p.m. until the hour of 10 a.m., Wednesday, March 8, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FIFTY-NINTH LEGISLATIVE DAY
WEDNESDAY, MARCH 8, 2017

Senate Chamber

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

Roll call showed all members present except Senators Bayer, Brackett, Guthrie, and Heider, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

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

On request by Senator Davis, 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 REJECTING A CERTAIN RULE OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING ADMINISTRATION.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the State Board of and State Department of Education relating to Rules Governing Administration are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.01, State Board of and State Department of Education, Rules Governing Administration, Section 801., Subsections 05. and 06., adopted as a pending rule under Docket Number 08-0201-1602, be, and the same are hereby rejected and declared null, void and of no force and effect.

SCR 118

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING UNIFORMITY.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the State Board of and State Department of Education relating to Rules Governing Uniformity are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.02, State Board of and State Department of Education, Rules Governing Uniformity, adopted as a pending rule under Docket Number 08-0202-1605, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 119

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the State Board of and State Department of Education relating to Rules Governing Thoroughness are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, Rules Governing Thoroughness, Section 105., Subsection 01.g., only, adopted as a pending rule under Docket Number 08-0203-1601, be, and the same is hereby rejected and declared null, void and of no force and effect.

[SCR 117](#), [SCR 118](#), and [SCR 119](#) 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, 2017

The JUDICIARY AND RULES Committee reports that [S 1145](#) and [S 1146](#) have been correctly printed.

LODGE, Chairman

[S 1145](#) and [S 1146](#) were referred to the Finance Committee.

March 7, 2017

The EDUCATION Committee reports out [S 1095](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1095](#) was referred to the Fourteenth Order of Business, General Calendar.

March 8, 2017

The STATE AFFAIRS Committee reports out [H 188](#), [H 193](#), and [H 203](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 188](#), [H 193](#), and [H 203](#) were filed for second reading.

Senator Brackett was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate returned 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 March 6, 2017, and March 7, 2017, were read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 7, 2017

Dear Mr. President:

I transmit herewith [H 223](#), [H 245](#), [H 246](#), [H 248](#), [HCR 25](#), [HCR 14](#), and [H 230](#), which have passed the House.

MAULIN, Chief Clerk

[H 223](#), [H 245](#), [H 246](#), [H 248](#), [HCR 25](#), [HCR 14](#), and [H 230](#) were filed for first reading.

On request by Senator Davis, 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 1147

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO HIGHER EDUCATION; AMENDING SECTION 33-2102, IDAHO CODE, TO PROVIDE FOR THE TRANSFERABILITY OF CERTAIN CAREER TECHNICAL EDUCATION CREDITS; AMENDING SECTION 33-2205, IDAHO CODE, TO PROVIDE THAT CERTAIN POSTSECONDARY CREDITS SHALL TRANSFER AT FULL CREDIT VALUE UNDER CERTAIN CONDITIONS; AND AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3728, IDAHO CODE, TO PROVIDE FOR THE TRANSFER OF COLLEGE CREDITS BETWEEN IDAHO PUBLIC COLLEGES OR UNIVERSITIES.

S 1148

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO SCHOOLS; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-136, IDAHO CODE, TO PROVIDE FOR A SHORT TITLE; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-137,

IDAHO CODE, TO PROVIDE FOR LEGISLATIVE INTENT; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-138, IDAHO CODE, TO AUTHORIZE SCHOOL IMPROVEMENT PROGRAMS, TO PROVIDE REQUIREMENTS AND AUTHORIZE RULEMAKING; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-139, IDAHO CODE, TO AUTHORIZE THE SCHOOL LEADERSHIP IMPROVEMENT PROGRAM, TO PROVIDE REQUIREMENTS AND AUTHORIZE RULEMAKING; AND AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-140, IDAHO CODE, TO PROVIDE FOR PROGRAM EVALUATIONS OF SCHOOL AND SCHOOL LEADERSHIP IMPROVEMENT PROGRAMS.

S 1149

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO CAREER TECHNICAL EDUCATION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1628, IDAHO CODE, TO AUTHORIZE PERFORMANCE-BASED INCENTIVE FUNDING FOR CAREER TECHNICAL EDUCATION SECONDARY PROGRAMS.

S 1150

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-5501, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 41-5503, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PLAN OF OPERATION FOR THE IDAHO INDIVIDUAL HIGH RISK REINSURANCE POOL; AMENDING SECTION 41-5504, IDAHO CODE, TO REVISE PROVISIONS REGARDING POWERS AND AUTHORITY OF THE POOL; AMENDING SECTION 41-5505, IDAHO CODE, TO REVISE PROVISIONS REGARDING REINSURANCE; AMENDING SECTION 41-5506, IDAHO CODE, TO REVISE PROVISIONS REGARDING REINSURANCE PREMIUM RATES; AMENDING SECTION 41-5507, IDAHO CODE, TO REVISE PROVISIONS REGARDING PREMIUM RATES AND TO PROVIDE THAT CARRIERS SHALL NOT ISSUE HIGH RISK POOL PLANS AFTER A CERTAIN DATE; AMENDING SECTION 41-5508, IDAHO CODE, TO REVISE PROVISIONS REGARDING ASSESSMENTS; REPEALING SECTION 41-5509, IDAHO CODE, RELATING TO STANDARDS FOR AGENTS; AMENDING SECTION 41-5510, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS REGARDING ELIGIBILITY; REPEALING SECTION 41-5511, IDAHO CODE, RELATING TO DESIGN OF PRODUCTS; AND AMENDING SECTION 41-5203, IDAHO CODE, TO REVISE DEFINITIONS.

S 1151

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO WARRANTS; AMENDING SECTION 67-1022, IDAHO CODE, TO REVISE PROCEDURES WHEN A WARRANT IS LOST OR DESTROYED.

[S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), and [S 1151](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 223](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 245](#), [H 246](#), and [H 248](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[HCR 25](#) and [HCR 14](#), by Education Committee, were introduced, read at length, and referred to the Education Committee.

[H 230](#), by Health and Welfare 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

[H 152](#), [H 181](#), [H 182](#), and [H 183](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1119](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 219](#), [H 224](#), [H 225](#), and [H 226](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1136](#), [S 1137](#), and [S 1138](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 51](#), [H 53](#), [H 64](#), and [H 90](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[S 1118](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1120](#) and [S 1125](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 227](#), [H 237](#), [H 238](#), and [H 239](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1141](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 63](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1048](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 156](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[H 191](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 108](#), by Education Committee, was read the second time at length and filed for third reading.

Senator Guthrie was recorded present at this order of business.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1105](#) 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?"

Pursuant to Senate Rule 39(H), Senators Mortimer and Souza disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Davis. Total - 1.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [S 1105](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1122](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Davis and Rice disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [S 1122](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1038](#), 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [S 1038](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1058](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Brackett, Buckner-Webb, Burgoyne, Jordan, Keough, Lee, Martin, Nye, Stennett, Ward-Engelking. Total - 10.

NAYS—Agenbroad, Anthon, Bair, Bayer, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Lakey, Lodge, Mortimer, Nonini, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 24.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared that [S 1058](#), as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1126](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [S 1126](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1132](#) retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Winder, granted by unanimous consent, [S 1133](#) 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 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [S 1134](#) 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 Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [S 1135](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 104](#), as amended in the Senate, 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President declared [H 104](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 126](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Burgoyne. Total - 1.

Absent and excused–Heider. Total - 1.

Total - 35.

Whereupon the President declared [H 126](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by Senate Finance Committee bills, followed by House bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:59 a.m. until the hour of 10 a.m., Thursday, March 9, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 9, 2017

Senate Chamber

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

Roll call showed all members present except Senators Den Hartog and Patrick, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Anika Draper, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 9, 2017

The JUDICIARY AND RULES Committee reports that [SCR 117](#), [SCR 118](#), [SCR 119](#), [S 1147](#), [S 1148](#), [S 1149](#), [S 1150](#), and [S 1151](#) have been correctly printed.

LODGE, Chairman

[SCR 117](#), [SCR 118](#), and [SCR 119](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1147](#), [S 1148](#), and [S 1149](#) were referred to the Education Committee.

[S 1150](#) was referred to the Commerce and Human Resources Committee.

[S 1151](#) was referred to the State Affairs Committee.

Senator Den Hartog was recorded present at this order of business.

March 8, 2017

The FINANCE Committee reports out [H 245](#), [H 246](#), [H 248](#), [S 1145](#), and [S 1146](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 245](#), [H 246](#), [H 248](#), [S 1145](#), and [S 1146](#) were filed for second reading.

March 8, 2017

The RESOURCES AND ENVIRONMENT Committee reports out [H 140](#), [H 141](#), [H 169](#), [H 170](#), and [H 171](#) with the recommendation that they do pass.

BAIR, Chairman

[H 140](#), [H 141](#), [H 169](#), [H 170](#), and [H 171](#) were filed for second reading.

March 8, 2017

The EDUCATION Committee reports out [H 186](#), as amended, and [H 199](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 186](#), as amended, and [H 199](#) were filed for second reading.

March 8, 2017

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 130](#) and [H 215](#) with the recommendation that they do pass.

JOHNSON, Chairman

[H 130](#) and [H 215](#) were filed for second reading.

March 9, 2017

The JUDICIARY AND RULES Committee reports out [H 123](#) with the recommendation that it do pass.

LODGE, Chairman

[H 123](#) was filed for second reading.

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

Messages from the Governor

March 8, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1003](#), [S 1009](#), [S 1037](#), and [S 1040](#)

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
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, 2017

Dear Mr. President:

I transmit herewith [H 250](#) and [H 235](#), which have passed the House.

MAULIN, Chief Clerk

[H 250](#) and [H 235](#) were filed for first reading.

March 8, 2017

Dear Mr. President:

I return herewith [S 1018](#), [S 1030](#), [S 1027](#), [S 1019](#), and [S 1063](#), which have passed the House.

MAULIN, Chief Clerk

[S 1018](#), [S 1030](#), [S 1027](#), [S 1019](#), and [S 1063](#) were referred to the Judiciary and Rules Committee for enrolling.

March 8, 2017

Dear Mr. President:

I transmit herewith Enrolled [HCR 15](#) and [HCR 16](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 15](#) and [HCR 16](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [SCR 115](#) was before the Senate for final consideration.

Moved by Senator Stennett, seconded by Senator Davis, that [SCR 115](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [SCR 115](#) 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 Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**S 1152****BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR COLLEGE AND

UNIVERSITIES AND THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2018; PROVIDING NON-GENERAL FUND REAPPROPRIATION; PROVIDING LEGISLATIVE INTENT FOR SYSTEMWIDE NEEDS; PROVIDING LEGISLATIVE INTENT FOR REPORTING RELATED TO THE COMPLETE COLLEGE IDAHO INITIATIVE; AND EXEMPTING APPROPRIATION OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1153**BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE CATASTROPHIC HEALTH CARE PROGRAM AND DIRECTING A TRANSFER FOR FISCAL YEAR 2018; APPROPRIATING AND TRANSFERRING MONEYS FROM THE CATASTROPHIC HEALTH CARE COST FUND TO THE GENERAL FUND FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY

S 1154**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO THE PEACE OFFICER STANDARDS AND TRAINING COUNCIL; AMENDING SECTION 19-5109, IDAHO CODE, TO PROVIDE THAT THE COUNCIL MAY OBTAIN AND RETAIN CERTAIN CRIMINAL JUSTICE INFORMATION IN CERTAIN INSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1155**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO THE IDAHO ADMINISTRATIVE PROCEDURES ACT; AMENDING SECTION 67-5201, IDAHO CODE, TO REVISE A DEFINITION AND TO DEFINE TERMS; REPEALING SECTION 67-5240, IDAHO CODE, RELATING TO CONTESTED CASES; AMENDING SECTION 67-5241, IDAHO CODE, TO REMOVE A PROVISION REGARDING EVIDENCE IN A CONTESTED CASE; REPEALING SECTIONS 67-5242 THROUGH 67-5254, IDAHO CODE, RELATING TO PROCEDURE AT A HEARING, ORDERS NOT ISSUED BY AN AGENCY HEAD, REVIEW OF RECOMMENDED ORDERS, REVIEW OF PRELIMINARY ORDERS, FINAL ORDERS AND EFFECTIVENESS OF FINAL ORDERS, EMERGENCY PROCEEDINGS, CONTENTS OF ORDERS, AN AGENCY RECORD, INDEXING OF PRECEDENTIAL AGENCY ORDERS AND INDEXING OF AGENCY GUIDANCE DOCUMENTS, EVIDENCE AND OFFICIAL NOTICE, A PRESIDING OFFICER AND DISQUALIFICATION, EX PARTE COMMUNICATIONS AND AGENCY ACTION AGAINST LICENSEES; REPEALING SECTION 67-5270, IDAHO CODE, RELATING TO RIGHT OF REVIEW; REPEALING SECTION 67-5271, IDAHO CODE, RELATING TO EXHAUSTION OF ADMINISTRATIVE REMEDIES; REPEALING SECTIONS 67-5273 THROUGH 67-5279, IDAHO CODE, RELATING TO TIME FOR FILING PETITION FOR REVIEW, A STAY, AGENCY RECORD FOR JUDICIAL REVIEW, ADDITIONAL EVIDENCE, JUDICIAL REVIEW OF ISSUES OF FACT, DECLARATORY JUDGMENT ON VALIDITY OR APPLICABILITY OF RULES AND SCOPE OF REVIEW AND TYPE OF RELIEF; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 67-5242 THROUGH 67-5260, IDAHO CODE, TO PROVIDE QUALIFICATIONS FOR PRESIDING

OFFICERS, TO PROVIDE FOR DISQUALIFICATION OF A PRESIDING OFFICER IN CERTAIN INSTANCES, TO PROVIDE FOR A SUBSTITUTE PRESIDING OFFICER IN CERTAIN INSTANCES, TO PROVIDE FOR PROCEDURES IN CONTESTED CASES, TO PROVIDE FOR EVIDENCE IN CONTESTED CASES, TO PROVIDE FOR NOTICE IN CONTESTED CASES, TO PROVIDE FOR A HEARING RECORD IN CONTESTED CASES, TO PROVIDE FOR AN EMERGENCY ADJUDICATION PROCEDURE, TO PROHIBIT EX PARTE COMMUNICATIONS, TO PROVIDE EXEMPTIONS FOR EX PARTE COMMUNICATIONS, TO PROVIDE PROCEDURES IF PROHIBITED EX PARTE COMMUNICATIONS OCCUR, TO PROVIDE PROCEDURES FOR INTERVENTION IN A CONTESTED CASE, TO PROVIDE FOR SUBPOENAS IN A CONTESTED CASE, TO PROVIDE FOR DISCOVERY IN A CONTESTED CASE, TO PROVIDE PROCEDURES FOR A DEFAULT ORDER IN A CONTESTED CASE, TO PROVIDE FOR INITIAL AND FINAL ORDERS, TO PROVIDE FOR AGENCY REVIEW OF THE INITIAL ORDER, TO PROVIDE FOR RECONSIDERATION OF A FINAL ORDER, TO PROVIDE FOR A STAY OF A FINAL ORDER, TO PROVIDE FOR THE AVAILABILITY AND INDEXING OF FINAL ORDERS, TO PROVIDE AN EXEMPTION FOR INDEXING OF FINAL ORDERS, TO PROVIDE PROCEDURES FOR ACTIONS AGAINST A LICENSEE AND TO PROVIDE FOR JUDICIAL REVIEW IN CERTAIN INSTANCES; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 67-5262 THROUGH 67-5267, IDAHO CODE, TO PROVIDE FOR WHEN A PETITION FOR JUDICIAL REVIEW MAY BE FILED, TO PROVIDE LIMITATIONS ON JUDICIAL REVIEW, TO PROVIDE FOR A STAY PENDING AN APPEAL, TO PROVIDE FOR WHO HAS STANDING FOR JUDICIAL REVIEW, TO PROVIDE THAT A PERSON SHALL EXHAUST ADMINISTRATIVE REMEDIES PRIOR TO FILING FOR JUDICIAL REVIEW, TO PROVIDE THAT CERTAIN FILINGS ARE NOT PREREQUISITES FOR JUDICIAL REVIEW, TO PROVIDE THAT A COURT MAY RELIEVE A PARTY FROM EXHAUSTING ADMINISTRATIVE REMEDIES PRIOR TO FILING FOR JUDICIAL REVIEW IN CERTAIN INSTANCES, TO PROVIDE THAT A COURT SHALL REVIEW AN AGENCY RECORD IN ITS REVIEW, TO PROVIDE EXCEPTIONS FOR REVIEWING AN AGENCY RECORD AND TO PROVIDE A STANDARD OF REVIEW; AMENDING SECTION 67-5255, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 67-5272, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 7-1417, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 26-31-208, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 26-31-309, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 28-46-302, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 28-46-404, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 32-1612, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5209C, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 40-709A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 41-227, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING

SECTION 47-324, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-222, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-2509, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 58-122, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO REMOVE A CODE REFERENCE; AMENDING SECTION 67-2317, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 67-5206, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

[S 1152](#), [S 1153](#), [S 1154](#), and [S 1155](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 250](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 235](#), 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 188](#), [H 193](#), and [H 203](#), by State Affairs Committee, were read the second time at length and filed for third reading.

On request by Senator Davis, 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 Winder 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 Winder reported that the Committee had under consideration a parliamentary inquiry as to the germaneness of the amendments to [S 1103](#), pursuant to Senate Rule 28(D).

Winder, Chairman

Pursuant to the parliamentary inquiry as to the germaneness of the amendments to [S 1103](#), the President ruled that the amendments were not germane.

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder 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 Winder, Chairman of the Committee of the Whole, reported out [S 1130](#), [H 184](#), [S 1103](#), [H 118](#), and [S 1076](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1130

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 14, following "purposely" insert: "cause a vehicle to"; in line 19, following "purposely" insert: "cause a vehicle to"; and delete lines 25 through 34, and insert:

"(3) "Coal rolling" or "rolling coal" means operating a diesel-powered vehicle in such a manner, that pro-"; and in line 37, delete "(5)" and insert: "(4)".

AMENDMENT TO SECTION 2

On page 2, in line 8, delete "and (3)".

CORRECTION TO TITLE

On page 1, delete lines 4 and 5, and insert: "EMISSIONS UNDER CERTAIN CONDITIONS, TO DEFINE TERMS AND TO PROVIDE FOR VIOLA-".

SENATE AMENDMENT TO H 184

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 14 and 15, and insert: "be received and kept by some other person, and if deemed necessary by the treasurer, The treasurer may."; and delete line 31, and insert: "upon which they are drawn. The treasurer may enter into contracts related to administration and execution of these payment methods. The trea-".

SENATE AMENDMENT TO S 1103

AMENDMENT TO SECTION 7

On page 5 of the printed bill, delete line 47, and insert: "lar July meeting in each year. Notice of the annual meeting of ele-".

CORRECTION TO TITLE

On page 1, in line 16, delete "TO REVISE A CERTAIN DATE AND".

SENATE AMENDMENT TO H 118

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 3, delete "after"; and in line 4, following "days" insert: "after the order is issued".

SENATE AMENDMENT TO S 1076

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 23 through 29, and insert:

"(2) (a) An employer may not take adverse action against an employee because an employee in good faith participates or gives information in an investigation, hearing, court proceeding, legislative or other inquiry, or other form of administrative review.

(b) For purposes of paragraph (a) of this subsection, an employee participates or gives information in good faith if there is a reasonable basis in fact for the participation or the provision of the information. Good faith is lacking where the employee knew or reasonably ought to have known that the employee's participation or the information provided by the employee is malicious, false or frivolous."

The Committee also has [S 1090](#), [H 11](#), and [S 1095](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Jordan, the report was adopted by voice vote.

[S 1130](#), as amended, [S 1103](#), as amended, and [S 1076](#), 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 184](#), as amended in the Senate, and [H 118](#), 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 Davis, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:19 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 Little presiding.

Roll call showed all members present except Senators Agenbroad, Anthon, Bair, Foreman, Hagedorn, Harris, Heider, Jordan, Keough, Lee, Martin, Souza, and Thayn, absent and excused.

Prior to recess the Senate was at the Fourth Order of Business, Reading of Communications.

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

Reports of Standing Committees

March 9, 2017

The JUDICIARY AND RULES Committee reports that [S 1018](#), [S 1030](#), [S 1027](#), [S 1019](#), and [S 1063](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1018](#), [S 1030](#), [S 1027](#), [S 1019](#), and [S 1063](#) and ordered them transmitted to the House for the signature of the Speaker.

March 9, 2017

The JUDICIARY AND RULES Committee reports that [S 1130](#), as amended, [S 1103](#), as amended, and [S 1076](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1130](#), as amended, [S 1103](#), as amended, and [S 1076](#), as amended, were filed for first reading.

March 9, 2017

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1130](#), [H 184](#), [S 1103](#), [H 118](#), and [S 1076](#) have been correctly printed.

LODGE, Chairman

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

March 9, 2017

The TRANSPORTATION Committee reports out [H 204](#) with the recommendation that it do pass.

BRACKETT, Chairman

[H 204](#) was filed for second reading.

Senator Jordan was recorded present at this order of business.

March 9, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 86](#), [H 87](#), [H 98](#), [H 119](#), [H 120](#), [H 121](#), [H 122](#), [H 142](#), and [H 143](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 86](#), [H 87](#), [H 98](#), [H 119](#), [H 120](#), [H 121](#), [H 122](#), [H 142](#), and [H 143](#) were filed for second reading.

Senators Agenbroad, Foreman, and Harris were recorded present at this order of business.

March 9, 2017

The EDUCATION Committee reports out [H 106](#), [H 228](#), and [HCR 23](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 106](#) and [H 228](#) were filed for second reading.

[HCR 23](#) 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 Davis, 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 1156

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1157

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1156](#) and [S 1157](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 184](#), as amended in the Senate, and [H 118](#), as amended in the Senate, by Business Committee, were read the first time at length and filed for second reading.

[S 1130](#), as amended, and [S 1103](#), as amended, by State Affairs Committee, were read the first time at length and filed for second reading.

[S 1076](#), as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

Senators Anthon, Heider, Keough, Martin, Souza, and Thayn were recorded present at this order of business.

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

Motions and Resolutions

The President announced that [SCR 116](#) was before the Senate for final consideration.

Moved by Senator Brackett, seconded by Senator Nonini, that [SCR 116](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Bair, Lee. Total - 2.

Total - 35.

Whereupon the President declared [SCR 116](#) adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [HCR 12](#) retained its place on the calendar for Tuesday, March 14, 2017.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Raymond David Moore retained its place on the calendar for one legislative day.

The President announced that the Transportation Committee report relative to the Gubernatorial appointment of John D. Blakley was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Nye disclosed a possible conflict of interest under applicable law.

On motion by Senator Lakey, seconded by Senator Buckner-Webb, the Gubernatorial appointment of John D. Blakley as a member of the Aeronautics Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for 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 Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1119 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Bair, Lee. Total - 2.

Total - 35.

Whereupon the President declared **S 1119** passed, title was approved, and the bill ordered transmitted to the House.

S 1118 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Harris disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Bair, Lee. Total - 2.

Total - 35.

Whereupon the President declared **S 1118** passed, title was approved, and the bill ordered transmitted to the House.

S 1120 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Bair, Lee. Total - 2.

Total - 35.

Whereupon the President declared **S 1120** 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 Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Bair, Lee. Total - 2.

Total - 35.

Whereupon the President declared **S 1125** 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 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Hagedorn. Total - 1.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared **S 1048** passed, title was approved, and the bill ordered transmitted to the House.

S 1132, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared **S 1132** passed, title was approved, and the bill ordered transmitted to the House.

S 1133, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1133](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1136](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1137](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Bair, Lee. Total - 2.

Total - 35.

Whereupon the President declared [S 1137](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1138](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 29.

NAYS—Foreman, Harris, Siddoway, Vick. Total - 4.

Absent and excused—Bair, Lee. Total - 2.

Total - 35.

Whereupon the President declared [S 1138](#) 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 Keough arose 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1141](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by Senate Finance Committee bills, followed by House bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned in memory of the life and service of our colleague, Diane Kelly at 5:30 p.m. until the hour of 10:30 a.m., Friday, March 10, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SIXTY-FIRST LEGISLATIVE DAY
FRIDAY, MARCH 10, 2017

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except President Pro Tempore Hill, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Melissa Freeman, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 9, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 10, 2017

The JUDICIARY AND RULES Committee reports that [S 1152](#), [S 1153](#), [S 1154](#), [S 1155](#), [S 1156](#), and [S 1157](#) have been correctly printed.

LODGE, Chairman

[S 1152](#) and [S 1153](#) were referred to the Finance Committee.

[S 1154](#) and [S 1155](#) were referred to the Judiciary and Rules Committee.

[S 1156](#) and [S 1157](#) were referred to the Finance Committee.

March 9, 2017

The HEALTH AND WELFARE Committee reports out [H 195](#) and [HCR 9](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 195](#) was 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.

March 9, 2017

The HEALTH AND WELFARE Committee reports out [S 1142](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, [S 1142](#) was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

March 9, 2017

Dear Mr. President:

I transmit herewith [H 242](#), which has passed the House.

MAULIN, Chief Clerk

[H 242](#) was filed for first reading.

March 9, 2017

Dear Mr. President:

I return herewith [S 1029](#), [S 1055](#), [S 1064](#), [S 1008](#), [S 1085](#), [S 1112](#), [S 1060](#), [S 1034](#), as amended, and [SCR 107](#), which have passed the House.

MAULIN, Chief Clerk

[S 1029](#), [S 1055](#), [S 1064](#), [S 1008](#), [S 1085](#), [S 1112](#), [S 1060](#), [S 1034](#), as amended, and [SCR 107](#) were referred to the Judiciary and Rules Committee for enrolling.

President Pro Tempore Hill was recorded present at this order of business.

March 9, 2017

Dear Mr. President:

I return herewith [S 1043](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Den Hartog, granted by unanimous consent, [S 1043](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to [S 1043](#), 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 1043](#), as amended in the House?"

On request by Senator Den Hartog, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1043](#), as amended in the House.

[S 1043](#), 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 1158
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

**S 1159
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1160
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2018; EXEMPTING APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS; AND PROVIDING LEGISLATIVE INTENT REGARDING RETIREMENT CONTRIBUTIONS.

[S 1158](#), [S 1159](#), and [S 1160](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 242](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 245](#), [H 246](#), and [H 248](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1145](#) and [S 1146](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 140](#), [H 141](#), [H 169](#), [H 170](#), and [H 171](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[H 186](#), as amended, and [H 199](#), by Education Committee, were read the second time at length and filed for third reading.

[H 130](#), by Local Government Committee, was read the second time at length and filed for third reading.

[H 215](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 123](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 204](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 86](#), [H 87](#), [H 98](#), [H 119](#), [H 120](#), [H 121](#), and [H 122](#), by Business Committee, were read the second time at length and filed for third reading.

[H 142](#) and [H 143](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 106](#) and [H 228](#), by Education Committee, were read the second time at length and filed for third reading.

[H 184](#), as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

[H 118](#), as amended in the Senate, by Business Committee, was read the second time at length and filed for third reading.

[S 1130](#), as amended, and [S 1103](#), as amended, by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1076](#), as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1136](#), having been held, 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared [S 1136](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 43](#) 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?"

On request by Senator Jordan, granted by unanimous consent, [H 43](#) retained its place on the Third Reading Calendar.

[H 41](#) 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?"

Pursuant to Senate Rule 39(H), Senator Vick disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Brackett, Buckner-Webb, Burgoyne, Davis, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 26.

NAYS—Bair, Bayer, Crabtree, Den Hartog, Foreman, Guthrie, Nonini, Siddoway, Vick. Total - 9.

Total - 35.

Whereupon the President declared [H 41](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 73](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by Senate Finance Committee bills, followed by House bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:47 a.m. until the hour of 10 a.m., Monday, March 13, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SIXTY-FOURTH LEGISLATIVE DAY
MONDAY, MARCH 13, 2017

Senate Chamber

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

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Sydney Madsen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 10, 2017, was read and approved as corrected.

LODGE, 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 120

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 Board of Veterinary Medicine governing Rules of the State of Idaho Board of Veterinary Medicine are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain Rules of the Sexual Offender Management Board governing

Rules of the Sexual Offender Management Board are not consistent with legislative intent; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth 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 2017 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 46.01.01, Rules of the State of Idaho Board of Veterinary Medicine, Section 014., Subsection 02.f., only, adopted as pending fee rules under Docket Number 46-0101-1603.

IDAPA 57.01.01, Rules of the Sexual Offender Management Board, Section 150., Subsections 02. and 04., only, adopted as pending fee rules under Docket Number 57-0101-1601.

BE IT FURTHER RESOLVED that IDAPA 46.01.01, Rules of the State of Idaho Board of Veterinary Medicine, Section 014., Subsection 02.f., only, adopted as pending fee rules under Docket Number 46-0101-1603, and IDAPA 57.01.01, Rules of the Sexual Offender Management Board, Section 150., Subsections 02. and 04., only, adopted as pending fee rules under Docket Number 57-0101-1601, 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 121

BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE, WITH AN EXCEPTION.

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

WHEREAS, the Legislature by statute must approve temporary rules by adoption of a concurrent resolution approving the rule if the temporary rule is to remain in effect beyond the end of the current legislative session; and

WHEREAS, the expiration of temporary rules would occasion additional expense to state agencies in readopting and republishing temporary rules needed to conduct state business; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth 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 2017 legislative session, be, and the same are approved, with the exception of the following enumerated temporary rules:

IDAPA 08.02.03, Rules of the State Board of and State Department of Education, concerning Rules Governing Thoroughness, Idaho Science Standards Incorporated by Reference, Subsections ESS-MS ESS-MS-5, ESS3-MS ESS3.C, LS2-HS LS4.D, LS4-HS LS4.D, and ESS3-HS ESS2.D, only, adopted as temporary rules under Docket Number 08-0203-1701.

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-fourth 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 2017 legislative session shall expire by operation of statute upon adjournment of the First Regular Session of the Sixty-fourth Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

[SCR 120](#) and [SCR 121](#) 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 13, 2017

The JUDICIARY AND RULES Committee reports that [S 1158](#), [S 1159](#), and [S 1160](#) have been correctly printed.

LODGE, Chairman

[S 1158](#), [S 1159](#), and [S 1160](#) were referred to the Finance Committee.

March 10, 2017

The JUDICIARY AND RULES Committee reports that [S 1029](#), [S 1055](#), [S 1064](#), [S 1008](#), [S 1085](#), [S 1112](#), [S 1060](#), [S 1034](#), as amended, and [SCR 107](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1029](#), [S 1055](#), [S 1064](#), [S 1008](#), [S 1085](#), [S 1112](#), [S 1060](#), [S 1034](#), as amended, and [SCR 107](#) and ordered them transmitted to the House for the signature of the Speaker.

March 13, 2017

The JUDICIARY AND RULES Committee reports that [S 1043](#), as amended in the House, has been correctly engrossed.

LODGE, Chairman

[S 1043](#), as amended in the House, was filed for first reading.

Senator Vick was recorded present at this order of business.

March 10, 2017

The STATE AFFAIRS Committee reports out [SJR 103](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[SJR 103](#) was filed for second reading.

March 10, 2017

The FINANCE Committee reports out [S 1152](#), [S 1153](#), [S 1156](#), and [S 1157](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1152](#), [S 1153](#), [S 1156](#), and [S 1157](#) were filed for second reading.

March 10, 2017

The JUDICIARY AND RULES Committee reports out [H 148](#) and [H 201](#) with the recommendation that they do pass.

LODGE, Chairman

[H 148](#) and [H 201](#) were filed for second reading.

March 10, 2017

The JUDICIARY AND RULES Committee reports out [S 1124](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1124](#) was referred to the Fourteenth Order of Business, General Calendar.

March 13, 2017

The STATE AFFAIRS Committee reports out [H 197](#), [H 209](#), [H 250](#), [HJM 3](#), and [S 1151](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 197](#), [H 209](#), [H 250](#), and [S 1151](#) were filed for second reading.

[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

March 10, 2017

Dear Mr. President:

I transmit herewith [H 259](#), [H 260](#), [H 261](#), [H 220](#), and [H 244](#), which have passed the House.

MAULIN, Chief Clerk

[H 259](#), [H 260](#), [H 261](#), [H 220](#), and [H 244](#) were filed for first reading.

March 10, 2017

Dear Mr. President:

I return herewith [S 1084](#), [S 1075](#), [S 1035](#), [S 1115](#), [S 1116](#), [S 1127](#), [S 1128](#), and [S 1129](#), which have passed the House.

MAULIN, Chief Clerk

[S 1084](#), [S 1075](#), [S 1035](#), [S 1115](#), [S 1116](#), [S 1127](#), [S 1128](#), and [S 1129](#) were referred to the Judiciary and Rules Committee for enrolling.

March 10, 2017

Dear Mr. President:

I return herewith Enrolled [S 1018](#), [S 1030](#), [S 1027](#), [S 1019](#), and [S 1063](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1018](#), [S 1030](#), [S 1027](#), [S 1019](#), and [S 1063](#) 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 Mortimer, granted by unanimous consent, [SCR 117](#) was referred to the Education Committee.

On request by Senator Winder, granted by unanimous consent, [HCR 9](#) retained its place on the calendar for one legislative day.

The President announced that [SCR 118](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Buckner-Webb, [SCR 118](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 119](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Buckner-Webb, [SCR 119](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 23](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Crabtree, seconded by Senator Nye, [HCR 23](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Judiciary and Rules Committee report relative to the gubernatorial reappointment of Raymond David Moore 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 Raymond David Moore 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 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

S 1161

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO USE OF FORCE; AMENDING SECTION 18-4009, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS WHO ENTER OR ATTEMPT TO ENTER THE HABITATION OF ANOTHER ARE PRESUMED TO BE DOING SO WITH THE INTENT TO COMMIT A FELONY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 19-202A, IDAHO CODE, TO REVISE A PROVISION REGARDING USE OF FORCE AND TO PROVIDE THAT CERTAIN PERSONS SHALL NOT HAVE A DUTY TO RETREAT; AND REPEALING SECTION 19-203, IDAHO CODE, RELATING TO RESISTANCE BY OTHER PARTIES.

S 1162

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PROVIDING MONEYS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE; APPROVING BONDING AUTHORITY TO FINANCE CERTAIN HIGHWAY TRANSPORTATION PROJECTS; PROVIDING A DESCRIPTION OF PROJECTS TO BE FINANCED WITH BOND PROCEEDS; LIMITING THE SCOPE OF THE PROJECTS; PROVIDING A REQUIREMENT REGARDING A GARVEE PROGRAM MANAGEMENT SERVICES AGREEMENT; PROVIDING FOR ISSUANCE OF GARVEE BONDS; PROVIDING THAT BONDS BE ISSUED WHEN NECESSARY; AND AMENDING SECTION 40-315, IDAHO CODE, TO REMOVE AN ELIGIBLE PROJECT.

S 1163

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PROVIDING MONEYS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE; APPROVING GARVEE AND GENERAL BONDING AUTHORITY TO FINANCE CERTAIN HIGHWAY TRANSPORTATION PROJECTS; PROVIDING A DESCRIPTION OF PROJECTS TO BE FINANCED WITH BOND PROCEEDS; LIMITING THE SCOPE OF THE PROJECTS; PROVIDING A REQUIREMENT REGARDING A GARVEE PROGRAM MANAGEMENT SERVICES AGREEMENT; PROVIDING FOR ISSUANCE OF GARVEE BONDS; PROVIDING THAT BONDS BE ISSUED WHEN NECESSARY; AMENDING SECTION 40-315, IDAHO CODE, TO REMOVE AN ELIGIBLE PROJECT; AMENDING SECTION 40-701, IDAHO CODE, TO PROVIDE FOR MONEYS FROM THE STRATEGIC INITIATIVES PROGRAM AND TO REMOVE MONEYS GOING TO THE LAW ENFORCEMENT FUND; AMENDING SECTION 40-719, IDAHO CODE, TO REVISE DISTRIBUTION FROM THE STRATEGIC INITIATIVES PROGRAM AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 57-814, IDAHO CODE, TO REVISE

WHEN A TRANSFER IS MADE; AMENDING SECTION 17, CHAPTER 341, LAWS OF 2015, TO EXTEND A SUNSET DATE FOR FIVE ADDITIONAL YEARS; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622VV, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM THE SALES OR USE TAX ON CERTAIN MATERIALS USED IN CONNECTION WITH A PUBLIC ROAD, TO PROVIDE EXCEPTIONS AND TO DEFINE TERMS; AND AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE THE REVENUE SHARING PERCENTAGE, TO PROVIDE FOR A DISTRIBUTION TO THE LAW ENFORCEMENT FUND AND THE HIGHWAY DISTRIBUTION ACCOUNT; PROVIDING FOR A PERFORMANCE EVALUATION OF LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1164
BY FINANCE COMMITTEE
AN ACT

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 2018; 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 LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; CLARIFYING RESPONSIBILITY FOR EDUCATION OF CERTAIN CHILDREN IN STATE CARE; REQUIRING A REPORT ON FOSTER CARE SUPPORT STAFF; DIRECTING EXPENDITURES FOR HEAD START APPROPRIATIONS FROM TEMPORARY ASSISTANCE FOR NEEDY FAMILIES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILD WELFARE PROGRAM FOR FISCAL YEAR 2017; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE FOSTER AND ASSISTANCE PAYMENTS PROGRAM FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

S 1165
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PUBLIC HEALTH SERVICES DIVISION FOR FISCAL YEAR 2018; 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 LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; PROVIDING LEGISLATIVE INTENT REGARDING TRICARE VACCINES; REQUIRING A REPORT ON ACCREDITATION STATUS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

[S 1161](#), [S 1162](#), [S 1163](#), [S 1164](#), and [S 1165](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1043](#), as amended in the House, by Transportation Committee, was read the first time at length and filed for second reading.

[H 259](#), [H 260](#), and [H 261](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 220](#) and [H 244](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 195](#), 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 1130](#), 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, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Hill, Johnson, Jordan, Keough, Lodge, Martin, Nye, Patrick, Stennett, Ward-Engelking, Winder. Total - 16.

NAYS—Anthon, Bair, Bayer, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Lakey, Lee, Mortimer, Nonini, Rice, Siddoway, Souza, Thayn, Vick. Total - 18.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared that [S 1130](#), as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, [S 1103](#), as amended, and [S 1076](#), as amended, retained their place on the Third Reading Calendar for one legislative day.

[S 1145](#) 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, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1145](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1146](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nye, Siddoway, Souza, Stennett, Ward-Engelking, Winder. Total - 25.

NAYS—Bayer, Den Hartog, Guthrie, Lakey, Nonini, Patrick, Rice, Thayn, Vick. Total - 9.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1146](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 43](#), having been held, having previously been read the third time at length and debate having been previously opened, was placed before the Senate for final consideration. Senator Jordan arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nye, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 25.

NAYS—Crabtree, Den Hartog, Foreman, Lakey, Nonini, Patrick, Rice, Souza, Vick. Total - 9.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [H 43](#) passed, title was approved, and the bill ordered returned to the House.

[H 92](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Martin, Thayn. Total - 2.

Absent and excused—Davis, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [H 92](#) 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 Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Brackett, Buckner-Webb, Burgoyne, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Martin, Nye, Stennett, Thayn, Ward-Engelking. Total - 14.

NAYS—Agenbroad, Anthon, Bair, Bayer, Crabtree, Den Hartog, Foreman, Guthrie, Johnson, Lakey, Lee, Lodge, Mortimer, Nonini, Patrick, Rice, Siddoway, Souza, Vick, Winder. Total - 20.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared that [H 7](#) had failed to pass the Senate and ordered the bill 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 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [H 38](#) passed, title was approved, and the bill ordered returned to the House.

[H 78](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [H 78](#) 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 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, Crabtree, Den Hartog, Hagedorn, Harris, Heider, Hill, Johnson, Lakey, Lodge, Martin, Nonini, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 24.

NAYS—Buckner-Webb, Burgoyne, Foreman, Guthrie, Jordan, Keough, Lee, Mortimer, Nye, Stennett. Total - 10.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [H 132](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 133](#) retained its place on the Third Reading Calendar for one legislative day.

[H 46](#) 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?"

Pursuant to Senate Rule 39(H), Senator Brackett disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Brackett, Buckner-Webb, Burgoyne, Guthrie, Harris, Heider, Hill, Jordan, Keough, Martin, Mortimer, Nye, Patrick, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 18.

NAYS—Agenbroad, Anthon, Bair, Bayer, Crabtree, Den Hartog, Foreman, Hagedorn, Johnson, Lakey, Lee, Lodge, Nonini, Rice, Souza, Vick. Total - 16.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [H 46](#) 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 3:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Agenbroad and Davis, absent and formally excused by the Chair; and Senators Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Guthrie, Lee, Mortimer, Nonini, Thayn, 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 13, 2017

The JUDICIARY AND RULES Committee reports that [S 1084](#), [S 1075](#), [S 1035](#), [S 1115](#), [S 1116](#), [S 1127](#), [S 1128](#), and [S 1129](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1084](#), [S 1075](#), [S 1035](#), [S 1115](#), [S 1116](#), [S 1127](#), [S 1128](#), and [S 1129](#) and ordered them transmitted to the House for the signature of the Speaker.

March 13, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1018](#), [S 1030](#), [S 1027](#), [S 1019](#), and [S 1063](#) were delivered to the Office of the Governor at 11:15 a.m., March 13, 2017.

LODGE, Chairman

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

Senators Lee and Harris were recorded present at this order of business.

March 13, 2017

The FINANCE Committee reports out [H 259](#), [H 260](#), [H 261](#), [S 1158](#), [S 1159](#), and [S 1160](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 259](#), [H 260](#), [H 261](#), [S 1158](#), [S 1159](#), and [S 1160](#) were filed for second reading.

March 13, 2017

The RESOURCES AND ENVIRONMENT Committee reports out [H 168](#), [H 211](#), [H 230](#), and [HJM 4](#) with the recommendation that they do pass.

BAIR, Chairman

[H 168](#), [H 211](#), and [H 230](#) were filed for second reading.

[HJM 4](#) 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, 2017

The JUDICIARY AND RULES Committee reports out [HCR 19](#) with the recommendation that it do pass.

LODGE, Chairman

[HCR 19](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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 1166

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; PROVIDING LEGISLATIVE INTENT REGARDING YOUTH EQUINE EDUCATION; AND PROVIDING LEGISLATIVE INTENT REGARDING TRANSFERS TO THE PUBLIC SCHOOL INCOME FUND.

S 1167

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE DEPARTMENT FROM CERTAIN TRANSFER LIMITATIONS; AND PROVIDING REAPPROPRIATION AUTHORITY FOR CERTAIN BALANCES.

S 1168

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING CERTAIN APPROPRIATION OBJECT TRANSFER LIMITATIONS.

[S 1166](#), [S 1167](#), and [S 1168](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Buckner-Webb, Burgoyne, Crabtree, Nonini, Mortimer, and Ward-Engelking 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

Senators Den Hartog and Guthrie were recorded present at this order of business.

[H 105](#) 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Agenbroad, Davis. Total - 2.

Total - 35.

Whereupon the President declared [H 105](#) passed, title was approved, and the bill ordered returned to the House.

[H 107](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Agenbroad, Davis. Total - 2.

Total - 35.

Whereupon the President declared [H 107](#) passed, title was approved, and the bill ordered returned to the House.

[H 81](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Agenbroad, Davis. Total - 2.

Total - 35.

Whereupon the President declared [H 81](#) passed, title was approved, and the bill ordered returned to the House.

[H 128](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jordan 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, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Crabtree, Foreman, Nonini. Total - 3.

Absent and excused—Agenbrood, Brackett, Davis. Total - 3.

Total - 35.

Whereupon the President declared [H 128](#) 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 Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Burgoyne, Foreman. Total - 2.

Absent and excused—Agenbrood, Davis. Total - 2.

Total - 35.

Whereupon the President declared [H 208](#) passed, title was approved, and the bill ordered returned to the House.

[H 52](#) 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—Bair, Bayer, Brackett, Buckner-Webb, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 28.

NAYS—Anthon, Burgoyne, Crabtree, Foreman, Nonini. Total - 5.

Absent and excused—Agenbrood, Davis. Total - 2.

Total - 35.

Whereupon the President declared [H 52](#) passed, title was approved, and the bill ordered returned to the House.

[H 96](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Agenbrood, Davis. Total - 2.

Total - 35.

Whereupon the President declared [H 96](#) passed, title was approved, and the bill ordered returned to the House.

[H 115](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Agenbrood, Davis. Total - 2.

Total - 35.

Whereupon the President declared [H 115](#) passed, title was approved, and the bill ordered returned to the House.

[H 129](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Brackett, Buckner-Webb, Hill, Jordan, Keough, Martin, Stennett, Ward-Engelking. Total - 8.

NAYS—Anthon, Bair, Bayer, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Lakey, Lee, Lodge, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 25.

Absent and excused—Agenbrood, Davis. Total - 2.

Total - 35.

Whereupon the President declared that [H 129](#) had failed to pass the Senate and ordered the bill returned to the House.

[H 70](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Keough, Martin, Patrick. Total - 3.

Absent and excused—Agenbrood, Davis. Total - 2.

Total - 35.

Whereupon the President declared [H 70](#) 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 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Agenbroad, Davis. Total - 2.

Total - 35.

Whereupon the President declared **H 113** passed, title was approved, and the bill ordered returned to the House.

H 100 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 29.

NAYS—Crabtree, Foreman, Vick. Total - 3.

Absent and excused—Agenbroad, Davis, Nonini. Total - 3.

Total - 35.

Whereupon the President declared **H 100** passed, title was approved, and the bill ordered returned to the House.

H 101 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Agenbroad, Davis. Total - 2.

Total - 35.

Whereupon the President declared **H 101** passed, title was approved, and the bill ordered returned to the House.

H 102 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Thayn, Ward-Engelking, Winder. Total - 28.

NAYS—Crabtree, Foreman, Vick. Total - 3.

Absent and excused—Agenbroad, Davis, Nonini, Stennett. Total - 4.

Total - 35.

Whereupon the President declared **H 102** passed, title was approved, and the bill ordered returned to the House.

H 185 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Anthon, Brackett, Lakey, Lee, Lodge, Siddoway, and Ward-Engelking disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 28.

NAYS—Foreman, Johnson, Nonini, Siddoway, Vick. Total - 5.

Absent and excused—Agenbroad, Davis. Total - 2.

Total - 35.

Whereupon the President declared **H 185** 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 5 p.m. until the hour of 9:30 a.m., Tuesday, March 14, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 14, 2017

Senate Chamber

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

Roll call showed all members present except Senators Anthon, Brackett, Davis, Johnson, Lodge, Mortimer, Rice, and Thayn, absent and excused.

Prayer was offered by Senator Burgoyne.

The Pledge of Allegiance was led by Ethan Oleson, 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, 2017, was read and approved as corrected.

LODGE, 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 14, 2017

The JUDICIARY AND RULES Committee reports that [SCR 120](#), [SCR 121](#), [S 1161](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), and [S 1168](#) have been correctly printed.

LODGE, Chairman

[SCR 120](#) and [SCR 121](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1161](#) was referred to the State Affairs Committee.

[S 1162](#) and [S 1163](#) were referred to the Transportation Committee.

[S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), and [S 1168](#) were referred to the Finance Committee.

Senators Anthon, Lodge, and Mortimer were recorded present at this order of business.

March 13, 2017

The HEALTH AND WELFARE Committee reports out [H 222](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 222](#) was filed for second reading.

March 13, 2017

The HEALTH AND WELFARE Committee reports out [S 1139](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, [S 1139](#) 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 13, 2017

Dear Mr. President:

I return herewith [S 1081](#), [S 1059](#), [S 1011](#), [S 1091](#), [S 1080](#), [S 1134](#), [S 1135](#), and [SCR 104](#), which have passed the House.

MAULIN, Chief Clerk

[S 1081](#), [S 1059](#), [S 1011](#), [S 1091](#), [S 1080](#), [S 1134](#), [S 1135](#), and [SCR 104](#) were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [HCR 12](#) was before the Senate for final consideration.

Moved by Senator Winder, 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, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Brackett, Davis. Total - 2.

Total - 35.

Whereupon the President declared [HCR 12](#) adopted, title was approved, and the resolution ordered returned to the House.

Senator Davis 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 Jordan, seconded by Senator Souza, [HCR 9](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Brackett was recorded present at this order of business.

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 Siddoway, seconded by Senator Bair, [HJM 3](#) was adopted by voice vote, title was approved, and the memorial 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?"

On motion by Senator Heider, seconded by Senator Jordan, [HJM 4](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that [HCR 19](#) was before the Senate for final consideration.

Moved by Senator Lee, seconded by Senator Burgoyne, that [HCR 19](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Patrick, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [HCR 19](#) adopted, 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 Twelfth Order of Business.

Second Reading of Bills

[SJR 103](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1152](#), [S 1153](#), [S 1156](#), and [S 1157](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 148](#) and [H 201](#), by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[H 197](#), [H 209](#), and [H 250](#), by State Affairs Committee, were 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.

[S 1043](#), as amended in the House, by Transportation Committee, was read the second time at length and filed for third reading.

[H 259](#), [H 260](#), and [H 261](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1158](#), [S 1159](#), and [S 1160](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 168](#) and [H 211](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[H 230](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, 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 Winder 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 Winder, Chairman of the Committee of the Whole, reported out [S 1090](#), [H 11](#), and [S 1139](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1090

AMENDMENT TO SECTION 6

On page 8 of the printed bill, in line 1, delete "Except as otherwise provided in subsection (8) of this section, nNo" and insert: "Except as otherwise provided in subsection (8) of this section, a"; in line 2, delete "the" and insert: "the no"; in line 6, following "to withhold" insert: "consent for"; in line 12, following "for" insert: "such"; in line 16, delete "A Notwithstanding the provisions of subsection (7) of this sec-" and insert: "A"; in line 17, delete "tion, a"; in line 36, delete "provision of such"; in line 40, delete "provision of such"; and in line 41, delete "the treatment itself".

SENATE AMENDMENT TO H 11

AMENDMENT TO SECTION 2

On page 1 of the printed bill, in line 37, delete "2019" and insert: "2021"; and on page 2, in line 4, delete "2018" and insert: "2020".

SENATE AMENDMENT TO H 11

AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 4, following "reinstatement" insert: "; provided however, that licensees who received their license prior to 1990 shall be excused from the provisions of this subsection, and their licenses shall be accorded grandfather rights".

SENATE AMENDMENT TO S 1139

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 17 through 21, and insert:

"39-1396. AUTHORITY TO ADMIT PATIENTS. (1) A hospital or facility may grant to physicians, physician assistants and advanced practice nurses the privilege to admit patients to such hospital or facility; provided however, that admitting privileges may be granted only if the privileges are:

(a) Recommended by the medical staff at the hospital or facility;

(b) Approved by the governing board of the hospital or facility; and

(c) Within the scope of practice conferred by the license of the physician, physician assistant or advanced practice nurse.

(2) A hospital or facility shall specify in its bylaws the process by which its governing body and medical staff oversee those practitioners granted admitting privileges. Such oversight shall include, but is not limited to, credentialing and competency review."

AMENDMENT TO SECTION 2

On page 1, in line 25, delete "other persons specified in the"; delete lines 26 and 27; and in line 28, delete "nurses" and insert: "a practitioner granted admitting privileges pursuant to chapter 13, title 39, Idaho Code".

On page 2, in line 11, delete "other persons authorized to admit"; and in line 12, delete "patients to the facility" and insert: "a practitioner granted admitting privileges pursuant to chapter 13, title 39, Idaho Code".

AMENDMENT TO SECTION 3

On page 2, in line 24, delete "another person permitted by the bylaws or a written policy"; in line 25, delete "of the facility to admit patients to such facility" and insert: "a practitioner granted admitting privileges pursuant to chapter 13, title 39, Idaho Code".

AMENDMENT TO SECTION 4

On page 2, in line 35, delete "another person permitted by the"; in line 36, delete "bylaws or a written policy of such facility to admit persons to the facility" and insert: "a practitioner granted admitting privileges by the facility's bylaws and other process by which the facility's governing body and medical staff exercise oversight, such as through credentialing and competency review".

CORRECTION TO TITLE

On page 1, in line 3, delete "PROVIDE THAT CERTAIN"; delete lines 4 and 5; and in line 6, delete "PITALS OR FACILITIES" and insert: "ESTABLISH PROVISIONS REGARDING AUTHORITY TO ADMIT PATIENTS TO CERTAIN HOSPITALS OR FACILITIES".

The Committee also has [S 1095](#), [S 1142](#), and [S 1124](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Jordan, the report was adopted by voice vote.

[H 11](#), 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.

[S 1090](#), as amended, and [S 1139](#), 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 Souza, granted by unanimous consent, [S 1103](#), as amended, was referred to the Education Committee.

[S 1076](#), 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1076](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 133](#), 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 133](#) 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 Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Anthon and Jordan disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Siddoway, Souza, Thayne, Vick, Winder. Total - 27.

NAYS—Brackett, Buckner-Webb, Burgoyne, Jordan, Lee, Nye, Stennett, Ward-Engelking. Total - 8.

Total - 35.

Whereupon the President declared [H 207](#) passed, title was approved, and the bill ordered returned to the House.

[H 149](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Nonini, Nye, Patrick, Siddoway, Souza, Vick, Winder. Total - 27.

NAYS—Anthon, Buckner-Webb, Jordan, Mortimer, Rice, Stennett, Thayne, Ward-Engelking. Total - 8.

Total - 35.

Whereupon the President declared [H 149](#) passed, title was approved, and the bill ordered returned to the House.

[H 152](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 152](#) passed, title was approved, and the bill ordered returned to the House.

[H 181](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 181](#) 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 Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 182](#) 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. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 183](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 219](#) 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, Crabtree, Davis, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Nonini, Nye, Patrick, Stennett, Ward-Engelking, Winder. Total - 25.

NAYS—Den Hartog, Foreman, Hagedorn, Harris, Mortimer, Rice, Siddoway, Souza, Thayn, Vick. Total - 10.

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 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 225](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 226](#) retained its place on the Third Reading Calendar for one legislative day.

[H 51](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 51](#) passed, title was approved, and the bill ordered returned to the House.

[H 53](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 53](#) 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, Buckner-Webb, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 64](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 90](#) 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 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared [H 227](#) 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 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, Crabtree, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Den Hartog, Foreman. Total - 3.

Total - 35.

Whereupon the President declared [H 237](#) passed, title was approved, and the bill ordered returned to the House.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:08 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 Little presiding.

Roll call showed all members present except Senator Anthon, absent and formally excused by the Chair; and Senators Bayer, Brackett, and Rice, 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, 2017

The JUDICIARY AND RULES Committee reports that [S 1090](#), as amended, and [S 1139](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1090](#), as amended, and [S 1139](#), as amended, were filed for first reading.

March 14, 2017

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1090](#), [H 11](#), and [S 1139](#) have been correctly printed.

LODGE, Chairman

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

March 14, 2017

The JUDICIARY AND RULES Committee reports that [S 1081](#), [S 1059](#), [S 1011](#), [S 1091](#), [S 1080](#), [S 1134](#), [S 1135](#), and [SCR 104](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1081](#), [S 1059](#), [S 1011](#), [S 1091](#), [S 1080](#), [S 1134](#), [S 1135](#), and [SCR 104](#) and ordered them transmitted to the House for the signature of the Speaker.

March 14, 2017

The JUDICIARY AND RULES Committee reports out [H 146](#) with the recommendation that it do pass.

LODGE, Chairman

[H 146](#) was filed for second reading.

Senator Rice was recorded present at this order of business.

March 14, 2017

The FINANCE Committee reports out [S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), and [S 1168](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), and [S 1168](#) were filed for second reading.

March 14, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 99](#), as amended, [H 136](#), [H 138](#), [H 243](#), and [S 1150](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 99](#), as amended, [H 136](#), [H 138](#), [H 243](#), and [S 1150](#) were filed for second reading.

March 14, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 145](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [H 145](#) was referred to the Fourteenth Order of Business, General Calendar.

March 14, 2017

The TRANSPORTATION Committee reports out [H 111](#), as amended, and [H 131](#), as amended, with the recommendation that they do pass.

BRACKETT, Chairman

[H 111](#), as amended, and [H 131](#), as amended, were filed for second reading.

March 14, 2017

The HEALTH AND WELFARE Committee reports out [H 212](#) and [H 213](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 212](#) and [H 213](#) were filed for second reading.

Senator Bayer was recorded present at this order of business.

March 14, 2017

The EDUCATION Committee reports out [H 242](#) and [HCR 25](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 242](#) was filed for second reading.

[HCR 25](#) 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 Davis, 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 1169

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE COMMISSION ON AGING FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1170

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1171

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE BOND PAYMENT PROGRAM FOR FISCAL YEAR 2018.

S 1172

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE STATE LIQUOR DIVISION FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1173

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2018; MAKING A CASH TRANSFER; AND PROVIDING REAPPROPRIATION AUTHORITY FOR DEDICATED FUNDS.

S 1174
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICAID DIVISION FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2018; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; REQUIRING MONTHLY MEDICAID TRACKING REPORTS; PROVIDING FOR TRANSFER OF APPROPRIATIONS BETWEEN CERTAIN PROGRAMS; REQUIRING BIENNIAL REPORTS ON MEDICAID MANAGED CARE IMPLEMENTATION; REQUIRING A REPORT ON FLEXIBLE RECEIPT AUTHORITY; PROVIDING FOR LEGISLATIVE INTENT ON NON-EMERGENCY MEDICAL TRANSPORTATION; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICAID DIVISION FOR FISCAL YEAR 2017; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE ENHANCED MEDICAID PLAN FOR FISCAL YEAR 2017; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE ENHANCED MEDICAID PLAN FOR FISCAL YEAR 2017; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2017; PROVIDING FOR LEGISLATIVE INTENT ON NON-EMERGENCY MEDICAL TRANSPORTATION; AND DECLARING AN EMERGENCY.

S 1175
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR THE RECOVERY OF STATE CONTROLLER SERVICE COSTS TO THE GENERAL FUND; AND PROVIDING CERTAIN DEDICATED FUND REAPPROPRIATION AUTHORITY.

S 1176
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE REVOLVING DEVELOPMENT FUND TO THE AQUIFER PLANNING AND MANAGEMENT FUND; AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT AND IMPLEMENTATION FUND.

[S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), and [S 1176](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 11](#), as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[S 1090](#), as amended, and [S 1139](#), as amended, by State Affairs Committee, were read the first time at length and filed for second reading.

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

Third Reading of Bills

[H 226](#), having been held, 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Anthon, Brackett. Total - 2.

Total - 35.

Whereupon the President declared [H 226](#) 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 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 238](#) passed, title was approved, and the bill ordered returned to the House.

[H 239](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

[H 170](#) 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, Bayer, Brackett, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 27.

NAYS—Buckner-Webb, Burgoyne, Nye, Stennett, Ward-Engelking. Total - 5.

Absent and excused—Anthon, Heider, Jordan. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 170](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **SJR 3** was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by Senate Finance Committee bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations Committee bills.

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

Reports of Standing Committees

March 14, 2017

The JUDICIARY AND RULES Committee reports that [S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), and [S 1176](#) have been correctly printed.

LODGE, Chairman

[S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), and [S 1176](#) were referred to the Finance Committee.

March 14, 2017

The FINANCE Committee reports out [S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), and [S 1176](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), and [S 1176](#) were filed for second reading.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:42 p.m. until the hour of 9:30 a.m., Wednesday, March 15, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SIXTY-SIXTH LEGISLATIVE DAY
WEDNESDAY, MARCH 15, 2017

Senate Chamber

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

Roll call showed all members present except Senators Brackett, Buckner-Webb, Davis, Harris, Johnson, and Keough, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Aaron Swanson, 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, 2017, was read and approved as corrected.

LODGE, 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 Harris was recorded present at this order of business.

March 14, 2017

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 205](#), [H 216](#), and [H 235](#) with the recommendation that they do pass.

JOHNSON, Chairman

[H 205](#), [H 216](#), and [H 235](#) 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

March 14, 2017

Dear Mr. President:

I transmit herewith [H 206](#), [H 217](#), [H 265](#), [H 266](#), [H 253](#), [H 254](#), [H 262](#), [H 137](#), as amended, [HCR 26](#), [HJM 6](#), [HCR 28](#), [H 270](#), [H 257](#), and [H 274](#), which have passed the House.

MAULIN, Chief Clerk

[H 206](#), [H 217](#), [H 265](#), [H 266](#), [H 253](#), [H 254](#), [H 262](#), [H 137](#), as amended, [HCR 26](#), [HJM 6](#), [HCR 28](#), [H 270](#), [H 257](#), and [H 274](#) were filed for first reading.

March 14, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 41](#) and [H 73](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 41](#) and [H 73](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Davis was recorded present at this order of business.

The President announced that [SCR 120](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Siddoway, seconded by Senator Stennett, [SCR 120](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 121](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Siddoway, seconded by Senator Jordan, [SCR 121](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, 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

Senator Keough was recorded present at this order of business.

[H 206](#) and [H 217](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 265](#) and [H 266](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 253](#), [H 254](#), and [H 262](#), by Ways and Means Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 137](#), as amended, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[HCR 26](#), by Ways and Means Committee, was introduced, read at length, and referred to the Education Committee.

[HJM 6](#), by Ways and Means Committee, was introduced, read at length, and referred to the Agricultural Affairs Committee.

[HCR 28](#), by Ways and Means Committee, was introduced, read at length, and referred to the Judiciary and Rules Committee.

[H 270](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 257](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 274](#), by Ways and Means 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

[H 222](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 146](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[S 1164](#), [S 1165](#), [S 1166](#), [S 1167](#), and [S 1168](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 99](#), as amended, [H 136](#), and [H 138](#), by Business Committee, were read the second time at length and filed for third reading.

[H 243](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1150](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 111](#), as amended, and [H 131](#), as amended, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 212](#) and [H 213](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 242](#), by Education Committee, was read the second time at length and filed for third reading.

[H 11](#), as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1090](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1139](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), and [S 1176](#), 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

On request by Senator Davis, granted by unanimous consent, [SJR 103](#) retained its place on the calendar.

[S 1151](#) 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, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Buckner-Webb, Johnson, Lakey. Total - 3.

Total - 35.

Whereupon the President declared [S 1151](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1043](#), as amended in the House, 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Keough, Mortimer. Total - 2.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1043](#), as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, [S 1152](#) retained its place on the Third Reading Calendar for Friday, March 17, 2017.

[S 1153](#) 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1153](#) 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 Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Vick disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1156](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1157](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 31.

NAYS—Rice, Siddoway, Vick. Total - 3.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1157](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1158](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Brackett, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Nonini, Nye, Patrick, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 27.

NAYS—Bayer, Den Hartog, Harris, Mortimer, Rice, Siddoway, Vick. Total - 7.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1158](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1159](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1159](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1160](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Lee and Nye disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1160](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 184](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [H 184](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 118](#), as amended in the Senate, 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [H 118](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 141](#), 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 141](#) passed, title was approved, and the bill ordered returned to the House.

[H 171](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 29.

NAYS—Buckner-Webb, Burgoyne, Jordan, Nye, Stennett, Ward-Engelking. Total - 6.

Total - 35.

Whereupon the President declared [H 171](#) passed, title was approved, and the bill ordered returned to the House.

[H 186](#), as amended, 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 186](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 199](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 199](#) passed, title was approved, and the bill ordered returned to the House.

[H 130](#) 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 130](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 215](#) passed, title was approved, and the bill ordered returned to the House.

[H 123](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Moved by Senator Burgoyne, that [H 123](#) be referred to the Fourteenth Order of Business for amendment. Senators Buckner-Webb, Foreman, Jordan, Lodge, Nye, and Stennett stood in support of the motion. The question being, "Shall the motion prevail?"

Whereupon the President declared that the motion to refer [H 123](#) to the Fourteenth Order of Business for amendment did not prevail. The question being, "Shall [H 123](#) pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Crabtree, Den Hartog, Guthrie, Hagedorn, Heider, Lee, Martin, Nonini. Total - 13.

NAYS—Bair, Burgoyne, Davis, Foreman, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lodge, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 22.

Paired and voting included in roll call:

AYE - Brackett NAY - Vick

Total - 35.

Whereupon the President declared that **H 123** had failed to pass the Senate and ordered the bill returned to the House.

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

Petitions, Resolutions, and Memorials

SJM 102

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-fourth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the State of Idaho is committed to the conservation of greater sage-grouse (*Centrocercus urophasianus*) and its present habitat located within the state; and

WHEREAS, the state has produced a statewide sage-grouse conservation plan in support of this commitment; and

WHEREAS, Idaho's Department of Fish and Game and Office of Species Conservation possess significant expertise in the management of greater sage-grouse and its habitat and whose experts have attempted to work in full cooperation with the federal agencies managing federal lands within the borders of the state; and

WHEREAS, the Secretary of the Interior has determined that the species is neither endangered nor threatened under the Endangered Species Act; and

WHEREAS, the Congress and the President are to be commended for recognizing the unprecedented collaboration among the various states regarding greater sage-grouse conservation and the need to continue on-the-ground conservation and monitoring activities as recognized through the enactment of Section 117 of the Consolidated Appropriations Act of 2016 (P.L. 114-113); and

WHEREAS, implementation of the state's conservation plan will produce scientific data related to disease or predation of the species, the adequacy of existing regulatory mechanisms, and other natural or man-made factors affecting the species' existence, all of which must be considered when conserving the species; and

WHEREAS, the State of Idaho wishes to continue its collaboration with other states possessing current habitat for greater sage-grouse; and

WHEREAS, time is needed to continue to implement the state conservation plan over a period of multiple, consecutive

sage-grouse life cycles to determine the efficacy of the plan and the need for modification, if any; and

WHEREAS, the Governor and Legislature of the State of Idaho are finding that the Secretary of the Interior through the Bureau of Land Management and the Secretary of Agriculture through the U.S. Forest Service are implementing terms and conditions on grazing permits and other types of permits that include conservation measures and/or management actions that are contrary and/or not consistent with the statewide sage-grouse conservation plan; and

WHEREAS, the Governor and Legislature of the State of Idaho were compelled to seek redress in federal court from the onerous, unnecessary, and ill-conceived federal land use plan amendments adopted by the U.S. Departments of Agriculture and of the Interior. That matter was dismissed in January 2017 without a finding on the merits and is subject to appeal.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that Congress should, by legislative enactment, provide protections for adoption and implementation of state sage-grouse conservation plans by, among other things, making no funds available for use by either the Secretary of the Interior or the Secretary of Agriculture to implement federal land use plan amendments if they are inconsistent with the state's sage-grouse conservation plan for a period of 10 years through and including fiscal year 2027; and provide a mechanism for the Governor of a state to ensure state sage-grouse plans can be implemented on lands operated by the Bureau of Land Management and the U.S. Forest Service; furthermore, that such congressional legislation should provide a mechanism to ensure that any federal resource management plans conform to state sage-grouse plans and that any inconsistencies of the federal resource management plans should be resolved by the Governor of the affected state to ensure federal resource management plans conform to state management plans for a period of at least 10 years.

BE IT FURTHER RESOLVED that Congress should continue to make no funds available for use by the Secretary of the Interior to consider, prepare, write, or issue, pursuant to Section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533), a petition, finding or proposed regulation for greater sage-grouse for a period of 10 years through and including fiscal year 2027.

BE IT FURTHER RESOLVED that during this 10-year period, Congress should provide a litigation safe-harbor protecting: (a) the state sage-grouse management plans from litigation by private activist organizations that would interfere with implementation of state sage-grouse management plans; and (b) the status of sage-grouse as "not-warranted" pursuant to Section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533), such that neither the state plans nor the "not-warranted" status is subject to judicial review.

BE IT FURTHER RESOLVED that during this 10-year period, the State of Idaho will continue to implement its sage-grouse conservation plan, thereby establishing and enhancing its efficacy over time.

BE IT FURTHER RESOLVED that Congress should, by legislation, recognize and encourage state primacy in the long-term management of sage-grouse and its habitat to ensure an effective and balanced approach that seeks to recover and protect sage-grouse populations while protecting state economic interests, educational funding from state lands, and valid existing rights, including private property rights.

BE IT FURTHER RESOLVED that we encourage the U.S. Departments of Agriculture and of the Interior to conduct settlement discussions with the state in an effort to reach a

settlement relating to sage-grouse and the federal land use plan amendments adopted by the U.S. Departments of Agriculture and of the Interior, associated with the federal court action that is now subject to appeal.

BE IT FURTHER RESOLVED that Congress continue to make no funds available for use by the Secretary of the Interior through the Bureau of Land Management to consider, prepare, write or issue any decision-documents pursuant to 43 CFR 4100, Subpart 4160, based upon any determinations made pursuant to 43 CFR 4100, including any determinations made pursuant to Subpart 4180, that implement, or continue to implement, sage-grouse conservation measures and/or sage-grouse management actions that are not prescribed by the statewide sage-grouse conservation plan and not approved by Idaho's Office of Species Conservation, for a period of 10 years through and including fiscal year 2027.

BE IT FURTHER RESOLVED that Congress continue to make no funds available for use by the Secretary of Agriculture through the U.S. Forest Service to consider, prepare, write or issue any decision-documents pursuant to 36 CFR 214, based upon any determinations made pursuant to 36 CFR 222, that implement, or continue to implement, sage-grouse conservation measures and/or sage-grouse management actions that are not prescribed by the statewide sage-grouse conservation plan and not approved by Idaho's Office of Species Conservation, for a period of 10 years through and including fiscal year 2027.

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.

On request by Senator Davis, 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 1177

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING AN APPROPRIATION AND TRANSFER OF MONEYS TO THE IDAHO OPPORTUNITY FUND; PROVIDING AN APPROPRIATION AND TRANSFER OF MONEYS TO THE GENERAL FUND; AND PROVIDING AN APPROPRIATION AND TRANSFER OF MONEYS TO THE TOURISM AND PROMOTION FUND.

S 1178

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1179

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1180

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO PROPERTY TAX EXEMPTIONS; AMENDING SECTION 63-602W, IDAHO CODE, TO REVISE EXEMPTION CRITERIA, AMOUNT AND DURATION FOR THE PROPERTY TAX EXEMPTION FOR BUSINESS INVENTORY EXEMPT FROM TAXATION AND BUSINESS INVENTORY THAT IS A COMPONENT OF REAL PROPERTY THAT IS A SINGLE FAMILY DWELLING; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1181

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1627, IDAHO CODE, TO PROVIDE THAT A COURT SHALL CONSIDER CERTAIN METHODS WHEN DECIDING WHETHER TO AUTHORIZE MEDICAL OR SURGICAL CARE FOR A CHILD.

S 1182

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO CHILDREN; AMENDING SECTION 16-1602, IDAHO CODE, TO REVISE A DEFINITION; AND AMENDING SECTION 16-1627, IDAHO CODE, TO REVISE A PROVISION REGARDING TREATMENT BY PRAYER THROUGH SPIRITUAL MEANS.

S 1183

**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO FIREARMS; AMENDING SECTION 5-341, IDAHO CODE, TO PROVIDE THAT PROPERTY OWNERS SHALL HAVE IMMUNITY FOR THE CARRYING, POSSESSION OR STORAGE OF FIREARMS IN CERTAIN INSTANCES AND TO DEFINE A TERM; AND AMENDING SECTION 6-904, IDAHO CODE, TO PROVIDE THAT A GOVERNMENTAL ENTITY AND ITS EMPLOYEES SHALL NOT BE LIABLE FOR CERTAIN CLAIMS REGARDING FIREARMS.

[S 1177](#), [S 1178](#), [S 1179](#), [S 1180](#), [S 1181](#), [S 1182](#), and [S 1183](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

March 15, 2017

The JUDICIARY AND RULES Committee reports that [SJM 102](#), [S 1177](#), [S 1178](#), [S 1179](#), [S 1180](#), [S 1181](#), [S 1182](#), and [S 1183](#) have been correctly printed.

LODGE, Chairman

On request by Senator Davis, granted by unanimous consent, [SJM 102](#) was referred to the Resources and Environment Committee.

[S 1177](#), [S 1178](#), and [S 1179](#) were referred to the Finance Committee.

[S 1180](#) was referred to the Local Government and Taxation Committee.

[S 1181](#), [S 1182](#), and [S 1183](#) were referred to the State Affairs Committee.

March 15, 2017

The FINANCE Committee reports out [H 265](#), [H 266](#), [S 1177](#), [S 1178](#), and [S 1179](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 265](#), [H 266](#), [S 1177](#), [S 1178](#), and [S 1179](#) were filed for second reading.

March 15, 2017

The STATE AFFAIRS Committee reports out [HCR 17](#) with the recommendation that it do pass.

SIDDOWAY, 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.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:30 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 Little presiding.

Roll call showed all members present except Senators Bayer, Harris, Rice, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 15, 2017

The RESOURCES AND ENVIRONMENT Committee reports out [SJM 102](#) with the recommendation that it do pass.

BAIR, 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.

March 15, 2017

The STATE AFFAIRS Committee reports out [H 93](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[H 93](#) was filed for second reading.

March 15, 2017

The JUDICIARY AND RULES Committee reports out [S 1154](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1154](#) was filed for second reading.

March 15, 2017

The JUDICIARY AND RULES Committee reports out [H 202](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [H 202](#) was referred to the Fourteenth Order of Business, General Calendar.

March 15, 2017

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 67](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

JOHNSON, Chairman

There being no objection, [H 67](#) was referred to the Fourteenth Order of Business, General Calendar.

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

Third Reading of Bills

[SJR 103](#) 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared [SJR 103](#) adopted, title was approved, and the resolution ordered transmitted to the House.

[H 204](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Winder. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [H 204](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Winder. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [H 86](#) passed, title was approved, and the bill ordered returned to the House.

[H 87](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Winder. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [H 87](#) passed, title was approved, and the bill ordered returned to the House.

[H 98](#) 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), Senator Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Stennett, Thayne, Winder. Total - 22.

NAYS—Anthon, Bair, Bayer, Crabtree, Den Hartog, Foreman, Hagedorn, Johnson, Nonini, Siddoway, Souza, Vick. Total - 12.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [H 98](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by Senate Finance Committee bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriation Committee bills.

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

Messages from the Governor

March 15, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Steve Ackerman of 406 S. Stibnite Ave., Kuna, ID, 83634, to be Acting State Senator for Legislative District 22, Ada County, State of Idaho.

This appointment commences Thursday March 16, 2017, through Friday, March 17, 2017.

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 MEN, by these Presents, that pursuant to the provisions of Section 59-917, *Idaho Code*, Lori Den Hartog, State Senator, District 22, Ada County, State of Idaho, has nominated Steve Ackerman of 406 S. Stibnite Ave., Kuna, Idaho, 83634 to perform the duties of this office temporarily as Acting State Senator, District 22, Ada County, State of Idaho.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Steve Ackerman of Kuna, Idaho, to the office of State Senator, District 22, for a term commencing Thursday, March 16, through Friday, March 17, 2017.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this Fifteenth day of March, in the year of our Lord two thousand and seventeen and of the Independence of the United States of America, the two hundred and forty-first year.

/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.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 14, 2017

Dear Mr. President:

I return herewith Enrolled [S 1029](#), [S 1055](#), [S 1064](#), [S 1008](#), [S 1085](#), [S 1112](#), [S 1060](#), [S 1034](#), as amended, [S 1084](#), [S 1075](#), [S 1035](#), [S 1115](#), [S 1116](#), [S 1127](#), [S 1128](#), and [S 1129](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1029](#), [S 1055](#), [S 1064](#), [S 1008](#), [S 1085](#), [S 1112](#), [S 1060](#), [S 1034](#), as amended, [S 1084](#), [S 1075](#), [S 1035](#), [S 1115](#), [S 1116](#), [S 1127](#), [S 1128](#), and [S 1129](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 14, 2017

Dear Mr. President:

I return herewith Enrolled [SCR 107](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 107](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 15, 2017

Dear Mr. President:

I return herewith [S 1094](#), [S 1123](#), [S 1031](#), [S 1047](#), [S 1049](#), [S 1098](#), [S 1039](#), as amended, [S 1045](#), [S 1046](#), and [S 1057](#), which have passed the House.

MAULIN, Chief Clerk

[S 1094](#), [S 1123](#), [S 1031](#), [S 1047](#), [S 1049](#), [S 1098](#), [S 1039](#), as amended, [S 1045](#), [S 1046](#), and [S 1057](#) were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, 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 1184

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO PROVIDING MONEYS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE; APPROVING GARVEE AND GENERAL BONDING AUTHORITY TO

FINANCE CERTAIN HIGHWAY TRANSPORTATION PROJECTS; PROVIDING A DESCRIPTION OF PROJECTS TO BE FINANCED WITH BOND PROCEEDS; LIMITING THE SCOPE OF THE PROJECTS; PROVIDING A REQUIREMENT REGARDING A GARVEE PROGRAM MANAGEMENT SERVICES AGREEMENT; PROVIDING FOR ISSUANCE OF GARVEE BONDS; PROVIDING THAT BONDS BE ISSUED WHEN NECESSARY; AMENDING SECTION 40-315, IDAHO CODE, TO REMOVE AN ELIGIBLE PROJECT; AMENDING SECTION 40-701, IDAHO CODE, TO PROVIDE FOR MONEYS FROM THE STRATEGIC INITIATIVES PROGRAM AND TO REMOVE MONEYS GOING TO THE LAW ENFORCEMENT FUND; AMENDING SECTION 40-719, IDAHO CODE, TO REVISE DISTRIBUTION FROM THE STRATEGIC INITIATIVES PROGRAM AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-720, IDAHO CODE, TO CREATE CAPACITY, SAFETY AND CONGESTION MITIGATION PROGRAMS AND TO ESTABLISH PROVISIONS TO ADMINISTER THE PROGRAMS; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-721, IDAHO CODE, TO CREATE THE CAPACITY, SAFETY AND CONGESTION MITIGATION PROGRAM CAPITAL PROJECT FUND AND DEBT SERVICE FUND IN THE STATE TREASURY; AMENDING SECTION 57-814, IDAHO CODE, TO REVISE WHEN A TRANSFER IS MADE; AMENDING SECTION 63-2520, IDAHO CODE, TO REVISE DISTRIBUTION OF MONEYS; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622VV, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM THE SALES OR USE TAX ON CERTAIN MATERIALS USED IN CONNECTION WITH A PUBLIC ROAD AND TO PROVIDE EXCEPTIONS; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR DISTRIBUTION TO THE CAPACITY, SAFETY AND CONGESTION MITIGATION PROGRAM FUND AND TO PROVIDE FOR A DISTRIBUTION TO THE LAW ENFORCEMENT FUND; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 63, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE PURPOSE, TO PROVIDE FOR A LOCAL OPTION SALES AND USE TAX, TO PROVIDE A PLAN, TO PROVIDE FOR ADOPTION OF A PLAN, TO PROVIDE FOR AN ELECTION TO AUTHORIZE THE TAX, TO PROVIDE FOR COLLECTION AND ADMINISTRATION, TO PROVIDE FOR THE ESTABLISHMENT OF THE LOCAL OPTION SALES AND USE TAX FUND, TO PROVIDE FOR COOPERATIVE AGREEMENTS AND TO PROVIDE FOR REPEAL OR REAUTHORIZATION OF THE TAX; AMENDING SECTION 17, CHAPTER 341, LAWS OF 2015, TO EXTEND A SUNSET DATE FOR FIVE ADDITIONAL YEARS; AMENDING SECTION 7, CHAPTER 337, LAWS OF 2014, TO REVISE A SUNSET DATE; PROVIDING FOR A PERFORMANCE EVALUATION OF THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

[S 1184](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

March 15, 2017

The JUDICIARY AND RULES Committee reports that [S 1184](#) has been correctly printed.

LODGE, Chairman

[S 1184](#) was referred to the Transportation Committee.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:45 p.m. until the hour of 9:30 a.m., Thursday, March 16, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SIXTY-SEVENTH LEGISLATIVE DAY
THURSDAY, MARCH 16, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Shanyce Barber, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 16, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 107](#) was delivered to the Office of the Secretary of State at 8:03 a.m., March 16, 2017.

LODGE, Chairman

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

March 16, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1029](#), [S 1055](#), [S 1064](#), [S 1008](#), [S 1085](#), [S 1112](#), [S 1060](#), [S 1034](#), as amended, [S 1084](#), [S 1075](#), [S 1035](#), [S 1115](#), [S 1116](#), [S 1127](#), [S 1128](#), and [S 1129](#) were delivered to the Office of the Governor at 8:05 a.m., March 16, 2017.

LODGE, Chairman

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

March 15, 2017

The JUDICIARY AND RULES Committee reports out [HCR 28](#) with the recommendation that it do pass.

LODGE, Chairman

[HCR 28](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

President Little assumed the Chair.

March 16, 2017

The JUDICIARY AND RULES Committee reports that [S 1094](#), [S 1123](#), [S 1031](#), [S 1047](#), [S 1049](#), [S 1098](#), [S 1039](#), as amended, [S 1045](#), [S 1046](#), [S 1057](#), and [S 1043](#), as amended in the House, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1094](#), [S 1123](#), [S 1031](#), [S 1047](#), [S 1049](#), [S 1098](#), [S 1039](#), as amended, [S 1045](#), [S 1046](#), [S 1057](#), and [S 1043](#), as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

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

Messages from the House

March 15, 2017

Dear Mr. President:

I transmit herewith [H 272](#), [H 275](#), [H 276](#), [H 277](#), [HJM 7](#), [H 279](#), [H 280](#), [H 281](#), and [H 282](#), which have passed the House.

MAULIN, Chief Clerk

[H 272](#), [H 275](#), [H 276](#), [H 277](#), [HJM 7](#), [H 279](#), [H 280](#), [H 281](#), and [H 282](#) were filed for first reading.

March 15, 2017

Dear Mr. President:

I transmit herewith Enrolled [HCR 23](#), [H 43](#), [H 92](#), [H 38](#), [H 78](#), [H 132](#), [H 46](#), [H 105](#), [H 107](#), [H 81](#), [H 128](#), [H 208](#), [H 52](#), [H 96](#), [H 115](#), [H 70](#), [H 113](#), [H 100](#), [H 101](#), [H 102](#), and [H 185](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 23](#), [H 43](#), [H 92](#), [H 38](#), [H 78](#), [H 132](#), [H 46](#), [H 105](#), [H 107](#), [H 81](#), [H 128](#), [H 208](#), [H 52](#), [H 96](#), [H 115](#), [H 70](#), [H 113](#), [H 100](#), [H 101](#), [H 102](#), and [H 185](#) and ordered them returned to the House.

March 15, 2017

Dear Mr. President:

I return herewith Enrolled [S 1081](#), [S 1059](#), [S 1011](#), [S 1091](#), [S 1080](#), [S 1134](#), and [S 1135](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1081](#), [S 1059](#), [S 1011](#), [S 1091](#), [S 1080](#), [S 1134](#), and [S 1135](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 15, 2017

Dear Mr. President:

I return herewith Enrolled [SCR 104](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 104](#) 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

The President announced that [HCR 25](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Davis, seconded by Senator Ward-Engelking, [HCR 25](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Rice was recorded present at this order of business.

The President announced that [HCR 17](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Burgoyne, seconded by Senator Winder, [HCR 17](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [SJM 102](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Brackett, seconded by Senator Bair, [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

[H 272](#), [H 275](#), [H 276](#), and [H 277](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[HJM 7](#), by Ways and Means Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[H 279](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 280](#), [H 281](#), and [H 282](#), 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 205](#), [H 216](#), and [H 235](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[H 265](#) and [H 266](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1177](#), [S 1178](#), and [S 1179](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 93](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1154](#), 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 Winder, granted by unanimous consent, [S 1152](#) was placed before the Senate for consideration at this time.

[S 1152](#), having been held, 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—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared [S 1152](#) 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 Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Guthrie and Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1150](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1090](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

[S 1139](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1139](#), as amended, 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 Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. 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 Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1165](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1166](#) retained its place on the Third Reading Calendar for Monday, March 20, 2017.

[S 1167](#) 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—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. 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 Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. 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 Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1169](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1170](#) 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—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1170](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1171](#) was read the third time at length, section by section, and placed before the Senate for final consideration. 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—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. 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 Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. 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 Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. 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 Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 30.

NAYS—Bayer, Foreman, Nonini, Rice, Vick. Total - 5.

Total - 35.

Whereupon the President declared [S 1174](#) 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 Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1175](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1176](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair

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

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1176](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 11](#), as amended in the Senate, 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—Ackerman (Den Hartog), Agenbroad, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 28.

NAYS—Bair, Foreman, Nonini, Rice, Siddoway, Vick. Total - 6.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 11](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 119](#) 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—Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Heider, Hill, Jordan, Keough, Lakey, Lodge, Martin, Nye, Patrick, Stennett, Thayn, Ward-Engelking, Winder. Total - 18.

NAYS—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Crabtree, Foreman, Hagedorn, Harris, Johnson, Lee, Mortimer, Nonini, Rice, Siddoway, Souza, Vick. Total - 17.

Total - 35.

Whereupon the President declared [H 119](#) passed, title was approved, and the bill ordered returned to the House.

[H 120](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 120](#) passed, title was approved, and the bill ordered returned to the House.

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

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

S 1188

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PROVIDING MONEYS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE; APPROVING GARVEE AND GENERAL BONDING AUTHORITY TO FINANCE CERTAIN HIGHWAY TRANSPORTATION PROJECTS; PROVIDING A DESCRIPTION OF PROJECTS TO BE FINANCED WITH BOND PROCEEDS; LIMITING THE SCOPE OF THE PROJECTS; PROVIDING A REQUIREMENT REGARDING A GARVEE PROGRAM MANAGEMENT SERVICES AGREEMENT; PROVIDING FOR ISSUANCE OF GARVEE BONDS; PROVIDING THAT BONDS BE ISSUED WHEN NECESSARY; AMENDING SECTION 40-315, IDAHO CODE, TO REMOVE AN ELIGIBLE PROJECT; AMENDING SECTION 40-701, IDAHO CODE, TO PROVIDE FOR MONEYS FROM THE STRATEGIC INITIATIVES PROGRAM AND TO REMOVE MONEYS GOING TO THE LAW ENFORCEMENT FUND; AMENDING SECTION 40-719, IDAHO CODE, TO REVISE DISTRIBUTION FROM THE STRATEGIC INITIATIVES PROGRAM AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-720, IDAHO CODE, TO CREATE CAPACITY, SAFETY AND CONGESTION MITIGATION PROGRAMS AND TO ESTABLISH PROVISIONS TO ADMINISTER THE PROGRAMS; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-721, IDAHO CODE, TO CREATE THE CAPACITY, SAFETY AND CONGESTION MITIGATION PROGRAM CAPITAL PROJECT FUND AND DEBT SERVICE FUND IN THE STATE TREASURY; AMENDING SECTION 57-814, IDAHO CODE, TO REVISE WHEN A TRANSFER IS MADE; AMENDING SECTION 63-2520, IDAHO CODE, TO REVISE DISTRIBUTION OF MONEYS; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622VV, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM THE SALES TAX ON CERTAIN MATERIALS USED IN CONNECTION WITH A PUBLIC ROAD AND TO PROVIDE EXCEPTIONS; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR DISTRIBUTION TO THE CAPACITY, SAFETY AND CONGESTION MITIGATION PROGRAM FUND AND TO PROVIDE FOR A DISTRIBUTION TO THE LAW ENFORCEMENT FUND; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 63, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE PURPOSE, TO PROVIDE FOR A LOCAL OPTION SALES TAX, TO PROVIDE A TRANSPORTATION PLAN, TO PROVIDE FOR ADOPTION OF A TRANSPORTATION PLAN, TO PROVIDE FOR AN ELECTION TO AUTHORIZE THE TAX, TO PROVIDE FOR COLLECTION AND ADMINISTRATION, TO PROVIDE FOR THE ESTABLISHMENT OF THE LOCAL OPTION SALES TAX FUND, TO PROVIDE FOR COOPERATIVE AGREEMENTS AND TO PROVIDE FOR REPEAL OR

REAUTHORIZATION OF THE TAX; AMENDING SECTION 17, CHAPTER 341, LAWS OF 2015, TO EXTEND A SUNSET DATE FOR FIVE ADDITIONAL YEARS; AMENDING SECTION 7, CHAPTER 337, LAWS OF 2014, TO REVISE A SUNSET DATE; PROVIDING FOR A PERFORMANCE EVALUATION OF THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

[S 1188](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, 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

March 16, 2017

The JUDICIARY AND RULES Committee reports that [S 1188](#) has been correctly printed.

LODGE, Chairman

[S 1188](#) was referred to the Transportation Committee.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:16 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 Little presiding.

Roll call showed all members present except Senators Bayer, Davis, Lakey, and Vick, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 16, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 104](#) was delivered to the Office of the Secretary of State at 11:48 a.m., March 16, 2017.

LODGE, Chairman

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

Senator Vick was recorded present at this order of business.

March 16, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1081](#), [S 1059](#), [S 1011](#), [S 1091](#), [S 1080](#), [S 1134](#), and [S 1135](#) were delivered to the Office of the Governor at 11:55 a.m., March 16, 2017.

LODGE, Chairman

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

March 16, 2017

The FINANCE Committee reports out [H 272](#), [H 275](#), [H 276](#), [H 277](#), [H 280](#), [H 281](#), and [H 282](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 272](#), [H 275](#), [H 276](#), [H 277](#), [H 280](#), [H 281](#), and [H 282](#) were filed for second reading.

March 16, 2017

The EDUCATION Committee reports out [H 253](#), [H 254](#), [H 257](#), and [H 262](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 253](#), [H 254](#), [H 257](#), and [H 262](#) were filed for second reading.

March 16, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 137](#), as amended, [H 166](#), [H 244](#), [HCR 13](#), and [HJM 7](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 137](#), as amended, [H 166](#), and [H 244](#) were filed for second reading.

[HCR 13](#) and [HJM 7](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Bayer was recorded present at this order of business.

March 16, 2017

The TRANSPORTATION Committee reports out [S 1162](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1162](#) was 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

SCR 122

BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT AN INTERIM COMMITTEE TO CONTINUE WITH A STUDY OF POTENTIAL APPROACHES TO MITIGATING THE RISK OF BIAS IN CONTESTED CASE PROCEEDINGS.

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

WHEREAS, the Second Regular Session of the Sixty-third Idaho Legislature adopted Senate Concurrent Resolution No. 151, which authorized the appointment of a committee to undertake and complete a study of potential approaches to mitigating the risk of bias in contested case proceedings including, but not limited to: the assignment of agency directors, boards and administrative hearing officers for the conduct and decision of contested cases; the appointment and compensation of administrative hearing officers; and appropriate means to

mitigate actual and perceived bias, conflicts of interest and any other factors undermining the actual and perceived unfairness of contested case proceedings; and

WHEREAS, the committee met in Boise on September 20, October 25, and November 21. The committee received testimony from the legal community and state agencies, and during its final meeting conducted discussions relating to the formulation of findings and recommendations; and

WHEREAS, the committee recommended that proposed legislation address adoption of provisions of the National Conference of Commissioners on Uniform State Laws' Model State Administrative Procedure Act. Such legislation, specifically Senate Bill 1155, has been introduced and is pending before the First Regular Session of the Sixty-fourth Idaho Legislature; and

WHEREAS, the committee recommended amending the contested case provisions of the Administrative Procedures Act, which has led to the introduction of Senate Bill 1155 late in this session, on which comment continues to be received indicating a need for further consideration beyond the end of this session; and

WHEREAS, the committee also recommended that the First Regular Session of the Sixty-fourth Idaho Legislature approve a reconstructed Administrative Hearing Officer Interim Committee to examine and make recommendations regarding contested case reforms including, but not limited to: (a) the potential of creating a central panel of hearing officers or administrative law judges; (b) the determination of where such a central panel would be located; and (c) the determination of the types of agency contested cases that should be exempted from such a panel; and

WHEREAS, the committee's official term expired on November 30, 2016, and numerous issues associated with administrative hearings in Idaho continue to persist; and

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we urge the Legislative Council to approve a reconstructed Administrative Hearing Officer Interim Committee to examine and make recommendations regarding contested case reforms including, but not limited to: (a) the potential of creating a central panel of hearing officers or administrative law judges; (b) the determination of where such a central panel would be located; (c) the determination of the types of agency contested cases that should be exempted from such a panel; and (d) the further determination of appropriate amendments to the Administrative Procedures Act. The committee shall consist of ten legislators, with five from the Senate and five from the House of Representatives. The political party affiliations of the committee members from each legislative body shall be in the same proportions as they are in the legislative body in which such members serve. The Legislative Council shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the cochairs of the committee are authorized to appoint advisors with technical expertise in the area of contested case administrative hearings and hearing officers and are expected to receive input from stakeholders in various state agencies.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges.

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-fourth Idaho Legislature.

[SCR 122](#) 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 16, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1018](#), [S 1019](#), [S 1027](#), [S 1030](#), and [S 1063](#)

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

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

Senator Lakey 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 1185

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1186

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2018; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS.

S 1187

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS TO THE ENVIRONMENTAL REMEDIATION BASIN FUND; EXPRESSING LEGISLATIVE INTENT REGARDING THE ENVIRONMENTAL REMEDIATION BASIN FUND AND REQUIRING AN ANNUAL REPORT; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO USE OF THE WATER POLLUTION CONTROL FUND; PROVIDING LEGISLATIVE INTENT REGARDING USE OF CERTAIN MONEYS FOR

AGRICULTURAL BEST MANAGEMENT PRACTICES; AND PROVIDING LEGISLATIVE INTENT REGARDING THE HAZARDOUS WASTE EMERGENCY FUND.

S 1189

BY FINANCE COMMITTEE

AN ACT

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 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2018; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; LIMITING TRANSFER OF LEGISLATIVE APPROPRIATIONS; CLARIFYING RESPONSIBILITY FOR EDUCATION OF CERTAIN CHILDREN IN STATE CARE; DIRECTING AN INTERAGENCY PAYMENT FOR JUVENILE DETENTION CLINICIANS CONTRACT; PROVIDING LEGISLATIVE INTENT REGARDING FUNDING FOR BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILDREN'S MENTAL HEALTH PROGRAM, COMMUNITY HOSPITALIZATION PROGRAM AND SUBSTANCE ABUSE TREATMENT AND PREVENTION PROGRAM FOR FISCAL YEAR 2017; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE ADULT MENTAL HEALTH PROGRAM FOR FISCAL YEAR 2017; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

[S 1185](#), [S 1186](#), [S 1187](#), and [S 1189](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Davis was recorded present at this order of business.

On request by Senator Davis, 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 Winder to the Chair to preside during the sitting of the Committee of the Whole.

On request by Senator Mortimer, granted by unanimous consent, [S 1095](#) was referred to Education Committee.

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

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [S 1142](#), [H 145](#), [H 202](#), and [H 67](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO S 1142
AMENDMENT TO THE BILL**

On page 1 of the printed bill, delete lines 24 through 40; delete pages 2 through 4, and insert:

"SECTION 1. That Chapter 2, Title 56, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 56-270, Idaho Code, and to read as follows:

56-270. **SHORT TITLE.** Sections 56-270 through 56-277, Idaho Code, shall be known and may be cited as the "Health Care Assistance Act."

SECTION 2. That Chapter 2, Title 56, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 56-271, Idaho Code, and to read as follows:

56-271. **PROGRAM ESTABLISHED.** The legislature hereby establishes the health care assistance program and directs the state department of health and welfare to develop the program in a manner consistent with the provisions of this act. The purpose of the program is to provide coordination of primary and preventive care with a focus on managing the chronic conditions of uninsured individuals whose income falls below one hundred percent (100%) of the federal poverty level and who meet other criteria as provided in this act and department rule.

SECTION 3. That Chapter 2, Title 56, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 56-272, Idaho Code, and to read as follows:

56-272. **DEFINITIONS.** As used in this act:

(1) "Care coordination" means the management of a program participant's health to accomplish cost-effective care by coordination of health services.

(2) "Department" means the Idaho department of health and welfare.

(3) "Director" means the director of the Idaho department of health and welfare.

(4) "Health assessment" means an examination of a potential participant by a provider to determine if the potential participant's health status makes the potential participant eligible for the program.

(5) "Health care assistance program" or "program" means the program established by this act, in which participants receive primary care, limited prescriptions and care coordination from eligible providers.

(6) "Participant" means a person eligible for and enrolled in the program.

(7) "Primary care" means professional health services, including health education and disease prevention, initial assessment of health problems, treatment of certain acute and chronic health problems and the overall management of an individual's health care services as provided by an Idaho-licensed provider.

(8) "Provider" means an Idaho-licensed physician, physician assistant, nurse practitioner or clinical nurse specialist who is eligible to provide program services to participants.

SECTION 4. That Chapter 2, Title 56, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW

SECTION, to be known and designated as Section 56-273, Idaho Code, and to read as follows:

56-273. **PARTICIPANT ELIGIBILITY.** A person shall be eligible for annual enrollment in the health care assistance program upon a finding by the department that:

(1) The department's application for the health care assistance program has been completed and signed by the person or the person's authorized representative;

(2) The person's income is verified to be less than one hundred percent (100%) of the federal poverty level according to department rule;

(3) The person is not:

(a) Covered by health insurance;

(b) Eligible for employer-assisted health insurance; or

(c) Eligible for subsidies or tax credits that would enable the person to purchase insurance;

(4) The person is verified to be a United States citizen and an Idaho resident according to department rule;

(5) The person's household composition and employment have been verified according to department rule;

(6) The person's health assessment demonstrates that program eligibility criteria have been met; and

(7) The person meets other eligibility criteria set by the department in rule.

SECTION 5. That Chapter 2, Title 56, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 56-274, Idaho Code, and to read as follows:

56-274. **PROVIDER ELIGIBILITY.** (1) A provider shall be eligible for payment from the department for the provision of all primary care and care coordination services and limited prescriptions to program participants upon a finding by the director that the provider, whose clinic must engage in a coordinated care business model, has entered into a health care assistance program agreement with the department.

(2) The department shall not exclude any provider from entering an agreement as long as the provider is willing to comply with the provisions of this section.

(3) As part of the agreement, the provider shall submit certain information, as provided in rule, to the department regarding program participants on a periodic basis; provided however, that any data and information on participants must be provided in a manner that preserves patient confidentiality. This information shall include, but shall not be limited to:

(a) Utilization data, such as the number of participants assessed; and

(b) Clinical data, such as the number of participants with a diabetes diagnosis.

SECTION 6. That Chapter 2, Title 56, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 56-275, Idaho Code, and to read as follows:

56-275. **PROGRAM ENROLLMENT AND SERVICES.** (1) Persons determined by the department algorithm to be eligible for the program shall be annually enrolled in the program based on fund availability. If a person is eligible but cannot be enrolled due to lack of fund availability, the person shall be placed on a waiting list and enrolled if and when possible.

(2) Participants will be annually reassessed for eligibility and must satisfy the criteria for active participation, as set forth in rule, in order to continue in the program. If, during enrollment in the program, a participant's income rises above one hundred percent (100%) of the federal poverty level, the participant shall not immediately become ineligible but may remain in the program during a transition period of six (6) to twelve (12) months as set forth in department rule.

(3) The scope of primary care that must be offered by a primary care provider to enter a health care assistance program agreement with the department must include at least the following:

- (a) Services:
 - (i) Annual wellness exam;
 - (ii) Primary care visits;
 - (iii) Same-day or next-day visits;
 - (iv) Electronic communications (telephone, electronic mail, text message or video chat); and
 - (v) Weight management planning;
- (b) Procedures:
 - (i) Electrocardiogram; and
 - (ii) Injection fee;
- (c) Complex care:
 - (i) Diabetes management;
 - (ii) Hypertension management;
 - (iii) Hyperlipidemia (cholesterol) management;
 - (iv) Mental health screening;
 - (v) Hospital follow-up; and
 - (vi) Pre-operative examinations; and

(d) Limited prescriptions as specified in department rule. Prescription drugs intended for use by participants shall be procured at the lowest possible price through the federal 340B drug pricing program or through other procurement arrangements made by the department.

(4) Subject to available funding, the department shall pay for the care coordination of participants. Care coordination for a participant must be provided by the participant's primary care provider or by someone designated by such provider. Under no circumstances may the department or a department employee coordinate care for a participant.

(5) Subject to available funding, the department shall pay for the care management of a subgroup of two hundred and fifty (250) participants whose health status is moderate or high risk according to a classification system established in department rule and who meet other selection criteria set forth in department rule. Care management must be provided by the participant's primary care provider or by someone designated by such provider. Under no circumstances may the department or a department employee provide care management for a participant.

(a) Care managers shall assist participants in developing personal improvement plans. Such a plan shall identify the participant's goals, which may be related to health, finances, relationships and other personal matters, and the behaviors or actions necessary to attain the goals. Personal improvement plans shall be filed with the primary care provider and be subject to annual review to monitor the participant's progress in accomplishing goals articulated in the participant's plan. The department shall establish by rule procedures for annual review of personal improvement plans.

(b) A primary care provider or the provider's designee shall monitor and enforce measures for participant accountability, which measures shall be established by the department and shall be used to encourage participants to be active in their own health maintenance instead of passively receiving care. Accountability measures shall incentivize healthy lifestyle choices and the use of wellness and preventive

resources made available to participants by the primary care provider. Measures may also include penalties for failure to use available wellness resources or for failure to otherwise engage in health maintenance.

SECTION 7. That Chapter 2, Title 56, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 56-276, Idaho Code, and to read as follows:

56-276. PAYMENTS AND FEES. (1) A provider will receive a monthly fee for each participant who receives primary care, limited prescriptions and care coordination services from the provider.

(2) A provider participating in the program will charge a fee, not to exceed twenty dollars (\$20.00), according to criteria set forth in rule to each participant receiving primary care, limited prescriptions and care coordination services from the provider.

SECTION 8. That Chapter 2, Title 56, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 56-277, Idaho Code, and to read as follows:

56-277. POWERS AND DUTIES OF THE DIRECTOR. (1) The director shall and is hereby authorized to:

- (a) Initiate and administer the health care assistance program;
- (b) Establish eligibility criteria for providers and participants, including limits on qualifying chronic conditions as necessary to maintain the sustainability of the program;
- (c) Establish provider reporting requirements for participant management and health quality outcomes;
- (d) Promulgate, adopt and enforce such rules as may be necessary or proper to carry out the provisions of this act;
- (e) Enter into contracts with eligible providers who will provide primary care, limited prescriptions, care management and care coordination services to participants consistent with the provisions of this act and any rules promulgated hereunder;
- (f) Enforce the provisions of this act and carry out such acts as are necessary for enforcement; and
- (g) Seek any federal waivers or grants necessary to enforce the provisions of this act or to qualify for additional federal funding; provided however, that the legislature must have final approval before a waiver or grant is used as a source for funding for additional care under subsection (2) of this section.

(2) Participants of the program may be provided with care and services in addition to those specified in section 56-275, Idaho Code, if funding is available, and the director may enter contracts to provide such care with coordinated care organizations, subject to the requirements of subsection (1)(g) of this section.

SECTION 9. This act shall be in full force and effect on and after July 1, 2017. Participant enrollment in the program shall be effective January 1, 2018, and thereafter as determined by the provisions of this act.

SECTION 10. The provisions of this act shall be null, void and of no force and effect after June 30, 2022."

CORRECTION TO TITLE

On page 1, delete lines 14 and 15; in line 16, delete "REASSESSED TO DETERMINE IF THEY SHALL CONTINUE IN THE PROGRAM" and insert: "ESTABLISH PROVISIONS REGARDING PROGRAM ENROLLMENT AND SERVICES"; and in line 22, following "WELFARE" insert: "AND TO PROVIDE THAT CARE AND SERVICES IN ADDITION TO THOSE SPECIFIED IN THIS ACT MAY BE PROVIDED TO PROGRAM PARTICIPANTS UNDER CERTAIN CIRCUMSTANCES".

SENATE AMENDMENT TO H 145
AMENDMENT TO SECTION 1

On page 4 of the printed bill, in line 44, delete "no new employer that is not a statuto-" and insert: "all new employers added to the public employee retirement system must be in compliance with internal revenue regulations governing governmental retirement plans."; and delete lines 45 and 46.

SENATE AMENDMENT TO H 202
AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete line 48, and insert: "cia of criminal activity, is insufficient probable cause for seizure."; and on page 6, delete lines 19 and 20, and insert:

"(1) Upon a showing that the property as set forth in this section is suited for, and likely to be used for, law enforcement activities, the plaintiff or law enforce-".

On page 7, delete lines 41 and 42, and insert: "after, each state or local law enforcement agency in this state that has seized or forfeited property pursuant to this section shall retain the following information from the previous fiscal"; delete line 48; in line 49, delete "(5)" and insert: "(4)"; and delete page 8, and insert:

- "(5) Criminal case number;
- (6) Outcome of suspect's case;
- (7) If forfeiture was not processed under state law, the reason for the federal transfer, if known;
- (8) Forfeiture case number;
- (9) Date of forfeiture decision;
- (10) Whether there was a forfeiture settlement agreement;
- (11) Date and outcome of property disposition: returned to owner, partially returned to owner, sold, destroyed, or retained by law enforcement; and
- (12) Value of the property forfeited based on the value realized, if sold, or a reasonable good faith estimate of the value, if possible.

Local law enforcement agencies shall submit the information required by this subsection to the county prosecutor for its jurisdiction on a form or in a format specified by such prosecutor, and such prosecutor shall retain the information for a period of seven (7) years."

CORRECTION TO TITLE

On page 1, in line 8, following "REQUIREMENTS" insert: "TO PROVIDE FOR THE SUBMISSION AND RETENTION OF INFORMATION".

SENATE AMENDMENT TO H 67
AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 7 through 37, and delete pages 2 and 3, and insert:

"SECTION 1. That Chapter 36, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW

SECTION, to be known and designated as Section 63-3622VV, Idaho Code, and to read as follows:

63-3622VV. FOOD FOR HUMAN CONSUMPTION. There is hereby exempted from the taxes imposed by this chapter the sale of food sold for human consumption. The types and kinds of food products eligible for exemption by this section shall be the same types and kinds of food products that are eligible for purchases with benefits provided under the federal supplemental nutrition assistance program (SNAP) and do not include restaurant sales of food.

As used in this section, "food" shall have the same definition as provided in 7 U.S.C. 2012 as that section existed on January 1, 2017.

SECTION 2. That Section 63-3024A, Idaho Code, be, and the same is hereby repealed.

SECTION 3. That Section 63-3077G, Idaho Code, be, and the same is hereby repealed.

SECTION 4. This act shall be in full force and effect on and after January 1, 2018."

CORRECTION TO TITLE

On page 1, delete lines 2 through 5, and insert: "RELATING TO TAXATION POLICIES REGARDING FOOD; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622VV, IDAHO CODE, TO PROVIDE A SALES AND USE TAX EXEMPTION FOR FOOD SOLD FOR HUMAN CONSUMPTION AND TO PROVIDE A DEFINITION OF "FOOD"; REPEALING SECTION 63-3024A, IDAHO CODE, RELATING TO THE GROCERY TAX CREDIT; REPEALING SECTION 63-3077G, IDAHO CODE, RELATING TO THE EXCHANGE OF INFORMATION WITH THE DEPARTMENT OF CORRECTION; AND PROVIDING AN EFFECTIVE DATE."

The Committee also has [S 1124](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Jordan, the report was adopted by voice vote.

[S 1142](#), 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 145](#), as amended in the Senate, [H 202](#), as amended in the Senate, and [H 67](#), 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 121](#) 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—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the President declared [H 121](#) passed, title was approved, and the bill ordered returned to the House.

[H 122](#) 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—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the President declared [H 122](#) passed, title was approved, and the bill ordered returned to the House.

[H 142](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [H 142](#) passed, title was approved, and the bill ordered returned to the House.

[H 143](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jordan arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [H 143](#) 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 Senate Finance Committee bills, followed by House bills, followed by House Appropriations Committee bills.

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 Sixth Order of Business.

Reports of Standing Committees

March 16, 2017

The JUDICIARY AND RULES Committee reports that [SCR 122](#), [S 1185](#), [S 1186](#), [S 1187](#), and [S 1189](#) have been correctly printed.

LODGE, Chairman

[SCR 122](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1185](#), [S 1186](#), [S 1187](#), and [S 1189](#) were referred to the Finance Committee.

March 16, 2017

The JUDICIARY AND RULES Committee reports that [S 1142](#), as amended, has been correctly engrossed.

LODGE, Chairman

[S 1142](#), as amended, was filed for first reading.

March 16, 2017

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1142](#), [H 145](#), [H 202](#), and [H 67](#) have been correctly printed.

LODGE, Chairman

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

March 16, 2017

The FINANCE Committee reports out [S 1185](#), [S 1186](#), [S 1187](#), and [S 1189](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1185](#), [S 1186](#), [S 1187](#), and [S 1189](#) 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**

[H 145](#), as amended in the Senate, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

[H 202](#), as amended in the Senate, by Judiciary, Rules and Administration Committee, was read the first time at length and filed for second reading.

[H 67](#), as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

[S 1142](#), as amended, by Judiciary and Rules 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 Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:42 p.m. until the hour of 9:30 a.m., Friday, March 17, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 17, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by McKinley Bradshaw, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 16, 2017, was read and approved as corrected.

LODGE, 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 123

BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION

ENDORING THE LIMITATION OF PRINTING OF THE IDAHO SESSION LAWS TO A TOTAL OF 100 COPIES GIVEN THE ACCESSIBILITY AND DECREASE IN EXPENDITURES ASSOCIATED WITH ONLINE ACCESS TO THE IDAHO SESSION LAWS.

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

WHEREAS, Section 67-904, Idaho Code, provides for the publication and distribution of the Idaho Session Laws; and

WHEREAS, the Senate and the House of Representatives are making available online access of the Idaho Session Laws dating back to 1950; and

WHEREAS, the Joint Publishing Committee has considered the accessibility and decrease in expenditures associated with online access to the Idaho Session Laws in its determination to preserve limited availability of physical copies of the Idaho Session Laws.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that beginning with the First Regular Session of the Sixty-fifth Idaho Legislature, given the accessibility and decrease in expenditures associated with online access to the Idaho Session Laws, we endorse limiting printing of the Idaho Session Laws to a total of 100 copies to be distributed based on online requests for physical copies.

SCR 124

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE ADDITION OF A NEW JOINT RULE 22 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO.

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

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to add a new Joint Rule 22 to the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Joint Rules of the Senate and the House of Representatives shall be amended by the addition thereto of a new Joint Rule 22 to read as follows:

RULE 22

Contest of Election for Executive Offices – Procedures. This Rule governs procedures leading up to and including a hearing on the contest of election for executive offices. It should be read in conjunction with Chapter 21, Title 34, Idaho Code. For purposes of this Rule, the term "Party" means either the CONTESTEE or the CONTESTOR; the term "Parties" means both.

- (1) Any proof of the CONTESTEE's or CONTESTOR's legal arguments, including depositions, affidavits, production of papers, and examination of poll books and ballots (herein "Record") that either CONTESTEE or CONTESTOR desires the Senate and the House of Representatives to consider in adjudication of a Contest must be completed on or before December 29. CONTESTEE and CONTESTOR's Record must be delivered to the Office of the Secretary of State no later than the close of business on the next business day. Any Record or evidence from the CONTESTEE or CONTESTOR not delivered to the Office of the Secretary of State by that day and time will not be considered by the Senate and the House of Representatives.
- (2) The Parties must file a Memorandum that outlines their claims, defenses, legal authority, legislative precedent, proposed form of relief, and a description of witness fees and discovery costs that are incurred. The Memorandum must be filed with the Office of the Secretary of State no later than the close of business four (4) business days following delivery of the Record to the Office of the Secretary of State as provided in paragraph (1). However, CONTESTEE is not required to file a responsive pleading to the Contest.
- (3) Any Party may file a Responsive Memorandum. If a Party chooses to file a Responsive Memorandum, it must be filed with the Office of the Secretary of State no later than the close of business on the first day of the next Regular Session.
- (4) If an unresolved discovery or Record dispute exists and continues between the CONTESTEE and the CONTESTOR, and on motion duly made, the presiding officer or his

designee may rule on the dispute. Neither the CONTESTEE nor the CONTESTOR will be granted any additional time beyond December 29 to develop or deliver his Record.

(5) Committee hearing procedures. If the Legislature refers the Contest of Election to a Committee, the Committee Chairmen will notify the Parties of the Committee hearing procedures. The following procedures, subject to the discretion of the Committee Chairmen, will govern the hearing:

(a) No additional testimony or Record may be presented, taken, or allowed by the Parties beyond the Record delivered to the Office of the Secretary of State as provided in paragraph (1) of this Rule.

(b) Neither CONTESTEE nor CONTESTOR may examine or cross-examine any witness that testifies before the Committee. All examination will be performed by Committee members.

(c) Pursuant to Section 34-2104, Idaho Code, only the named points in the Notice of Contest of Elections may be argued.

(d) The Committee may send for and receive persons, papers, and records, whether written or oral, including from the Office of the Attorney General, other State Elected Officers, State officials, County Elected Officers, County officials, or other witnesses that the Committee determines will reasonably assist the Committee in the performance of its constitutional duty as a "judge of the election, qualifications and returns of its own members," Section 9, Article III, Idaho Constitution.

(e) In all other respects, the Committee will be governed by the rules of the legislature.

(6) The Committee may adopt any of the following as part of the hearing procedures:

(a) Permit the Parties to have counsel present at Committee meeting(s); and

(b) Establish a time limit for the CONTESTEE and CONTESTOR to argue their positions to the Committee.

(7) Neither CONTESTEE nor CONTESTOR, nor their counsel, may participate in ex parte communication with any member of the Idaho Legislature regarding the merits of the Contest of Election prior to final determination.

(8) Service of all Record, Memorandum, Responsive Memorandum, motions, or objections must be made on the other Party as provided in Idaho Rules of Civil Procedure 5(b), excepting subpart 5(b)(2)(D). The Parties must also provide a proof of service as provided by Idaho Rules of Civil Procedure 5(e). The Parties must work in good faith to ensure reasonable and timely service, considering the limited time periods.

(9) Nothing in this rule limits or restricts the Legislature in the performance of its duties as the judge of the election.

SR 101

BY STATE AFFAIRS COMMITTEE

A SENATE RESOLUTION

STATING FINDINGS OF THE SENATE AND PROVIDING FOR THE ADDITION OF A NEW RULE 54 TO THE RULES OF THE SENATE.

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

WHEREAS, the Senate deems it necessary and desirable to add a new Rule 54 to the Rules of the Senate.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the First Regular Session of the

Sixty-fourth Idaho Legislature, that the Rules of the Senate shall be amended by the addition thereto of a new Rule 54 to read as follows:

RULE 54

Contest of Election – Procedures. This Rule governs procedures leading up to and including a hearing on the contest of election. It should be read in conjunction with Chapter 21, Title 34, Idaho Code. For purposes of this Rule, the term "Party" means either the CONTESTEE or the CONTESTOR; the term "Parties" means both.

(A) Any proof of the CONTESTEE's or CONTESTOR's legal arguments, including depositions, affidavits, production of papers, and examination of poll books and ballots (herein "Record") that either CONTESTEE or CONTESTOR desires the Senate to consider in adjudication of a Contest must be completed on or before December 29. CONTESTEE and CONTESTOR's Record must be delivered to the Office of the Secretary of State no later than the close of business on the next business day. Any Record or evidence from the CONTESTEE or CONTESTOR not delivered to the Office of the Secretary of State by that day and time will not be considered by the Senate.

(B) The Parties must file a Memorandum that outlines their claims, defenses, legal authority, legislative precedent, proposed form of relief, and a description of witness fees and discovery costs that are incurred. The Memorandum must be filed with the Office of the Secretary of State no later than the close of business four (4) business days following delivery of the Record to the Office of the Secretary of State as provided in paragraph (A). However, CONTESTEE is not required to file a responsive pleading to the Contest.

(C) Any Party may file a Responsive Memorandum. If a Party chooses to file a Responsive Memorandum, it must be filed with the Office of the Secretary of State no later than the close of business on the first day of the next Regular Session.

(D) If an unresolved discovery or Record dispute exists and continues between the CONTESTEE and the CONTESTOR, and on motion duly made, the presiding officer or his designee may rule on the dispute. Neither the CONTESTEE nor the CONTESTOR will be granted any additional time beyond December 29 to develop or deliver his Record.

(E) Committee hearing procedures. If the Senate refers the Contest of Election to a Standing or Special Committee, the Committee Chairman will notify the Parties of the Committee hearing procedures. The following procedures, subject to the discretion of the Committee Chairman, will govern the hearing:

(1) No additional testimony or Record may be presented, taken, or allowed by the Parties beyond the Record delivered to the Office of the Secretary of State as provided in paragraph (A) of this Rule.

(2) Neither CONTESTEE nor CONTESTOR may examine or cross-examine any witness that testifies before the Committee. All examination will be performed by Committee members.

(3) Pursuant to Section 34-2104, Idaho Code, only the named points in the Notice of Contest of Elections may be argued.

(4) The Committee may send for and receive persons, papers, and records, whether written or oral, including from the Office of the Attorney General, other State Elected Officers, State officials, County Elected Officers, County officials, or other witnesses that the Committee determines will reasonably assist the Committee in the performance of its constitutional duty as a "judge of the

election, qualifications and returns of its own members," Section 9, Article III, Idaho Constitution.

(5) In all other respects, the Committee will be governed by the rules of the Senate.

(F) The Committee may adopt any of the following as part of the hearing procedures:

(1) Permit the Parties to have counsel present at Committee meeting(s); and

(2) Establish a time limit for the CONTESTEE and CONTESTOR to argue their positions to the Committee.

(G) Neither CONTESTEE nor CONTESTOR, nor their counsel, may participate in ex parte communication with any Idaho State Senator regarding the merits of the Contest of Election prior to final Senate determination.

(H) Service of all Record, Memorandum, Responsive Memorandum, motions, or objections must be made on the other Party as provided in Idaho Rules of Civil Procedure 5(b), excepting subpart 5(b)(2)(D). The Parties must also provide a proof of service as provided by Idaho Rules of Civil Procedure 5(e). The Parties must work in good faith to ensure reasonable and timely service, considering the limited time periods.

(I) Nothing in this Rule limits or restricts the Senate in the performance of its duties as the judge of the election, qualifications and returns of its members.

[SCR 123](#), [SCR 124](#), and [SR 101](#) were 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 Ninth Order of Business.

Messages from the House

March 16, 2017

Dear Mr. President:

I transmit herewith [H 273](#), [H 278](#), and [H 135](#), as amended, which have passed the House.

MAULIN, Chief Clerk

[H 273](#), [H 278](#), and [H 135](#), as amended, were filed for first reading.

March 16, 2017

Dear Mr. President:

I return herewith [S 1013](#), [S 1023](#), [S 1024](#), [S 1025](#), [S 1026](#), [S 1108](#), [S 1132](#), [S 1133](#), [S 1137](#), [S 1138](#), [S 1136](#), [S 1117](#), [S 1111](#), [S 1101](#), [S 1083](#), [S 1089](#), [S 1092](#), [S 1113](#), [S 1145](#), [S 1146](#), and [SCR 109](#), which have passed the House.

MAULIN, Chief Clerk

[S 1013](#), [S 1023](#), [S 1024](#), [S 1025](#), [S 1026](#), [S 1108](#), [S 1132](#), [S 1133](#), [S 1137](#), [S 1138](#), [S 1136](#), [S 1117](#), [S 1111](#), [S 1101](#), [S 1083](#), [S 1089](#), [S 1092](#), [S 1113](#), [S 1145](#), [S 1146](#), and [SCR 109](#) were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that [HCR 28](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Burgoyne, seconded by Senator Patrick, [HCR 28](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Stennett was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, [HCR 13](#) and [HJM 7](#) retained their place on the calendar for one legislative day.

Senator Lakey was recorded present at this order of business.

The President Pro Tempore announced that [SCR 122](#) was before the Senate for final consideration.

Moved by Senator Burgoyne, seconded by Senator Souza, that [SCR 122](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 122](#) 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

S 1190

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS AND ELECTION CONTESTS; REPEALING CHAPTER 21, TITLE 34, IDAHO CODE, RELATING TO ELECTION CONTESTS; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 21, TITLE 34, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR JURISDICTION, TO PROVIDE FOR GROUNDS OF CONTEST, TO PROVIDE FOR LEGISLATIVE RULES, TO PROVIDE FOR CONTEST FOR LEGISLATIVE OFFICES AND AN EXCEPTION, TO PROVIDE FOR MISCONDUCT OF ELECTION JUDGES, TO PROVIDE FOR NOTICE, SERVICE AND ANTICIPATED DISCOVERY, TO PROVIDE FOR SUMMARY DISMISSAL, TO PROVIDE FOR EXAMINATION OF WITNESSES AND SUBPOENAS, TO PROVIDE FOR DEPOSITIONS, TO PROVIDE FOR PRODUCTION OF CERTAIN PAPERS AND TO PROVIDE FOR A MISDEMEANOR, TO PROVIDE FOR EXAMINATION OF POLL BOOKS AND BALLOTS, TO PROVIDE FOR DELIVERY OF CONTEST PAPERS, TO PROVIDE FOR NOTICE, TO PROVIDE FOR OPENING OF CERTAIN PAPERS, CUSTODY OF SUCH PAPERS

AND APPOINTMENT OF A COMMITTEE, TO PROVIDE FOR PRESERVATION OF EVIDENCE, TO PROVIDE FOR SECURITY COSTS AND ASSESSMENT OF CERTAIN COSTS AND FEES, TO PROVIDE FOR FORMS OF RELIEF, TO PROVIDE FOR CONTEST OF NOMINATION AT PRIMARIES, TO PROVIDE FOR JURISDICTION OVER PRIMARY CONTESTS, TO PROVIDE FOR FILING OF AN AFFIDAVIT, TO PROVIDE FOR SECURITY FOR COSTS, TO ESTABLISH PROVISIONS REGARDING FRAUD OR ERROR BY CERTAIN OFFICIALS, TO PROVIDE FOR DISCOVERY, TO PROVIDE REMEDIES, TO PROVIDE FOR APPEALS AND TO ESTABLISH PROVISIONS REGARDING COST ON APPEAL; AND AMENDING SECTION 18-2315, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN ELECTION OFFENSES.

S 1191
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO DIETITIANS; AMENDING SECTION 54-3502, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING CHAPTER 35, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3502A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING DIETETIC PRACTICE; AMENDING SECTION 54-3503, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSURE; AMENDING SECTION 54-3504, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DIETETIC LICENSURE BOARD; AMENDING SECTION 54-3505, IDAHO CODE, TO REVISE PROVISIONS REGARDING POWERS AND DUTIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-3506, IDAHO CODE, TO REVISE PROVISIONS REGARDING REQUIREMENTS FOR LICENSURE AS A DIETITIAN; REPEALING SECTION 54-3507, IDAHO CODE, RELATING TO THE EXAMINATION FOR LICENSURE; AMENDING SECTION 54-3508, IDAHO CODE, TO PROVIDE FOR LICENSURE BY ENDORSEMENT; AMENDING SECTION 54-3509, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSE EXPIRATION AND RENEWAL; AMENDING SECTION 54-3510, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROFESSIONAL DISCIPLINE; AMENDING CHAPTER 35, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3510A, IDAHO CODE, TO PROVIDE FOR SANCTIONS; AMENDING SECTION 54-3511, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-3512, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPLICABILITY; AND AMENDING CHAPTER 35, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3513, IDAHO CODE, TO PROVIDE SEVERABILITY.

S 1192
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES.

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 273 and H 278, by Ways and Means Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 135, as amended, 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

H 272, H 275, H 276, H 277, H 280, H 281, and H 282, by Appropriations Committee, were read the second time at length and filed for third reading.

H 253, H 254, H 257, and H 262, by Ways and Means Committee, were read the second time at length and filed for third reading.

H 137, as amended, by Business Committee, was read the second time at length and filed for third reading.

H 166, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 244, by Business Committee, was read the second time at length and filed for third reading.

S 1162, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1185, S 1186, S 1187, and S 1189, by Finance Committee, were read the second time at length and filed for third reading.

H 145, as amended in the Senate, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 202, as amended in the Senate, by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

H 67, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1142, 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

On request by Senator Winder, granted by unanimous consent, H 148 and H 250 retained their place on the Third Reading Calendar for one legislative day.

S 1090, 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—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1090](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1154](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Foreman arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1154](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1177](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS–Ackerman (Den Hartog), Foreman. Total - 2.

Absent and excused–Bayer, Davis, Siddoway. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1177](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1178](#) 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–Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1178](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1179](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 32.

NAYS–Rice, Vick. Total - 2.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1179](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 106](#) 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–Buckner-Webb, Burgoyne, Guthrie, Hill, Jordan, Keough, Lee, Mortimer, Nye, Patrick, Stennett, Thayn, Ward-Engelking, Winder. Total - 14.

NAYS–Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Crabtree, Foreman, Hagedorn, Harris, Heider, Johnson, Lakey, Lodge, Martin, Nonini, Rice, Siddoway, Souza, Vick. Total - 20.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared that [H 106](#) had failed to pass the Senate and ordered the bill returned to the House.

[H 228](#) 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–Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 228](#) passed, title was approved, and the bill ordered returned to the House.

[H 195](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Vick disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Burgoyne. Total - 1.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 195](#) passed, title was approved, and the bill ordered returned to the House.

President Pro Tempore Hill called Senator Keough to the Chair.

[H 201](#) 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—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 201](#) passed, title was approved, and the bill ordered returned to the House.

[H 197](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 29.

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

Absent and excused—Davis, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the Acting President declared [H 197](#) 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. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Agenbroad, Rice, and Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 209](#) 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 Jordan arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 168](#) 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 Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 31.

NAYS—Foreman. Total - 1.

Absent and excused—Davis, Lakey, Ward-Engelking. Total - 3.

Total - 35.

Whereupon the Acting President declared [H 211](#) passed, title was approved, and the bill ordered returned to the House.

President Pro Tempore Hill returned the Chair.

[H 230](#) 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), Senators Brackett and Harris disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES--Ackerman (Den Hartog), Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS--None.

Absent and excused--Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 230](#) 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 Senate Finance Committee 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 in memory of the late Idaho Transportation Board member Jack Combo, at 12:12 p.m. until the hour of 9:30 a.m., Monday, March 20, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SEVENTY-FIRST LEGISLATIVE DAY
MONDAY, MARCH 20, 2017

Senate Chamber

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

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Bridger Cardon, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 17, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 20, 2017

The JUDICIARY AND RULES Committee reports that [SCR 123](#), [SCR 124](#), [SR 101](#), [S 1190](#), [S 1191](#), and [S 1192](#) have been correctly printed.

LODGE, Chairman

On request by Senator Senator Davis, granted by unanimous consent, [SCR 124](#) and [SR 101](#) were referred to the State Affairs Committee.

[SCR 123](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1190](#) was referred to the State Affairs Committee.

[S 1191](#) was referred to the Health and Welfare Committee.

[S 1192](#) was referred to the Finance Committee.

Senators Johnson and Keough were recorded present at this order of business.

March 17, 2017

The JUDICIARY AND RULES Committee reports that [S 1013](#), [S 1023](#), [S 1024](#), [S 1025](#), [S 1026](#), [S 1108](#), [S 1132](#), [S 1133](#), [S 1137](#), [S 1138](#), [S 1136](#), [S 1117](#), [S 1111](#), [S 1101](#), [S 1083](#), [S 1089](#), [S 1092](#), [S 1113](#), [S 1145](#), [S 1146](#), and [SCR 109](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1013](#), [S 1023](#), [S 1024](#), [S 1025](#), [S 1026](#), [S 1108](#), [S 1132](#), [S 1133](#), [S 1137](#), [S 1138](#), [S 1136](#), [S 1117](#), [S 1111](#), [S 1101](#), [S 1083](#), [S 1089](#), [S 1092](#), [S 1113](#), [S 1145](#), [S 1146](#), and [SCR 109](#) and ordered them transmitted to the House for the signature of the Speaker.

March 17, 2017

The STATE AFFAIRS Committee reports out [S 1144](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[S 1144](#) was filed for second reading.

March 17, 2017

The STATE AFFAIRS Committee reports out [S 1183](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [S 1183](#) was referred to the Fourteenth Order of Business, General Calendar.

March 17, 2017

The FINANCE Committee reports out [S 1192](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1192](#) was filed for second reading.

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

Messages from the House

March 20, 2017

Dear Mr. President:

I return herewith [S 1099](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Bair, granted by unanimous consent, [S 1099](#), 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.

March 17, 2017

Dear Mr. President:

I return herewith [S 1069](#), which has passed the House.

MAULIN, Chief Clerk

[S 1069](#) was referred to the Judiciary and Rules Committee for enrolling.

March 16, 2017

Dear Mr. President:

I transmit herewith Enrolled [HCR 12](#), [HCR 9](#), [HJM 3](#), [HJM 4](#), [HCR 19](#), [H 133](#), [H 207](#), [H 149](#), [H 152](#), [H 181](#), [H 182](#), [H 183](#), [H 219](#), [H 224](#), [H 225](#), [H 51](#), [H 53](#), [H 64](#), [H 90](#), [H 227](#), [H 237](#), [H 226](#), [H 238](#), [H 239](#), [H 63](#), [H 156](#), [H 191](#), [H 108](#), [H 188](#), [H 193](#), [H 203](#), [H 245](#), [H 246](#), [H 248](#), [H 140](#), [H 169](#), and [H 170](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 12](#), [HCR 9](#), [HJM 3](#), [HJM 4](#), [HCR 19](#), [H 133](#), [H 207](#), [H 149](#), [H 152](#), [H 181](#), [H 182](#), [H 183](#), [H 219](#), [H 224](#), [H 225](#), [H 51](#), [H 53](#), [H 64](#), [H 90](#), [H 227](#), [H 237](#), [H 226](#), [H 238](#), [H 239](#), [H 63](#), [H 156](#), [H 191](#), [H 108](#), [H 188](#), [H 193](#), [H 203](#), [H 245](#), [H 246](#), [H 248](#), [H 140](#), [H 169](#), and [H 170](#) and ordered them returned to the House.

March 17, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 141](#), [H 171](#), [H 186](#), as amended, [H 199](#), [H 130](#), [H 215](#), [H 204](#), [H 86](#), [H 87](#), [H 98](#), [H 104](#), as amended in the Senate, and [H 126](#), as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 141](#), [H 171](#), [H 186](#), as amended, [H 199](#), [H 130](#), [H 215](#), [H 204](#), [H 86](#), [H 87](#), [H 98](#), [H 104](#), as amended in the Senate, and [H 126](#), as amended in the Senate, and ordered them returned to the House.

March 17, 2017

Dear Mr. President:

I return herewith Enrolled [S 1094](#), [S 1123](#), [S 1031](#), [S 1047](#), [S 1049](#), [S 1098](#), [S 1039](#), as amended, [S 1045](#), [S 1046](#), [S 1057](#), and [S 1043](#), as amended in the House, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1094](#), [S 1123](#), [S 1031](#), [S 1047](#), [S 1049](#), [S 1098](#), [S 1039](#), as amended, [S 1045](#), [S 1046](#), [S 1057](#), and [S 1043](#), as amended in the House, 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

Senator Lodge was recorded present at this order of business.

The President announced that [HCR 13](#) was before the Senate for final consideration.

Moved by Senator Lakey, seconded by Senator Ward-Engelking, that [HCR 13](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Siddoway, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [HCR 13](#) adopted, title was approved, and the resolution ordered returned to the House.

The President announced that the House amendments to [S 1099](#), 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 1099](#), as amended in the House?"

On request by Senator Bair, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1099](#), as amended in the House.

[S 1099](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that [HJM 7](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

Pursuant to Senate Rule 39(H), Senator Nonini disclosed a possible conflict of interest under applicable law.

On motion by Senator Rice, seconded by Senator Martin, [HJM 7](#) 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 1193 BY FINANCE COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF INDEPENDENT COUNCILS, INDIRECT SUPPORT SERVICES, HEALTHCARE POLICY INITIATIVES AND LICENSING AND CERTIFICATION FOR FISCAL YEAR 2018; 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 LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; REQUIRING A REPORT ON THE USE OF VOCA FUNDS; DIRECTING MONTHLY MEDICAID TRACKING REPORTS; REQUIRING BIENNIAL REPORTS FOR THE MEDICAID PROGRAM INTEGRITY UNIT COLLECTIONS; DIRECTING PROGRAM TRANSFER REPORTS; REQUIRING A MONTHLY REPORT ON DEPARTMENT VACANCIES; REPORTING ON IMPLEMENTATION OF THE SHIP GRANT; REQUIRING QUARTERLY REPORTS ON FACILITY LICENSING AND CERTIFICATION; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2017; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

S 1194
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2018; AUTHORIZING AND DIRECTING THE ALLOCATION OF FUNDS FOR SPECIFIC PROJECTS FOR FISCAL YEAR 2018; PROVIDING A GENERAL FUND CASH TRANSFER; PROVIDING LEGISLATIVE INTENT RELATING TO UTILIZATION OF MATCHING FUNDS; PROVIDING LEGISLATIVE INTENT RELATING TO REALLOCATION OF PROJECT SAVINGS; AND PROVIDING DIRECTION ON THE TIMING OF THE USE OF FUNDS FOR SPECIFIC PROJECTS.

S 1195
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1350, IDAHO CODE, TO REVISE THE AVERAGE HIGH COST MULTIPLE ON AND AFTER JANUARY 1, 2018, AND TO MAKE TECHNICAL CORRECTIONS.

S 1196
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE IDAHO UNBORN INFANTS DIGNITY ACT; AMENDING SECTION 39-9306, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROHIBITIONS.

[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.

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

Third Reading of Bills

On request by Senator Bayer, granted by unanimous consent, [H 67](#), as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

Senator Brackett made an unanimous consent request that [S 1162](#) retain its place on the Third Reading Calendar for one legislative day.

Senator Davis objected.

On request by Senator Davis, granted by unanimous consent, [S 1162](#) retained its place on the Third Reading Calendar.

[S 1142](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn 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, Davis, Den Hartog, Hagedorn, Hill, Keough, Lakey, Lee, Lodge, Siddoway, Souza, Thayn. Total - 13.

NAYS—Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Harris, Heider, Johnson, Jordan, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Stennett, Vick, Ward-Engelking, Winder. Total - 22.

Paired and voting included in roll call:

AYE - Den Hartog NAY - Stennett

Total - 35.

Whereupon the President declared that [S 1142](#), as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, [S 1166](#) retained its place on the Third Reading Calendar for Wednesday, March 22, 2017.

[S 1185](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Patrick, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [S 1185](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1186](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Patrick, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [S 1186](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1187](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Patrick, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [S 1187](#) 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 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Patrick, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [S 1189](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Reports of Standing Committees

March 20, 2017

The JUDICIARY AND RULES Committee reports that [S 1193](#), [S 1194](#), [S 1195](#), and [S 1196](#) have been correctly printed.

LODGE, 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 State Affairs Committee.

March 20, 2017

The STATE AFFAIRS Committee reports out [S 1182](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[S 1182](#) was filed for second reading.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Buckner-Webb, by voice vote the Senate recessed at 12:07 p.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 Senators Nonini and Siddoway, 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, 2017

The JUDICIARY AND RULES Committee reports that [S 1069](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1069](#) and ordered it transmitted to the House for the signature of the Speaker.

March 20, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1094](#), [S 1123](#), [S 1031](#), [S 1047](#), [S 1049](#), [S 1098](#), [S 1039](#), as amended, [S 1045](#), [S 1046](#), [S 1057](#), and [S 1043](#), as amended in the House, were delivered to the Office of the Governor at 10:53 a.m., March 20, 2017.

LODGE, Chairman

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

March 20, 2017

The TRANSPORTATION Committee reports out [S 1188](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [S 1188](#) was referred to the Fourteenth Order of Business, General Calendar.

March 20, 2017

The HEALTH AND WELFARE Committee reports out [S 1191](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1191](#) was filed for second reading.

March 20, 2017

The STATE AFFAIRS Committee reports out [S 1190](#), [SCR 124](#), and [SR 101](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[S 1190](#) was filed for second reading.

[SCR 124](#) and [SR 101](#) 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, 2017

The FINANCE Committee reports out [S 1193](#) and [S 1194](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1193](#) and [S 1194](#) were filed for second reading.

March 20, 2017

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:

Mary E. Hughes to the Idaho Endowment Fund Investment Board, term to expire April 1, 2020.

SIDDOWAY, Chairman

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

Senator Siddoway was recorded present at this order of business.

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

Messages from the House

March 20, 2017

Dear Mr. President:

I transmit herewith [H 284](#), [H 285](#), [H 286](#), [H 287](#), [H 288](#), [H 289](#), [H 290](#), [HCR 27](#), [HJM 8](#), [H 263](#), [H 283](#), and [H 293](#), which have passed the House.

MAULIN, Chief Clerk

[H 284](#), [H 285](#), [H 286](#), [H 287](#), [H 288](#), [H 289](#), [H 290](#), [HCR 27](#), [HJM 8](#), [H 263](#), [H 283](#), and [H 293](#) were filed for first reading.

Senator Nonini was recorded present at this order of business.

On request by Senator Davis, 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

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2018; AND AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS.

[S 1197](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 284](#), [H 285](#), [H 286](#), [H 287](#), [H 288](#), [H 289](#), and [H 290](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[HCR 27](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

[HJM 8](#), by Ways and Means Committee, was introduced, read at length, and referred to the Agricultural Affairs Committee.

[H 263](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 283](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 293](#), by Ways and Means 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 1144](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1192](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1182](#), 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 Davis, granted by unanimous consent, [S 1162](#) retained its place on the Third Reading Calendar.

[H 145](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 145](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 202](#), 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 202](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 148](#), having been held, 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?"

Pursuant to Senate Rule 39(H), Senator Rice disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 148](#) passed, title was approved, and the bill ordered returned to the House.

[H 250](#), having been held, 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, Burgoyne, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lee, Lodge, Martin, Mortimer, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 27.

NAYS—Buckner-Webb, Foreman, Jordan, Nonini, Nye, Stennett, Ward-Engelking. Total - 7.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [H 250](#) passed, title was approved, and the bill ordered returned to the House.

[H 222](#) 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman, Nonini. Total - 2.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [H 222](#) passed, title was approved, and the bill ordered returned to the House.

[H 146](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 146](#) passed, title was approved, and the bill ordered returned to the House.

[H 99](#), 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?"

Pursuant to Senate Rule 39(H), Senator Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 99](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 136](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 136](#) passed, title was approved, and the bill ordered returned to the House.

[H 138](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 138](#) passed, title was approved, and the bill ordered returned to the House.

[H 243](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [H 243](#) passed, title was approved, and the bill ordered returned to the House.

[H 111](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor 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, Crabtree, Davis, Den Hartog, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Mortimer, Nye, Siddoway, Stennett, Ward-Engelking, Winder. Total - 25.

NAYS—Burgoyne, Foreman, Hagedorn, Martin, Nonini, Patrick, Rice, Souza, Thayne, Vick. Total - 10.

Total - 35.

Whereupon the President declared [H 111](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 131](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Ward-Engelking, Winder. Total - 28.

NAYS—Crabtree, Foreman, Nonini, Vick. Total - 4.

Absent and excused—Davis, Hill, Lakey. Total - 3.

Total - 35.

Whereupon the President declared [H 131](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 212](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 212](#) passed, title was approved, and the bill ordered returned to the House.

[H 213](#) 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—Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Martin, Nye, Stennett, Ward-Engelking. Total - 16.

NAYS—Agenbroad, Anthon, Bair, Bayer, Crabtree, Den Hartog, Foreman, Hagedorn, Lakey, Lodge, Mortimer, Nonini, Patrick, Rice, Siddoway, Souza, Thayne, Vick, Winder. Total - 19.

Total - 35.

Whereupon the President declared that [H 213](#) had failed to pass the Senate and ordered the bill returned to the House.

[H 242](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Patrick. Total - 1.

Total - 35.

Whereupon the President declared [H 242](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 205](#) 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 Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Anthon and Thayn disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 216](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 235](#) passed, title was approved, and the bill ordered returned to the House.

[H 93](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 93](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by Senate Finance Committee bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriation Committee bills.

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

Second Reading of Bills

[S 1191](#) and [S 1190](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1193](#) and [S 1194](#), by Finance Committee, were read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:54 p.m. until the hour of 9:30 a.m., Tuesday, March 21, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SEVENTY-SECOND LEGISLATIVE DAY
TUESDAY, MARCH 21, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Brigham Cardon, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 21, 2017

The JUDICIARY AND RULES Committee reports that [S 1197](#) has been correctly printed.

LODGE, Chairman

[S 1197](#) was referred to the Finance Committee.

March 21, 2017

The JUDICIARY AND RULES Committee reports that [S 1099](#), as amended in the House, has been correctly engrossed.

LODGE, Chairman

[S 1099](#), as amended in the House, was filed for first reading.

March 20, 2017

The FINANCE Committee reports out [H 284](#), [H 285](#), [H 286](#), [H 287](#), [H 288](#), [H 289](#), and [H 290](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 284](#), [H 285](#), [H 286](#), [H 287](#), [H 288](#), [H 289](#), and [H 290](#) were filed for second reading.

Senator Stennett was recorded present at this order of business.

March 21, 2017

The STATE AFFAIRS Committee reports out [S 1196](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[S 1196](#) was filed for second reading.

March 21, 2017

The AGRICULTURAL AFFAIRS Committee reports out [H 274](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, [H 274](#) was referred to the Fourteenth Order of Business, General Calendar.

March 21, 2017

The AGRICULTURAL AFFAIRS Committee reports out [H 293](#), [HJM 6](#), and [HJM 8](#) with the recommendation that they do pass.

RICE, Chairman

[H 293](#) was filed for second reading.

[HJM 6](#) and [HJM 8](#) 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 Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 20, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1008](#), [S 1011](#), [S 1029](#), [S 1034](#), as amended,
[S 1035](#), [S 1055](#), [S 1059](#), [S 1060](#), [S 1064](#),
[S 1075](#), [S 1080](#), [S 1081](#), [S 1084](#), [S 1085](#),
[S 1091](#), [S 1112](#), [S 1115](#), [S 1116](#), [S 1127](#),
[S 1128](#), [S 1129](#), [S 1134](#), and [S 1135](#)

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

Senator Lodge was recorded present at this order of business.

March 20, 2017

Dear Mr. President:

I return herewith [S 1074](#), as amended, [S 1038](#), as amended, [S 1126](#), as amended, [S 1118](#), [S 1079](#), [S 1153](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), [S 1160](#), [SCR 113](#), [SCR 114](#), [SCR 115](#), and [SCR 103](#), which have passed the House.

MAULIN, Chief Clerk

[S 1074](#), as amended, [S 1038](#), as amended, [S 1126](#), as amended, [S 1118](#), [S 1079](#), [S 1153](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), [S 1160](#), [SCR 113](#), [SCR 114](#), [SCR 115](#), and [SCR 103](#) were referred to the Judiciary and Rules Committee for enrolling.

March 20, 2017

Dear Mr. President:

I transmit herewith Enrolled [HCR 25](#), [HCR 17](#), [H 119](#), [H 120](#), [H 121](#), [H 122](#), [H 142](#), and [H 143](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 25](#), [HCR 17](#), [H 119](#), [H 120](#), [H 121](#), [H 122](#), [H 142](#), and [H 143](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Lodge, granted by unanimous consent, [SCR 123](#) retained its place on the calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Committee report of the Gubernatorial appointment confirmation of Mary E. Hughes was placed at the head of the Tenth Order of Business.

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

On motion by Senator Ward-Engelking, seconded by Senator Winder, the Gubernatorial appointment of Mary E. Hughes as a member of the Idaho Endowment Fund Investment 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 124](#) was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Jordan, that [SCR 124](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, President Pro Tempore declared [SCR 124](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SR 101](#) was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stennett, that [SR 101](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, President Pro Tempore declared [SR 101](#) adopted, title was approved, and the resolution ordered 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**S 1198****BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2018.

S 1199**BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION OF PARDONS AND PAROLE FOR FISCAL YEAR 2018; AND AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS.

S 1200**BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE POLICE FOR THE FORENSIC SERVICES PROGRAM FOR FISCAL YEAR 2018.

S 1201**BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE SUPREME COURT PROGRAM FOR FISCAL YEAR 2018; APPROPRIATING

ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE DISTRICT COURTS PROGRAM FOR FISCAL YEAR 2018; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE MAGISTRATES DIVISION PROGRAM FOR FISCAL YEAR 2018; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE COURT OF APPEALS PROGRAM FOR FISCAL YEAR 2018; AND EXEMPTING APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

[S 1198](#), [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.

[S 1099](#), as amended in the House, by Resources and Environment Committee, was read the first time at length and filed for second reading.

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

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [S 1162](#) retained its place on the Third Reading Calendar.

On request by Senator Davis, granted by unanimous consent, [S 1144](#) retained its place on the Third Reading Calendar.

[S 1182](#) 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, Brackett, Davis, Foreman, Hagedorn, Hill, Johnson, Lakey, Rice, Siddoway. Total - 11.

NAYS—Anthon, Bayer, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Guthrie, Harris, Heider, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 24.

Total - 35.

Whereupon the President Pro Tempore declared that [S 1182](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1191](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1191](#) 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 Davis arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1190](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:08 p.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 Pro Tempore Hill presiding.

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

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

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

Reports of Standing Committees

March 21, 2017

The JUDICIARY AND RULES Committee reports that [S 1198](#), [S 1199](#), [S 1200](#), and [S 1201](#) have been correctly printed.

LODGE, Chairman

[S 1198](#), [S 1199](#), [S 1200](#), and [S 1201](#) were referred to the Finance Committee.

March 21, 2017

The JUDICIARY AND RULES Committee reports that [S 1074](#), as amended, [S 1038](#), as amended, [S 1126](#), as amended, [S 1118](#), [S 1079](#), [S 1153](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), [S 1160](#), [SCR 113](#), [SCR 114](#), [SCR 115](#), and [SCR 103](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1074](#), as amended, [S 1038](#), as amended, [S 1126](#), as amended, [S 1118](#), [S 1079](#), [S 1153](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), [S 1160](#), [SCR 113](#), [SCR 114](#), [SCR 115](#), and [SCR 103](#) and ordered them transmitted to the House for the signature of the Speaker.

March 20, 2017

The FINANCE Committee reports out [S 1197](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1197](#) was filed for second reading.

March 9, 2017

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

Sarah E. Griffin to the Idaho Personnel Commission, term to expire July 1, 2021.

PATRICK, Chairman

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

March 16, 2017

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

J. Kirk Sullivan to the Public Employee Retirement System of Idaho Board, term to expire July 1, 2021.

PATRICK, Chairman

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

March 21, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1195](#) with the recommendation that it do pass.

PATRICK, Chairman

[S 1195](#) was filed for second reading.

March 21, 2017

The EDUCATION Committee reports out [H 279](#), [HCR 26](#), and [HCR 27](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 279](#) was filed for second reading.

[HCR 26](#) and [HCR 27](#) 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 Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

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

**S 1202
BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO GARNISHMENTS; AMENDING THE HEADING FOR CHAPTER 5, TITLE 8, IDAHO CODE,

TO REVISE THE CHAPTER DESCRIPTION; REPEALING SECTIONS 8-507 THROUGH 8-523, IDAHO CODE, RELATING TO GARNISHMENT, SERVICE OF WRIT OF ATTACHMENT, EXECUTION OR GARNISHMENT, BANKS, SERVICE ON DEFENDANT AND THIRD PARTIES BY SHERIFF, SERVICE ON DEFENDANT AND THIRD PARTIES BY BANK OR DEPOSITORY INSTITUTION, FORMS, DOCUMENTS TO BE PROVIDED BY PLAINTIFF, DUTIES OF SHERIFF, SERVICE AND MAILING CRITERIA, TIME COMPUTATION, LIABILITY OF GARNISHEE, EXAMINATION OF GARNISHEE, NOTICE OF GARNISHMENT, DISCHARGE OF GARNISHEE, INTERROGATORIES SUBMITTED TO GARNISHEE, ANSWER TO INTERROGATORIES, JUDGMENT AGAINST GARNISHEE, EXCEPTION TO ANSWER, AMENDMENT, DENIAL OF ANSWER, REPLICATION, TRIAL, JUDGMENT AND EXECUTION, JUDGMENT ON ANSWER, COSTS AND ALLOWANCES, JUDGMENT AGAINST GARNISHEE, ALLEGATION OF ASSIGNMENT OF DEBT, PROCEDURE, ALLEGATION OF ASSIGNMENT OF DEBT, TRIAL OF ISSUE, CLAIM OF EXEMPTION BY DEFENDANT, LIABILITY OF GARNISHEE ON NEGOTIABLE PAPER, LIABILITY OF OFFICERS AND EXECUTORS AS GARNISHEES, APPEALS IN GARNISHMENT PROCEEDINGS AND APPLICATION OF PRECEDING SECTIONS; AMENDING CHAPTER 5, TITLE 8, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 8-507, IDAHO CODE, TO PROVIDE FOR APPLICABILITY; AMENDING SECTION 11-201, IDAHO CODE, TO PROVIDE THAT CERTAIN PROPERTY IS LIABLE TO SEIZURE BY COURT ORDER; REPEALING SECTION 11-202, IDAHO CODE, RELATING TO DEBTS OWING BY THE STATE OF IDAHO SUBJECT TO EXECUTION OR GARNISHMENT AFTER JUDGMENT; AMENDING SECTION 11-203, IDAHO CODE, TO PROVIDE THAT CERTAIN PARTIES MAY MOVE THE COURT FOR AN ORDER OF EXEMPTION AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 11-301, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 11-604, IDAHO CODE, TO REMOVE A PROVISION REGARDING EXEMPTIONS FOR CERTAIN FUNDS; AMENDING TITLE 11, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 7, TITLE 11, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR WHEN A GARNISHMENT EXECUTION MAY BE MADE RETURNABLE, TO PROVIDE FOR A RECORD IN AN EXECUTION BOOK, TO PROVIDE THAT THE SHERIFF SHALL SERVE CERTAIN DOCUMENTS, TO PROVIDE PROCEDURES FOR SERVICE OF DOCUMENTS, TO PROVIDE APPLICABILITY FOR CERTAIN LEVIES, TO PROVIDE FOR CONTINUOUS GARNISHMENT BY AN EMPLOYER, TO PROVIDE FOR THE SHERIFF'S RETURN ON CONTINUOUS WAGE GARNISHMENT AND CONTINUOUS GARNISHMENT FOR CHILD SUPPORT, TO PROVIDE FOR DOCUMENTS TO BE PROVIDED BY A JUDGMENT CREDITOR, DUTIES OF THE SHERIFF, SERVICE AND MAILING CRITERIA, AND TIME COMPUTATION, TO PROVIDE FOR THE USE AND AVAILABILITY OF CERTAIN FORMS, TO PROVIDE THAT INTERROGATORIES SHALL BE DELIVERED TO A GARNISHEE WITH CERTAIN CONDITIONS, TO PROVIDE THAT THE SHERIFF SHALL SERVE CERTAIN DOCUMENTS ON A JUDGMENT DEBTOR AND THIRD PARTIES UNDER CERTAIN CONDITIONS, TO PROVIDE THAT A FINANCIAL INSTITUTION SHALL SERVE CERTAIN DOCUMENTS ON A JUDGMENT DEBTOR AND THIRD PARTIES UNDER CERTAIN CONDITIONS, TO

AUTHORIZE A JUDGMENT DEBTOR TO FILE A CLAIM OF EXEMPTION, TO PROVIDE FOR RESTRICTIONS ON WAGE GARNISHMENT, TO PROVIDE THAT CERTAIN DEPOSITS INTO FINANCIAL INSTITUTIONS SHALL NOT BE SUBJECT TO GARNISHMENT, TO PROVIDE FOR CERTAIN OBLIGATIONS OF FINANCIAL INSTITUTIONS WHEN SERVED WITH A WRIT OF GARNISHMENT, TO PROVIDE FOR CERTAIN LIABILITY OF A GARNISHEE, TO PROVIDE FOR A NOTICE OF GARNISHMENT AND THE DISCHARGE OF A GARNISHEE, TO PROVIDE FOR THE EXAMINATION OF A GARNISHEE UNDER CERTAIN CONDITIONS, TO PROVIDE THAT DEBTS OWING BY THE STATE SHALL BE SUBJECT TO EXECUTION OR GARNISHMENT AFTER JUDGMENT, TO PROVIDE THAT A GARNISHEE SHALL ANSWER INTERROGATORIES, TO PROVIDE THAT JUDGMENT AGAINST A GARNISHEE SHALL BE ISSUED UNDER CERTAIN CONDITIONS, TO PROVIDE THAT A JUDGMENT CREDITOR MAY EXCEPT TO AND AMEND AN ANSWER UNDER CERTAIN CONDITIONS, TO PROVIDE THAT A JUDGMENT CREDITOR MAY DENY THE ANSWER OF A GARNISHEE, TO PROVIDE PROCEDURES FOLLOWING DENIAL OF AN ANSWER, TO PROVIDE PROCEDURES FOR JUDGMENT ON AN ANSWER, TO PROVIDE THAT COSTS SHALL BE ADJUDGED UNDER CERTAIN CONDITIONS, TO PROVIDE FOR JUDGMENT AGAINST A GARNISHEE UNDER CERTAIN CONDITIONS, TO PROVIDE PROCEDURES FOR WHEN A GARNISHEE ALLEGES THE ASSIGNMENT OF A DEBT, TO PROVIDE FOR HOW AN ALLEGATION OF AN ASSIGNMENT OF DEBT SHALL BE TRIED, TO PROVIDE FOR THE LIABILITY OF A GARNISHEE ON NEGOTIABLE PAPER UNDER CERTAIN CONDITIONS, TO PROVIDE THAT OFFICERS AND EXECUTORS SHALL NOT BE LIABLE AS GARNISHEES IN CERTAIN INSTANCES, TO AUTHORIZE AN EMPLOYER WHO IS A GARNISHEE TO DEDUCT A CERTAIN FEE, TO AUTHORIZE THE SHERIFF TO COLLECT CERTAIN FEES FOR SERVICE, TO PROVIDE THAT FEES FOR SERVICE SHALL BE PUBLISHED, TO PROVIDE FOR APPEALS IN THE GARNISHMENT PROCESS AND TO PROVIDE APPLICABILITY; AMENDING SECTION 31-3203, IDAHO CODE, TO PROVIDE FOR A WRIT OF WAGE GARNISHMENT AND FINANCIAL INSTITUTION GARNISHMENT, TO REMOVE A FEE AND TO PROVIDE FOR A CERTAIN FEE REGARDING GARNISHMENT; AND AMENDING SECTION 32-1605, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

[S 1202](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 284](#), [H 285](#), [H 286](#), [H 287](#), [H 288](#), [H 289](#), and [H 290](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1196](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 293](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[S 1099](#), as amended in the House, by Resources and Environment Committee, was read the second time at length and filed for third reading.

Senator Keough was recorded present at this order of business.

On request by Senator Davis, 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 Winder 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 Winder, Chairman of the Committee of the Whole, reported out [H 67](#), as amended in the Senate, and [S 1188](#), without recommendation, amended as follows:

SENATE AMENDMENT TO the SENATE AMENDMENT TO H 67 AMENDMENT TO THE AMENDMENT

On page 1 of the printed amendment, delete lines 19 and 20, and insert:

"SECTION 4. That Section 63-3638, Idaho Code, be, and the same is hereby amended to read as follows:

63-3638. SALES TAX – DISTRIBUTION. All moneys collected under this chapter, except as may otherwise be required in sections 63-3203 and 63-3709, Idaho Code, shall be distributed by the state tax commission as follows:

(1) An amount of money shall be distributed to the state refund account sufficient to pay current refund claims. All refunds authorized under this chapter by the state tax commission shall be paid through the state refund account, and those moneys are continuously appropriated.

(2) Five million dollars (\$5,000,000) per year is continuously appropriated and shall be distributed to the permanent building fund, provided by section 57-1108, Idaho Code.

(3) Four million eight hundred thousand dollars (\$4,800,000) per year is continuously appropriated and shall be distributed to the water pollution control account established by section 39-3628, Idaho Code.

(4) An amount equal to the sum required to be certified by the chairman of the Idaho housing and finance association to the state tax commission pursuant to section 67-6211, Idaho Code, in each year is continuously appropriated and shall be paid to any capital reserve fund, established by the Idaho housing and finance association pursuant to section 67-6211, Idaho Code. Such amounts, if any, as may be appropriated hereunder to the capital reserve fund of the Idaho housing and finance association shall be repaid for distribution under the provisions of this section, subject to the provisions of section 67-6215, Idaho Code, by the Idaho housing and finance association, as soon as possible, from any moneys available therefor and in excess of the amounts which the association determines will keep it self-supporting.

(5) An amount equal to the sum required by the provisions of sections 63-709 and 63-717, Idaho Code, after allowance for the amount appropriated by section 63-718(3), Idaho Code, is continuously appropriated and shall be paid as provided by sections 63-709 and 63-717, Idaho Code.

(6) An amount required by the provisions of chapter 53, title 33, Idaho Code.

(7) An amount required by the provisions of chapter 87, title 67, Idaho Code.

(8) For fiscal year 2011, and each fiscal year thereafter, four million one hundred thousand dollars (\$4,100,000), of which two million two hundred thousand dollars (\$2,200,000) shall be distributed to each of the forty-four (44) counties in equal amounts, and one million nine hundred thousand dollars (\$1,900,000) of which shall be distributed to the forty-four (44) counties in the proportion that the population of the county bears to the population of the state. For fiscal year 2012, and for each fiscal year thereafter, the amount distributed pursuant to this subsection, shall be adjusted annually by the state tax commission in accordance with the consumer price index for all urban consumers (CPI-U) as published by the U.S. department of labor, bureau of labor statistics, but in no fiscal year shall the total amount allocated for counties under this subsection, be less than four million one hundred thousand dollars (\$4,100,000). Any increase resulting from the adjustment required in this section shall be distributed to each county in the proportion that the population of the county bears to the population of the state. Each county shall establish a special election fund to which shall be deposited all revenues received from the distribution pursuant to this subsection. All such revenues shall be used exclusively to defray the costs associated with conducting elections as required of county clerks by the provisions of section 34-1401, Idaho Code.

(9) One dollar (\$1.00) on each application for certificate of title or initial application for registration of a motor vehicle, snowmobile, all-terrain vehicle or other vehicle processed by the county assessor or the Idaho transportation department excepting those applications in which any sales or use taxes due have been previously collected by a retailer, shall be a fee for the services of the assessor of the county or the Idaho transportation department in collecting such taxes, and shall be paid into the current expense fund of the county or state highway account established in section 40-702, Idaho Code.

(10) ~~Eleven~~ Thirteen and ~~five~~ two-tenths percent (~~11.513.2%~~) is continuously appropriated and shall be distributed to the revenue sharing account which is created in the state treasury, and the moneys in the revenue sharing account will be paid in installments each calendar quarter by the state tax commission as follows:

(a) Twenty-eight and two-tenths percent (28.2%) shall be paid to the various cities as follows:

- (i) Fifty percent (50%) of such amount shall be paid to the various cities, and each city shall be entitled to an amount in the proportion that the population of that city bears to the population of all cities within the state; and
- (ii) Fifty percent (50%) of such amount shall be paid to the various cities, and each city shall be entitled to an amount in the proportion that the preceding year's market value for assessment purposes for that city bears to the preceding year's market value for assessment purposes for all cities within the state.

(b) Twenty-eight and two-tenths percent (28.2%) shall be paid to the various counties as follows:

- (i) One million three hundred twenty thousand dollars (\$1,320,000) annually shall be distributed one forty-fourth (1/44) to each of the various counties; and
- (ii) The balance of such amount shall be paid to the various counties, and each county shall be entitled to an amount in the proportion that the population of that county bears to the population of the state;

(c) Thirty-five and nine-tenths percent (35.9%) of the amount appropriated in this subsection shall be paid to the

several counties for distribution to the cities and counties as follows:

(i) Each city and county which received a payment under the provisions of section 63-3638(e), Idaho Code, during the fourth quarter of calendar year 1999, shall be entitled to a like amount during succeeding calendar quarters.

(ii) If the dollar amount of money available under this subsection (10)(c) in any quarter does not equal the amount paid in the fourth quarter of calendar year 1999, each city's and county's payment shall be reduced proportionately.

(iii) If the dollar amount of money available under this subsection (10)(c) in any quarter exceeds the amount paid in the fourth quarter of calendar year 1999, each city and county shall be entitled to a proportionately increased payment, but such increase shall not exceed one hundred five percent (105%) of the total payment made in the fourth quarter of calendar year 1999.

(iv) If the dollar amount of money available under this subsection (10)(c) in any quarter exceeds one hundred five percent (105%) of the total payment made in the fourth quarter of calendar year 1999, any amount over and above such one hundred five percent (105%) shall be paid fifty percent (50%) to the various cities in the proportion that the population of the city bears to the population of all cities within the state, and fifty percent (50%) to the various counties in the proportion that the population of a county bears to the population of the state; and

(d) Seven and seven-tenths percent (7.7%) of the amount appropriated in this subsection shall be paid to the several counties for distribution to special purpose taxing districts as follows:

(i) Each such district which received a payment under the provisions of section 63-3638(e), Idaho Code, as such subsection existed immediately prior to July 1, 2000, during the fourth quarter of calendar year 1999, shall be entitled to a like amount during succeeding calendar quarters.

(ii) If the dollar amount of money available under this subsection (10)(d) in any quarter does not equal the amount paid in the fourth quarter of calendar year 1999, each special purpose taxing district's payment shall be reduced proportionately.

(iii) If the dollar amount of money available under this subsection (10)(d) in any quarter exceeds the amount distributed under paragraph (i) of this subsection (10)(d), each special purpose taxing district shall be entitled to a share of the excess based on the proportion each such district's current property tax budget bears to the sum of the current property tax budgets of all such districts in the state. The state tax commission shall calculate district current property tax budgets to include any unrecovered foregone amounts as determined under section 63-802(1)(e), Idaho Code. When a special purpose taxing district is situated in more than one (1) county, the state tax commission shall determine the portion attributable to the special purpose taxing district from each county in which it is situated.

(iv) If special purpose taxing districts are consolidated, the resulting district is entitled to a base amount equal to the sum of the base amounts which were received in the last calendar quarter by each district prior to the consolidation.

(v) If a special purpose taxing district is dissolved or disincorporated, the state tax commission shall continuously distribute to the board of county commissioners an amount equal to the last quarter's distribution prior to dissolution or disincorporation. The board of county commissioners shall determine any redistribution of moneys so received.

(vi) Taxing districts formed after January 1, 2001, are not entitled to a payment under the provisions of this subsection (10)(d).

(vii) For purposes of this subsection (10)(d), a special purpose taxing district is any taxing district which is not a city, a county or a school district.

(11) Amounts calculated in accordance with section 2, chapter 356, laws of 2001, for annual distribution to counties and other taxing districts beginning in October 2001 for replacement of property tax on farm machinery and equipment exempted pursuant to section 63-602EE, Idaho Code. For nonschool districts, the state tax commission shall distribute one-fourth (1/4) of this amount certified quarterly to each county. For school districts, the state tax commission shall distribute one-fourth (1/4) of the amount certified quarterly to each school district. For nonschool districts, the county auditor shall distribute to each district within thirty (30) calendar days from receipt of moneys from the state tax commission. Moneys received by each taxing district for replacement shall be utilized in the same manner and in the same proportions as revenues from property taxation. The moneys remitted to the county treasurer for replacement of property exempt from taxation pursuant to section 63-602EE, Idaho Code, may be considered by the counties and other taxing districts and budgeted at the same time, in the same manner and in the same year as revenues from taxation on personal property which these moneys replace. If taxing districts are consolidated, the resulting district is entitled to an amount equal to the sum of the amounts which were received in the last calendar quarter by each district pursuant to this subsection prior to the consolidation. If a taxing district is dissolved or disincorporated, the state tax commission shall continuously distribute to the board of county commissioners an amount equal to the last quarter's distribution prior to dissolution or disincorporation. The board of county commissioners shall determine any redistribution of moneys so received. If a taxing district annexes territory, the distribution of moneys received pursuant to this subsection shall be unaffected. Taxing districts formed after January 1, 2001, are not entitled to a payment under the provisions of this subsection. School districts shall receive an amount determined by multiplying the sum of the year 2000 school district levy minus .004 times the market value on December 31, 2000, in the district of the property exempt from taxation pursuant to section 63-602EE, Idaho Code, provided that the result of these calculations shall not be less than zero (0). The result of these school district calculations shall be further increased by six percent (6%). For purposes of the limitation provided by section 63-802, Idaho Code, moneys received pursuant to this section as property tax replacement for property exempt from taxation pursuant to section 63-602EE, Idaho Code, shall be treated as property tax revenues.

(12) Amounts necessary to pay refunds as provided in section 63-3641, Idaho Code, to a developer of a retail complex shall be remitted to the demonstration pilot project fund created in section 63-3641, Idaho Code.

(13) Amounts calculated in accordance with subsection (4) of section 63-602KK, Idaho Code, for annual distribution to counties and other taxing districts for replacement of property tax on personal property tax exemptions pursuant to subsection (2) of section 63-602KK, Idaho Code, which amounts are continuously appropriated unless the legislature enacts a different

appropriation for a particular fiscal year. For purposes of the limitation provided by section 63-802, Idaho Code, moneys received pursuant to this section as property tax replacement for property exempt from taxation pursuant to section 63-602KK, Idaho Code, shall be treated as property tax revenues. If taxing districts are consolidated, the resulting district is entitled to an amount equal to the sum of the amounts that were received in the last calendar year by each district pursuant to this subsection prior to the consolidation. If a taxing district or revenue allocation area annexes territory, the distribution of moneys received pursuant to this subsection shall be unaffected. Taxing districts and revenue allocation areas formed after January 1, 2013, are not entitled to a payment under the provisions of this subsection.

(14) Amounts collected from purchasers and paid to the state of Idaho by retailers that are not engaged in business in this state and which retailer would not have been required to collect the sales tax, less amounts otherwise distributed in subsections (1) and (10) of this section, shall be distributed to the tax relief fund created in section 57-811, Idaho Code. The state tax commission will determine the amounts to be distributed under this subsection.

(15) Any moneys remaining over and above those necessary to meet and reserve for payments under other subsections of this section shall be distributed to the general fund.

SECTION 5. Section 1 of this act shall be in full force and effect on and after June 1, 2018. Sections 2 and 3 of this act shall be in full force and effect on and after January 1, 2018. Section 4 of this act shall be in full force and effect on and after July 1, 2018.".

CORRECTION TO THE CORRECTION TO TITLE

On page 1, delete line 29, and insert: "WITH THE DEPARTMENT OF CORRECTION; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE A DISTRIBUTION; AND PROVIDING EFFECTIVE DATES.".

SENATE AMENDMENT TO S 1188

AMENDMENT TO THE BILL

On page 2 of the printed bill, delete lines 7 through 14; in line 15, delete "3" and insert: "2"; in line 16, delete "Sections 1 and 2" and insert: "Section 1"; in line 18, delete "4" and insert: "3"; in line 22, delete "5" and insert: "4"; in line 25, delete "Sections 1 and 2" and insert: "Section 1"; in line 28, delete "6" and insert: "5"; also in line 28, delete "Sections" and insert: "Section"; in line 29, delete "and 2"; in line 37, delete "7" and insert: "6"; and in line 39, delete "Sections 1 and 2" and insert: "Section 1".

On page 3, in line 1, delete "8" and insert: "7"; also in line 1, delete "Sections 1 and 2" and insert: "Section 1"; and in line 4, delete "9" and insert: "8".

On page 5, in line 6, delete "10" and insert: "9".

On page 6, in line 8, delete "11" and insert: "10".

On page 7, in line 14, delete "12" and insert: "11".

On page 8, in line 15, delete "13" and insert: "12".

On page 9, in line 13, delete "14" and insert: "13".

On page 10, delete lines 8 through 49.

On page 11, delete lines 1 through 36; and in line 37, delete "17" and insert: "14".

On page 16, delete lines 22 through 45.

Delete pages 17 and 18.

On page 19, delete lines 1 through 36; and in line 37, delete "19" and insert: "15".

On page 20, delete lines 1 through 5; and in line 6, delete "21" and insert: "16".

On page 21, in line 1, delete "22" and insert: "17"; in line 6, delete "23" and insert: "18"; in line 7, delete "12, 14 and 19" and insert: "9, 13 and 15"; and in line 8, delete "17" and insert: "14".

CORRECTION TO TITLE

On page 1, in line 3, delete "AND GENERAL"; delete lines 20 through 24, and insert: "CODE, TO REVISE WHEN A TRANSFER IS MADE; AMENDING SEC-"; delete lines 27 through 37, and insert: "TRIBUTION TO THE LAW ENFORCEMENT FUND; AMENDING SECTION 17, CHAPTER 341, LAWS OF 2015, TO EXTEND A SUNSET DATE FOR FIVE ADDITIONAL YEARS; PROVIDING FOR A PERFORMANCE EVAL-".

The Committee also has [S 1124](#) and [S 1183](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Jordan, the report was adopted by voice vote.

[S 1188](#), 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 67](#), as amended in the Senate, 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 Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [S 1162](#) retained its place on the Third Reading Calendar for the afternoon of March 22nd, 2017.

[S 1144](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Keough. Total - 2.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1144](#) 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 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1192](#) passed, title was approved, and the bill ordered transmitted to the House.

President Pro Tempore Hill called Senator Souza to the Chair.

[S 1193](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 32.

NAYS—Nonini, Vick. Total - 2.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1193](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1194](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Senator Johnson requested unanimous consent that the following typographical correction was made to [S 1194](#), pursuant to Senate Rule 9(F):

On page 2, line 38, change "letter", to "letters".

Senator Johnson withdrew his unanimous consent request.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Souza, Stennett, Ward-Engelking, Winder. Total - 29.

NAYS—Den Hartog, Foreman, Thayn, Vick. Total - 4.

Absent and excused—Rice, Siddoway. Total - 2.

Total - 35.

Whereupon the Acting President declared [S 1194](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 253](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the Acting President declared [H 253](#) passed, title was approved, and the bill ordered returned to the House.

[H 254](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the Acting President declared [H 254](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the Acting President declared [H 257](#) passed, title was approved, and the bill ordered returned to the House.

President Pro Tempore Hill returned to the Chair.

[H 262](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 262](#) passed, title was approved, and the bill ordered returned to the House.

[H 137](#), 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 137](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 166](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Rice, Vick. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 166](#) passed, title was approved, and the bill ordered returned to the House.

[H 244](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 244](#) passed, title was approved, and the bill ordered returned to the House.

[H 259](#) 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, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Den Hartog. Total - 1.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 259](#) 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 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, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 261](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 265](#) passed, title was approved, and the bill ordered returned to the House.

[H 266](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 266](#) passed, title was approved, and the bill ordered returned to the House.

[H 272](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 272](#) 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 275](#) passed, title was approved, and the bill ordered returned to the House.

[H 276](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Souza, Stennett, Thayne, Ward-Engelking, Winder. Total - 30.

NAYS—Foreman, Harris, Rice, Siddoway, Vick. Total - 5.

Total - 35.

Whereupon the President Pro Tempore declared [H 276](#) passed, title was approved, and the bill ordered returned to the House.

[H 277](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbrood 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Nonini, Nye, Patrick, Souza, Stennett, Ward-Engelking, Winder. Total - 25.

NAYS—Bair, Den Hartog, Foreman, Harris, Martin, Mortimer, Rice, Siddoway, Thayne, Vick. Total - 10.

Total - 35.

Whereupon the President Pro Tempore declared [H 277](#) passed, title was approved, and the bill ordered returned to the House.

[H 280](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 280](#) passed, title was approved, and the bill ordered returned to the House.

[H 281](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbrood, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore 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 Martin 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 282](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [S 1196](#) was placed at the head of the Third Reading Calendar, followed by [S 1195](#), followed by Senate bills, followed by Senate Finance Committee bills, followed by House bills amended in the Senate, followed by Senate bills amended in the House, followed by House bills, followed by House Appropriations Committee bills.

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

Reports of Standing Committees

March 21, 2017

The JUDICIARY AND RULES Committee reports that [S 1202](#) has been correctly printed.

LODGE, Chairman

[S 1202](#) was referred to the Judiciary and Rules Committee.

March 21, 2017

The JUDICIARY AND RULES Committee reports that [S 1188](#), as amended, has been correctly engrossed.

LODGE, Chairman

[S 1188](#), as amended, was filed for first reading.

March 21, 2017

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 67](#), as amended in the Senate, and [S 1188](#) have been correctly printed.

LODGE, Chairman

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

March 21, 2017

The FINANCE Committee reports out [S 1198](#), [S 1199](#), [S 1200](#), and [S 1201](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1198](#), [S 1199](#), [S 1200](#), and [S 1201](#) were filed for second reading.

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

Messages from the House

March 21, 2017

Dear Mr. President:

I transmit herewith [H 294](#), [H 295](#), [H 296](#), [H 297](#), [H 298](#), [H 300](#), [H 302](#), [H 303](#), [H 304](#), [H 305](#), and [H 306](#), which have passed the House.

MAULIN, Chief Clerk

[H 294](#), [H 295](#), [H 296](#), [H 297](#), [H 298](#), [H 300](#), [H 302](#), [H 303](#), [H 304](#), [H 305](#), and [H 306](#) were filed for first reading.

March 21, 2017

Dear Mr. President:

I transmit herewith Enrolled [HCR 28](#), [H 228](#), [H 195](#), [H 201](#), [H 197](#), [H 209](#), [H 168](#), [H 211](#), and [H 230](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 28](#), [H 228](#), [H 195](#), [H 201](#), [H 197](#), [H 209](#), [H 168](#), [H 211](#), and [H 230](#) and ordered them returned to the House.

March 21, 2017

Dear Mr. President:

I return herewith Enrolled [S 1013](#), [S 1023](#), [S 1024](#), [S 1025](#), [S 1026](#), [S 1108](#), [S 1132](#), [S 1133](#), [S 1137](#), [S 1138](#), [S 1136](#), [S 1117](#), [S 1111](#), [S 1101](#), [S 1083](#), [S 1089](#), [S 1092](#), [S 1113](#), [S 1145](#), [S 1146](#), and [S 1069](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1013](#), [S 1023](#), [S 1024](#), [S 1025](#), [S 1026](#), [S 1108](#), [S 1132](#), [S 1133](#), [S 1137](#), [S 1138](#), [S 1136](#), [S 1117](#), [S 1111](#), [S 1101](#), [S 1083](#), [S 1089](#), [S 1092](#), [S 1113](#), [S 1145](#), [S 1146](#), and [S 1069](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 21, 2017

Dear Mr. President:

I return herewith Enrolled [SCR 109](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 109](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Davis, 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 67](#), as amended in the Senate, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

[S 1188](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[H 294](#), [H 295](#), [H 296](#), [H 297](#), [H 298](#), [H 300](#), [H 302](#), [H 303](#), [H 304](#), [H 305](#), and [H 306](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

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

Second Reading of Bills

[S 1197](#), by Finance 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 279](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:58 p.m. until the hour of 9:30 a.m., Wednesday, March 22, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SEVENTY-THIRD LEGISLATIVE DAY
WEDNESDAY, MARCH 22, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Anika Draper, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 22, 2017

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:

Jerry F. Aldape to the Idaho Endowment Fund Investment Board, term to expire April 11, 2021.

SIDDOWAY, 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 22, 2017

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 139](#) with the recommendation that it do pass.

PATRICK, Chairman

[H 139](#) was filed for second reading.

On request by Senator Davis, 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, [SCR 123](#) retained its place on the calendar.

The President Pro Tempore announced that [HJM 6](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Thayn, seconded by Senator Jordan, [HJM 6](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

Senator Lodge was recorded present at this order of business.

The President Pro Tempore announced that [HJM 8](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Patrick, seconded by Senator Buckner-Webb, [HJM 8](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President Pro Tempore announced that [HCR 26](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Mortimer, [HCR 26](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that [HCR 27](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Ward-Engelking, [HCR 27](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Sarah E. Griffin 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 appointment of Sarah E. Griffin as a member of the Idaho Personnel 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.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of J. Kirk Sullivan was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Stennett, the Gubernatorial reappointment of J. Kirk Sullivan as a member of the Public Employee Retirement System of Idaho 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 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, **SCR 123** was placed before the Senate for consideration at this time.

The President Pro Tempore announced that **SCR 123** was before the Senate for final consideration.

Moved by Senator Lodge, seconded by Senator Stennett, that **SCR 123** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **SCR 123** 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

S 1203 BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2017; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2017; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2018; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2018; PROVIDING LEGISLATIVE INTENT REGARDING FUNDING OF THE OIL AND GAS CONSERVATION COMMISSION; AND DECLARING AN EMERGENCY.

S 1203 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1198, S 1199, S 1200, and S 1201, by Finance Committee, were read the second time at length and filed for third reading.

H 67, as amended in the Senate, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1188, 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 1196 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1196** passed, title was approved, and the bill ordered transmitted to the House.

S 1195 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), Senator Rice disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Rice. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1195** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, 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 Winder 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 Winder, Chairman of the Committee of the Whole, reported out **H 274**, without recommendation, amended as follows:

SENATE AMENDMENT TO H 274**AMENDMENT TO SECTION 4**

On page 3 of the printed bill, in line 46, delete "the exterior of a motor vehicle," and insert: "~~a motor vehicle~~"; and in line 47, following "trailer" insert: ", the exterior of a motor vehicle"; and on page 4, in line 4, delete "~~noxious weeds, plants, weeds~~".

AMENDMENT TO SECTION 5

On page 4, in line 11, delete "~~may~~" and insert: "may"; in line 12, delete "~~shall~~"; and in line 25, delete "~~all available~~".

AMENDMENT TO SECTION 8

On page 6, in line 24, delete "~~may shall~~" and insert: "may".

CORRECTION TO TITLE

On page 1, in line 13, following "AGRICULTURE" insert: "AND THE DUTIES OF THE DEPARTMENT"; and in line 24, delete "SHALL" and insert: "MAY".

The Committee also has [S 1124](#) and [S 1183](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

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

[H 274](#), 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 Davis, granted by unanimous consent, [S 1124](#) was returned to the Judiciary and Rules Committee.

On request by Senator Davis, granted by unanimous consent, [S 1183](#) was returned to the State Affairs Committee.

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

Third Reading of Bills**Motion to Suspend Rules**

Moved by Senator Davis, seconded by Senator Winder, that all rules of the Senate interfering with the immediate passage of [S 1188](#), 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 1188](#), 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

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

[S 1188](#), 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, Brackett, Davis, Hagedorn, Heider, Johnson, Lakey, Lee, Lodge, Martin, Patrick, Rice, Ward-Engelking, Winder. Total - 15.

NAYS—Bair, Bayer, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Harris, Hill, Jordan, Keough, Mortimer, Nonini, Nye, Siddoway, Souza, Stennett, Thayne, Vick. Total - 20.

Total - 35.

Whereupon the President Pro Tempore declared that [S 1188](#), as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

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

Reports of Standing Committees

March 22, 2017

The JUDICIARY AND RULES Committee reports that [S 1203](#) has been correctly printed.

LODGE, Chairman

[S 1203](#) was referred to the Finance Committee.

March 22, 2017

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 274](#) have been correctly printed.

LODGE, Chairman

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

March 22, 2017

The JUDICIARY AND RULES Committee reports out [S 1202](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1202](#) was filed for second reading.

March 22, 2017

The FINANCE Committee reports out [H 294](#), [H 295](#), [H 296](#), [H 297](#), [H 298](#), [H 300](#), [H 302](#), [H 303](#), [H 304](#), [H 305](#), [H 306](#), and [S 1203](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 294](#), [H 295](#), [H 296](#), [H 297](#), [H 298](#), [H 300](#), [H 302](#), [H 303](#), [H 304](#), [H 305](#), [H 306](#), and [S 1203](#) were filed for second reading.

On request by Senator Davis, 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 274](#), as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

S 1204
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2018.

S 1205
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE LEGISLATURE FOR FISCAL YEAR 2018.

[S 1204](#) and [S 1205](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Second Reading of Bills

[S 1202](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1203](#), by Finance Committee, was read the second time at length and filed for third reading.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:48 p.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 Pro Tempore Hill presiding.

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

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

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

Reports of Standing Committees

March 22, 2017

The JUDICIARY AND RULES Committee reports that [S 1204](#) and [S 1205](#) have been correctly printed.

LODGE, Chairman

[S 1204](#) and [S 1205](#) were referred to the Finance Committee.

Senator Heider was recorded present at this order of business.

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

Messages from the House

March 22, 2017

Dear Mr. President:

I transmit herewith [HCR 29](#), [H 315](#), and [H 319](#), which have passed the House.

MAULIN, Chief Clerk

[HCR 29](#), [H 315](#), and [H 319](#) were filed for first reading.

On request by Senator Davis, 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 29](#), by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 315](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 319](#), 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 Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 67](#), as amended in the Senate, 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 67](#), as amended in the Senate, 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

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

[H 67](#), as amended in the Senate, as amended in the Senate, 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, Bayer, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Hagedorn, Harris, Johnson, Jordan, Keough, Lakey, Lee, Martin, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 25.

NAYS—Anthon, Bair, Brackett, Davis, Guthrie, Heider, Hill, Lodge, Mortimer, Siddoway. Total - 10.

Paired and voting included in roll call:

AYE - Johnson NAY - Lodge

Total - 35.

Whereupon the President Pro Tempore declared **H 67**, as amended in the Senate, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1202** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

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

S 1202 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?"

Pursuant to Senate Rule 39(H), Senator Agenbroad disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1202** passed, title was approved, and the bill ordered transmitted to the House.

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

Petitions, Resolutions, and Memorials

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

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **S 1162** retained its place on the Third Reading Calendar for one legislative day.

President Pro Tempore Hill called Senator Hagedorn to the Chair.

S 1166, having been held, 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the Acting President declared **S 1166** passed, title was approved, and the bill ordered transmitted to the House.

S 1197 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the Acting President declared **S 1197** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, **S 1099**, as amended in the House, retained its place on the Third Reading Calendar.

H 279 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the Acting President declared [H 279](#) passed, title was approved, and the bill ordered returned to the House.

[H 293](#) 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, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Winder. Total - 28.

NAYS—Foreman, Nonini, Vick. Total - 3.

Absent and excused—Davis, Johnson, Lodge, Ward-Engelking. Total - 4.

Total - 35.

Whereupon the Acting President declared [H 293](#) passed, title was approved, and the bill ordered returned to the House.

[H 284](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the Acting 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the Acting President declared [H 285](#) passed, title was approved, and the bill ordered returned to the House.

[H 286](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the Acting 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the Acting 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the Acting President declared [H 288](#) passed, title was approved, and the bill ordered returned to the House.

President Pro Tempore Hill returned to the Chair.

[H 289](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 289](#) passed, title was approved, and the bill ordered returned to the House.

[H 290](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 290](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [S 1099](#) was placed before the Senate for consideration at this time.

[S 1099](#), as amended in the House, 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nye, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Foreman, Nonini, Siddoway. Total - 3.

Absent and excused—Johnson, Lodge, Patrick. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1099](#), as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1203](#) 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 1203](#) 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

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

[S 1203](#) 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Foreman, Nonini, Siddoway. Total - 3.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1203](#) passed, title was approved, and the bill ordered transmitted to the House.

Motion to Suspend Rules

Moved by Senator Davis, 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, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

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

[S 1198](#) 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Foreman, Nonini. Total - 2.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1198](#) passed, title was approved, and the bill ordered transmitted to the House.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1199](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore 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 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1199](#) passed, title was approved, and the bill ordered transmitted to the House.

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Lakey, 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

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

[S 1200](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Hagedorn. Total - 1.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1200](#) passed, title was approved, and the bill ordered transmitted to the House.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1201](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore 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 Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Burgoyne, 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Johnson, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1201](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 274](#), 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 274](#), as amended in the Senate, 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

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

[H 274](#), 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Bair, Mortimer, Siddoway. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 274](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:14 p.m. until the hour of 8 a.m., Thursday, March 23, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SEVENTY-FOURTH LEGISLATIVE DAY
THURSDAY, MARCH 23, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 8 a.m.

Roll call showed all members present except Senators Agenbroad, Bayer, Crabtree, Keough, Martin, Mortimer, Nye, Rice, Souza, and Ward-Engelking, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Brigham Cardon, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 22, 2017

Dear Mr. President:

I transmit herewith [H 301](#), as amended, [H 307](#), [H 308](#), [H 309](#), and [H 312](#), which have passed the House.

MAULIN, Chief Clerk

[H 301](#), as amended, [H 307](#), [H 308](#), [H 309](#), and [H 312](#) were filed for first reading.

On request by Senator Davis, 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 301](#), as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 307](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 308](#), [H 309](#), and [H 312](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

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

Reports of Standing Committees

March 23, 2017

The JUDICIARY AND RULES Committee reports that [S 1099](#), as amended in the House, has been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1099](#), as amended in the House, and ordered it transmitted to the House for the signature of the Speaker.

March 23, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 109](#) was delivered to the Office of the Secretary of State at 9:34 a.m., March 22, 2017.

LODGE, Chairman

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

March 23, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1013](#), [S 1023](#), [S 1024](#), [S 1025](#), [S 1026](#), [S 1108](#), [S 1132](#), [S 1133](#), [S 1137](#), [S 1138](#), [S 1136](#), [S 1117](#), [S 1111](#), [S 1101](#), [S 1083](#), [S 1089](#), [S 1092](#), [S 1113](#), [S 1145](#), [S 1146](#), and [S 1069](#) were delivered to the Office of the Governor at 9:35 a.m., March 22, 2017.

LODGE, Chairman

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

March 22, 2017

The FINANCE Committee reports out [S 1204](#) and [S 1205](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1204](#) and [S 1205](#) were filed for second reading.

March 23, 2017

The FINANCE Committee reports out [H 308](#), [H 309](#), and [H 312](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 308](#), [H 309](#), and [H 312](#) were filed for second reading.

March 23, 2017

The RESOURCES AND ENVIRONMENT Committee reports out [H 301](#), as amended, and [H 319](#) with the recommendation that they do pass.

BAIR, Chairman

[H 301](#), as amended, and [H 319](#) were filed for second reading.

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

Messages from the House

March 22, 2017

Dear Mr. President:

I return herewith [S 1086](#), [S 1107](#), [S 1152](#), [S 1164](#), [S 1165](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), [S 1041](#), [S 1076](#), as amended, [S 1088](#), [S 1105](#), and [S 1109](#), which have passed the House.

MAULIN, Chief Clerk

[S 1086](#), [S 1107](#), [S 1152](#), [S 1164](#), [S 1165](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), [S 1041](#), [S 1076](#), as amended, [S 1088](#), [S 1105](#), and [S 1109](#) were referred to the Judiciary and Rules Committee for enrolling.

March 22, 2017

Dear Mr. President:

I transmit herewith Enrolled [HCR 13](#), [HJM 7](#), [H 148](#), [H 250](#), [H 222](#), [H 146](#), [H 99](#), as amended, [H 136](#), [H 138](#), [H 243](#), [H 111](#), as amended, [H 131](#), as amended, [H 212](#), [H 242](#), [H 205](#), [H 216](#), [H 235](#), and [H 93](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 13](#), [HJM 7](#), [H 148](#), [H 250](#), [H 222](#), [H 146](#), [H 99](#), as amended, [H 136](#), [H 138](#), [H 243](#), [H 111](#), as amended, [H 131](#), as amended, [H 212](#), [H 242](#), [H 205](#), [H 216](#), [H 235](#), and [H 93](#) and ordered them returned to the House.

March 22, 2017

Dear Mr. President:

I return herewith Enrolled [S 1074](#), as amended, [S 1038](#), as amended, [S 1126](#), as amended, [S 1118](#), [S 1079](#), [S 1153](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), and [S 1160](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1074](#), as amended, [S 1038](#), as amended, [S 1126](#), as amended, [S 1118](#), [S 1079](#), [S 1153](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), and [S 1160](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 22, 2017

Dear Mr. President:

I return herewith Enrolled [SCR 113](#), [SCR 114](#), [SCR 115](#), and [SCR 103](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 113](#), [SCR 114](#), [SCR 115](#), and [SCR 103](#) 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 Pro Tempore announced that the State Affairs Committee report relative to the gubernatorial appointment of Jerry F. Aldape was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Winder, the gubernatorial appointment of Jerry F. Aldape as a member of the Idaho Endowment Fund Investment 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.

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

Second Reading of Bills

[H 139](#), by Business Committee, was read the second time at length and filed for third reading.

[H 294](#), [H 295](#), [H 296](#), [H 297](#), [H 298](#), [H 300](#), [H 302](#), [H 303](#), [H 304](#), [H 305](#), and [H 306](#), 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

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 139](#) 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 139](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbrod, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

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

[H 139](#) 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—Agenbrod, Bair, Bayer, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Anthon, Brackett, Davis, Guthrie, Lee, Stennett.
Total - 6.

Total - 35.

Whereupon the President Pro Tempore declared [H 139](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 294](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 294](#) was before the Senate for final consideration.

[H 294](#) 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 294](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 295](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 295](#) was before the Senate for final consideration.

[H 295](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 295](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Buckner-Webb, that all rules of the Senate interfering with the immediate consideration of [H 296](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 296](#) was before the Senate for final consideration.

[H 296](#) 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 296](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 297](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 297](#) was before the Senate for final consideration.

[H 297](#) 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, Crabtree, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 28.

NAYS—Buckner-Webb, Burgoyne, Den Hartog, Foreman, Jordan, Nye, Stennett. Total - 7.

Total - 35.

Whereupon the President Pro Tempore declared [H 297](#) passed, title was approved, and the bill ordered returned to the House.

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

Motions and Resolutions

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

Reports of Standing Committees

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:03 p.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 Pro Tempore Hill presiding.

Roll call showed all members present except Senators Bayer, Brackett, Jordan, and Vick, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

Senators Brackett and Vick were recorded present at this order of business.

March 23, 2017

The JUDICIARY AND RULES Committee reports that [S 1086](#), [S 1107](#), [S 1152](#), [S 1164](#), [S 1165](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), [S 1041](#), [S 1076](#), as amended, [S 1088](#), [S 1105](#), and [S 1109](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1086](#), [S 1107](#), [S 1152](#), [S 1164](#), [S 1165](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), [S 1041](#), [S 1076](#), as amended, [S 1088](#), [S 1105](#), and [S 1109](#) and ordered them transmitted to the House for the signature of the Speaker.

March 23, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1074](#), as amended, [S 1038](#), as amended, [S 1126](#), as amended, [S 1118](#), [S 1079](#), [S 1153](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), and [S 1160](#) were delivered to the Office of the Governor at 10:35 a.m., March 23, 2017.

LODGE, Chairman

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

March 23, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 113](#), [SCR 114](#), [SCR 115](#), and [SCR 103](#) were delivered to the Office of the Secretary of State at 10:46 a.m., March 23, 2017.

LODGE, Chairman

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

Senators Bayer and Jordan were recorded present at this order of business.

March 23, 2017

The STATE AFFAIRS Committee reports out [H 315](#), [HCR 29](#), and [H 307](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 315](#) and [H 307](#) were filed for second reading.

[HCR 29](#) 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 Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 301](#), 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 [H 301](#), 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

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

H 301, 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 301**, as amended, passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 319** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that **H 319** was before the Senate for final consideration.

H 319 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 319** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, **S 1204** retained its place on the Second Reading Calendar.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1205** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that **S 1205** was before the Senate for final consideration.

S 1205 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1205** 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 **H 308** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that **H 308** was before the Senate for final consideration.

H 308 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 308** 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 309** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

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

H 309 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 309** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 312** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

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

H 312 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 312** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1204** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

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

S 1204 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1204** passed, title was approved, and the bill ordered transmitted to the House.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of **H 298** 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 298** 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

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

H 298 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, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Den Hartog, Martin. Total - 2.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 298](#) 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 300](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 300](#) was before the Senate for final consideration.

[H 300](#) 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, Crabtree, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman, Vick. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 300](#) 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 302](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 302](#) was before the Senate for final consideration.

[H 302](#) 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 302](#) 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 303](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 303](#) was before the Senate for final consideration.

[H 303](#) 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, Crabtree, Davis, Den Hartog, Foreman, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Guthrie, Harris. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 303](#) 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 304](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 304](#) was before the Senate for final consideration.

[H 304](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Agenbroad disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 304](#) 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 305](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 305](#) was before the Senate for final consideration.

[H 305](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 305](#) 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 306](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 306](#) was before the Senate for final consideration.

[H 306](#) 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, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 306](#) passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned in recognition and with gratitude for the excellent service of these Senate Pages; Shanyce Barber, McKinley Bradshaw, Bridger Cardon, Brigham Cardon, Anika Draper, Melissa Freeman, Sydney Madsen, Ethan Oleson, and Aaron Swanson at 4:12 p.m. until the hour of 10 a.m., Friday, March 24, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SEVENTY-FIFTH LEGISLATIVE DAY
FRIDAY, MARCH 24, 2017

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Melissa Freeman, 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 23, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 23, 2017

Dear Mr. President:

I transmit herewith [H 313](#) and [H 314](#), which have passed the House.

MAULIN, Chief Clerk

[H 313](#) and [H 314](#) were filed for first reading.

March 23, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 253](#), [H 254](#), [H 257](#), [H 262](#), [H 137](#), as amended, [H 166](#), [H 244](#), [H 259](#), [H 260](#), [H 261](#), [H 265](#), [H 266](#), [H 272](#), [H 275](#), [H 276](#), [H 277](#), [H 280](#), [H 281](#), and [H 282](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 253](#), [H 254](#), [H 257](#), [H 262](#), [H 137](#), as amended, [H 166](#), [H 244](#), [H 259](#), [H 260](#), [H 261](#), [H 265](#), [H 266](#), [H 272](#), [H 275](#), [H 276](#), [H 277](#), [H 280](#), [H 281](#), and [H 282](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [HCR 29](#) was before the Senate for final consideration.

Moved by President Pro Tempore Hill, seconded by Senator Stennett, that [HCR 29](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Foreman, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Bayer, Den Hartog, Guthrie, Nonini, Patrick. Total - 5.

Total - 35.

Whereupon the President declared [HCR 29](#) adopted, title was approved, and the resolution ordered returned to the House.

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

Messages from the House

March 24, 2017

Dear Mr. President:

I transmit herewith [H 316](#), which has passed the House.

MAULIN, Chief Clerk

[H 316](#) was filed for first reading.

On request by Senator Davis, 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 313](#), [H 314](#), and [H 316](#), 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 315](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 307](#), 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 Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 315](#) 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 315](#) 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

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

Call of the Senate was requested by Senator Keough.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senators Davis, Hagedorn, Johnson, and Mortimer, absent and excused.

The President directed the Sergeant at Arms to find and present Senators Davis, Hagedorn, Johnson, and Mortimer to the Senate.

Senators Davis, Hagedorn, Johnson, and Mortimer were recorded present.

On request by Senator Keough, granted by unanimous consent, the Call was lifted.

[H 315](#) 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 315](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 307](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 307](#) was before the Senate for final consideration.

[H 307](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 307](#) passed, title was approved, and the bill ordered returned to the House.

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

Reports of Standing Committees

March 24, 2017

The FINANCE Committee reports out [H 313](#), [H 314](#), and [H 316](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 313](#), [H 314](#), and [H 316](#) were filed for second reading.

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

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 313](#) 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 313](#) 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, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

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

H 313 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 30.

NAYS--Bayer, Den Hartog, Foreman, Rice, Vick. Total - 5.

Total - 35.

Whereupon the President declared **H 313** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 314** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 314** was before the Senate for final consideration.

H 314 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 314** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 316** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 316** was before the Senate for final consideration.

H 316 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 316** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned with gratitude for and in recognition of the sacrifice and support of each of our dear family members and friends at 11:32 a.m. until the hour of 10 a.m., Monday, March 27, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SEVENTY-EIGHTH LEGISLATIVE DAY
MONDAY, MARCH 27, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

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

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Sydney Madsen, 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 24, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 24, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Joni Burtenshaw of 1329 E. 1500 N. Terreton, ID, 83450, to be Acting State Senator for Legislative District 35, Butte, Fremont, and Jefferson Counties, State of Idaho.

This appointment commences on Monday March 27, 2017, and lasting through the duration of the session.

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 MEN, by these Presents, that pursuant to the provisions of Section 59-917, *Idaho Code*, Jeff C. Siddoway, State Senator, District 35, Butte, Fremont, and Jefferson Counties, State of Idaho, has nominated Joni Burtenshaw of 1329 E. 1500 N. Terreton, ID, 83450, to perform the duties of this office temporarily as Acting State Senator, District 35, Butte, Fremont, and Jefferson Counties, State of Idaho.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Joni Burtenshaw of Terreton, Idaho, to the office of State Senator, District 35, for a term commencing on Monday March 27, 2017, and continuing through the duration of the session.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this Twenty-fourth day of March, in the year of our Lord two thousand and seventeen and of the Independence of the United States of America, the two hundred and forty-first year.

/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.

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

March 27, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Troy Rohn of 1302 N. 21st St., Boise, ID, 83702, to be Acting State Senator for Legislative District 19, Ada County, State of Idaho.

This appointment commences on Monday March 27, 2017, and lasting as long as necessary.

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 MEN, by these present, 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 1302 N. 21st St., Boise, ID,

83702, to perform the duties of this office temporarily as Acting State Senator, District 19, Ada County, State of Idaho.

NOW, THEREFORE, I, C.L. "Butch" Otter, 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 State Senator, District 19, Ada County, State of Idaho, for a term commencing Monday March 27, 2017, and continuing 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.

Done at Boise, the Capital of Idaho, this Twenty-seventh day of March, in the year of our Lord two thousand and seventeen and of the Independence of the United States of America, the two hundred and forty-first year.

/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.

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.

March 24, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1031](#), [S 1039](#), as amended, [S 1043](#), as amended in the House, [S 1045](#), [S 1047](#), [S 1049](#), [S 1094](#), [S 1098](#), and [S 1123](#)

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

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

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

Messages from the House

March 24, 2017

Dear Mr. President:

I transmit herewith [HJM 9](#), which has passed the House.

MAULIN, Chief Clerk

[HJM 9](#) was filed for first reading.

March 24, 2017

Dear Mr. President:

I return herewith [S 1077](#), as amended, as amended in the House, which has failed to pass the House.

MAULIN, Chief Clerk

[S 1077](#), as amended, as amended in the House, was ordered filed in the office of the Secretary of the Senate.

March 24, 2017

Dear Mr. President:

I return herewith [S 1093](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Rice, granted by unanimous consent, [S 1093](#), 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.

March 24, 2017

Dear Mr. President:

I return herewith [S 1120](#), [S 1125](#), [S 1177](#), [S 1178](#), [S 1179](#), [S 1139](#), as amended, [S 1185](#), [S 1186](#), [S 1187](#), [S 1189](#), [S 1090](#), as amended, [S 1151](#), [S 1150](#), [S 1119](#), [S 1154](#), [S 1192](#), [S 1193](#), [S 1194](#), [SCR 111](#), [SCR 112](#), [SCR 116](#), [SCR 118](#), [SCR 119](#), [SCR 120](#), [S 1191](#), [S 1196](#), [S 1166](#), [S 1197](#), [S 1203](#), [S 1199](#), [S 1198](#), [S 1200](#), [S 1201](#), and [SCR 121](#), which have passed the House.

MAULIN, Chief Clerk

[S 1120](#), [S 1125](#), [S 1177](#), [S 1178](#), [S 1179](#), [S 1139](#), as amended, [S 1185](#), [S 1186](#), [S 1187](#), [S 1189](#), [S 1090](#), as amended, [S 1151](#), [S 1150](#), [S 1119](#), [S 1154](#), [S 1192](#), [S 1193](#), [S 1194](#), [SCR 111](#), [SCR 112](#), [SCR 116](#), [SCR 118](#), [SCR 119](#), [SCR 120](#), [S 1191](#), [S 1196](#), [S 1166](#), [S 1197](#), [S 1203](#), [S 1199](#), [S 1198](#), [S 1200](#), [S 1201](#), and [SCR 121](#) were referred to the Judiciary and Rules Committee for enrolling.

March 24, 2017

Dear Mr. President:

I transmit herewith Enrolled [HJM 6](#), [HJM 8](#), [HCR 26](#), [HCR 27](#), [H 279](#), [H 293](#), [H 284](#), [H 285](#), [H 286](#), [H 287](#), [H 288](#), [H 289](#), and [H 290](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HJM 6](#), [HJM 8](#), [HCR 26](#), [HCR 27](#), [H 279](#), [H 293](#), [H 284](#), [H 285](#), [H 286](#), [H 287](#), [H 288](#), [H 289](#), and [H 290](#) and ordered them returned to the House.

March 24, 2017

Dear Mr. President:

I return herewith Enrolled [S 1099](#), as amended in the House, [S 1086](#), [S 1107](#), [S 1152](#), [S 1164](#), [S 1165](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), [S 1041](#), [S 1076](#), as amended, [S 1088](#), [S 1105](#), and [S 1109](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1099](#), as amended in the House, [S 1086](#), [S 1107](#), [S 1152](#), [S 1164](#), [S 1165](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), [S 1041](#), [S 1076](#), as amended, [S 1088](#), [S 1105](#), and [S 1109](#) 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 Pro Tempore announced that the House amendments to [S 1093](#), 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 1093](#), as amended in the House?"

On request by Senator Rice, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1093](#), as amended in the House.

[S 1093](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

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

Messages from the Governor

March 24, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I am returning to you, without my approval, disapproved and vetoed, the following Senate Bill, to wit:

[S 1046](#)

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 10:53 a.m. on March 20, 2017. This well-intended legislation is fraught with complications and shortcomings - some clear and others more subtle- that compel me to reject it.

If approved, this bill would lead to greater net out-of-pocket health-care costs to plan participants, despite the \$500 annual State contribution to those individuals' health saving accounts (HSAs). That could come as a surprise to employees who decide to leave regular State health insurance coverage plan believing that they would save money under this high-deductible alternative.

The new plan also would be subject to all the requirements of the soon-to-be repealed Affordable Care Act, yet this legislation applies no fiscal impact to that policy consideration. What's more, implementing this legislation would pose administrative challenges that range from reprogramming of Controller's Office payroll and accounting systems to the timing of State deposits in the HSA accounts that the bill proposes to be in place on July 1 of this year.

Other considerations of concern include the absence of any provisions for determining a reduced contribution for part-time employees, differing contributions for self-only or family coverage, or employees hired mid-year.

This legislation was patterned on a plan adopted by the State of Indiana. However, the facts on the ground in Indiana do not translate seamlessly to those in Idaho or the administration of our State government. What's more, while Indiana's experience has helped control State spending on health care, it also resulted in higher out-of-pocket expenditures for its employees.

Nevertheless, this is a valuable contribution to the growing portfolio of constructive ideas that should be vetted, refined and further considered. I would encourage the Legislative Interim Committee on State Employee Group Insurance and benefits to make the substance of Senate Bill **1046** part of its discussion this summer as it develops recommendations for change to Idaho laws, rules and policies to promote a more competitive environment and greater personal responsibility while easing regulatory burdens and reducing the costs of health care and coverage.

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

On request by Senator Davis, granted by unanimous consent, [S 1046](#) was recommitted to the Commerce and Human Resources Committee.

March 24, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I am returning to you, without my approval, disapproved and vetoed, the following Senate Bill, to wit:

[S 1057](#)

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 10:53 a.m. on March 20, 2017.

I understand and appreciate the concerns that this measure was designed to address by removing references to the "Hay" company in Idaho Code and ensuring that our annual salary comparison surveys include both private- and public-sector data from the Idaho market.

However, the term "Hay profile" in § 67-5309B refers specifically to the State's methodology for setting the value of its classified jobs. It is not a reference to a specific vendor. Removing the term could have the unintended consequence of misleading some State agencies into believing they should create their own unique job classification and compensation processes.

The Hay job evaluation system provides uniformity and consistency. It is meeting the needs of our classified employee system, and most State agencies have no desire to change it. Before the Legislature reconvenes, the Division of Human Resources will seek to remove all references to "Hay Management Consultants" in its rules. But this bill would not remove statutory references to that or any other specific vendor as it purports to do.

I also have directed the Division of Human Resources to ensure that Idaho market data is more prevalent in future Change in Employee Compensation (CEC) reports. So I veto [S 1057](#) in favor of those executive actions that will more directly, specifically and effectively resolve the concerns that the legislation sought to address.

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

The question being, "Shall [S 1057](#) become law, the Governor's veto notwithstanding?"

Roll call resulted as follows:

AYES—Agenbroad, Bayer, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Jordan, Mortimer, Nonini, Nye, Rohn (Buckner-Webb), Souza, Thayne, Vick. Total - 16.

NAYS—Anthon, Bair, Brackett, Burgoyne, Burtenshaw (Siddoway), Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Patrick, Rice, Stennett, Ward-Engelking, Winder. Total - 19.

Total - 35.

Less than two-thirds having voted in the affirmative, the President Pro Tempore declared that [S 1057](#) has failed to become law, the Governor's veto sustained. [S 1057](#) and the Governor's message will be filed in the office of the Secretary of the Senate.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:15 p.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 Pro Tempore Hill presiding.

Roll call showed all members present except Senators Agenbroad, Bayer, Crabtree, Hagedorn, 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 27, 2017

The JUDICIARY AND RULES Committee reports that [S 1093](#), as amended in the House, has been correctly engrossed.

LODGE, Chairman

[S 1093](#), as amended in the House, was filed for first reading.

March 27, 2017

The JUDICIARY AND RULES Committee reports that [S 1120](#), [S 1125](#), [S 1177](#), [S 1178](#), [S 1179](#), [S 1139](#), as amended, [S 1185](#), [S 1186](#), [S 1187](#), [S 1189](#), [S 1090](#), as amended, [S 1151](#), [S 1150](#), [S 1119](#), [S 1154](#), [S 1192](#), [S 1193](#), [S 1194](#), [SCR 111](#), [SCR 112](#), [SCR 116](#), [SCR 118](#), [SCR 119](#), [SCR 120](#), [S 1191](#), [S 1196](#), [S 1166](#), [S 1197](#), [S 1203](#), [S 1199](#), [S 1198](#), [S 1200](#), [S 1201](#), and [SCR 121](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1120](#), [S 1125](#), [S 1177](#), [S 1178](#), [S 1179](#), [S 1139](#), as amended, [S 1185](#), [S 1186](#), [S 1187](#), [S 1189](#), [S 1090](#), as amended, [S 1151](#), [S 1150](#), [S 1119](#), [S 1154](#), [S 1192](#), [S 1193](#), [S 1194](#), [SCR 111](#), [SCR 112](#), [SCR 116](#), [SCR 118](#), [SCR 119](#), [SCR 120](#), [S 1191](#), [S 1196](#), [S 1166](#), [S 1197](#), [S 1203](#), [S 1199](#), [S 1198](#), [S 1200](#), [S 1201](#), and [SCR 121](#) and ordered them transmitted to the House for the signature of the Speaker.

March 27, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1099](#), as amended in the House, [S 1086](#), [S 1107](#), [S 1152](#), [S 1164](#), [S 1165](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), [S 1176](#), [S 1041](#), [S 1076](#), as amended, [S 1088](#), [S 1105](#), and [S 1109](#) were delivered to the Office of the Governor at 11:10 a.m., March 27, 2017.

LODGE, Chairman

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

Senator Mortimer was recorded present at this order of business.

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

Messages from the House

March 27, 2017

Dear Mr. President:

I transmit herewith [H 320](#), [H 321](#), [H 317](#), and [H 318](#), which have passed the House.

MAULIN, Chief Clerk

[H 320](#), [H 321](#), [H 317](#), and [H 318](#) were filed for first reading.

March 27, 2017

Dear Mr. President:

I return herewith [SCR 122](#), [SJM 102](#), [S 1205](#), [S 1202](#), [SCR 123](#), [SCR 124](#), and [S 1190](#), which have passed the House.

MAULIN, Chief Clerk

[SCR 122](#), [SJM 102](#), [S 1205](#), [S 1202](#), [SCR 123](#), [SCR 124](#), and [S 1190](#) were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, 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 1093](#), as amended in the House, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[H 320](#), [H 321](#), [H 317](#), and [H 318](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

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

Reports of Standing Committees

On request by Senator Davis, 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 JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO PROVIDING MONEYS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE; APPROVING GARVEE BONDING AUTHORITY TO FINANCE CERTAIN HIGHWAY TRANSPORTATION PROJECTS; PROVIDING A DESCRIPTION OF PROJECTS TO BE FINANCED WITH BOND PROCEEDS; LIMITING THE SCOPE OF THE PROJECTS; PROVIDING A REQUIREMENT REGARDING A GARVEE PROGRAM MANAGEMENT SERVICES AGREEMENT; PROVIDING FOR ISSUANCE OF GARVEE BONDS; PROVIDING THAT BONDS BE ISSUED WHEN NECESSARY; AMENDING SECTION 40-315, IDAHO CODE, TO REMOVE AN ELIGIBLE PROJECT; AMENDING SECTION 40-719, IDAHO CODE, TO REVISE DISTRIBUTION FROM THE STRATEGIC INITIATIVES PROGRAM, TO ESTABLISH PROVISIONS RELATING TO LOCAL UNITS OF GOVERNMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-720, IDAHO CODE, TO ESTABLISH THE TRANSPORTATION EXPANSION AND CONGESTION MITIGATION PROGRAM AND TO ESTABLISH A FUND; AMENDING SECTION 57-814, IDAHO CODE, TO CLARIFY LANGUAGE AND MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR A DISTRIBUTION; AMENDING SECTION 63-2520, IDAHO CODE, TO PROVIDE FOR A DISTRIBUTION TO A FUND; AMENDING SECTION 17, CHAPTER 341, LAWS OF 2015, TO EXTEND A SUNSET DATE; AMENDING SECTION 7, CHAPTER 337, LAWS OF 2014, TO REVISE A SUNSET CLAUSE; REPEALING SECTIONS 3, 4, 5 AND 6, CHAPTER 337, LAWS OF 2014; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

S 1206 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HJM 9, by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

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

Reports of Standing Committees

March 27, 2017

The JUDICIARY AND RULES Committee reports that S 1206 has been correctly printed.

LODGE, Chairman

S 1206 was referred to the Transportation Committee.

March 27, 2017

The FINANCE Committee reports out H 317, H 318, H 320, and H 321 with the recommendation that they do pass.

KEOUGH, Chairman

H 317, H 318, H 320, and H 321 were filed for second reading.

March 27, 2017

The JUDICIARY AND RULES Committee reports that SCR 122, SJM 102, S 1205, S 1202, SCR 123, SCR 124, and S 1190 have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled SCR 122, SJM 102, S 1205, S 1202, SCR 123, SCR 124, and S 1190 and ordered them transmitted to the House for the signature of the Speaker.

March 27, 2017

The TRANSPORTATION Committee reports out S 1206 with the recommendation that it do pass.

BRACKETT, Chairman

S 1206 was filed for second reading.

March 27, 2017

The STATE AFFAIRS Committee reports out HJM 9 with the recommendation that it do pass.

SIDDOWAY, Chairman

HJM 9 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 Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 317 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 317 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 (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

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

H 317 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Burgoyne, Burtenshaw (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 317](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 318](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 318](#) was before the Senate for final consideration.

[H 318](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose 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, Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Bair, Burtenshaw (Siddoway), Johnson, Mortimer. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared [H 318](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 320](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 320](#) was before the Senate for final consideration.

[H 320](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator 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 (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 320](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 321](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 321](#) was before the Senate for final consideration.

[H 321](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator 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 (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 321](#) passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:48 p.m. until the hour of 9:30 a.m., Tuesday, March 28, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

SEVENTY-NINTH LEGISLATIVE DAY
TUESDAY, MARCH 28, 2017

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Ethan Oleson, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 27, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1113](#), [S 1083](#), [S 1117](#), [S 1111](#), [S 1092](#),
[S 1089](#), [S 1069](#), [S 1024](#), [S 1025](#), [S 1026](#),
[S 1023](#), [S 1013](#), [S 1108](#), [S 1136](#), [S 1138](#),
[S 1137](#), [S 1133](#), [S 1132](#), [S 1145](#), and [S 1146](#)

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
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, 2017

Dear Mr. President:

I transmit herewith [H 326](#) and [H 329](#), which have passed the House.

MAULIN, Chief Clerk

[H 326](#) and [H 329](#) were filed for first reading.

March 27, 2017

Dear Mr. President:

I return herewith [S 1144](#), which has passed the House.

MAULIN, Chief Clerk

[S 1144](#) was referred to the Judiciary and Rules Committee for enrolling.

March 27, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 139](#), [H 294](#), [H 295](#), [H 296](#), [H 297](#), [H 301](#), as amended, [H 319](#), [H 308](#), [H 309](#), [H 312](#), [H 298](#), [H 300](#), [H 302](#), [H 303](#), [H 304](#), [H 305](#), [H 306](#), [H 118](#), as amended in the Senate, [H 11](#), as amended in the Senate, [H 184](#), as amended in the Senate, [H 145](#), as amended in the Senate, and [H 202](#), as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 139](#), [H 294](#), [H 295](#), [H 296](#), [H 297](#), [H 301](#), as amended, [H 319](#), [H 308](#), [H 309](#), [H 312](#), [H 298](#), [H 300](#), [H 302](#), [H 303](#), [H 304](#), [H 305](#), [H 306](#), [H 118](#), as amended in the Senate, [H 11](#), as amended in the Senate, [H 184](#), as amended in the Senate, [H 145](#), as amended in the Senate, and [H 202](#), as amended in the Senate, and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that [HJM 9](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Hagedorn, seconded by Senator Burgoyne, [HJM 9](#) 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

[H 326](#) and [H 329](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

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

Reports of Standing Committees

March 28, 2017

The JUDICIARY AND RULES Committee reports that [S 1144](#) has been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1144](#) and ordered it transmitted to the House for the signature of the Speaker.

March 28, 2017

The FINANCE Committee reports out [H 326](#) and [H 329](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 326](#) and [H 329](#) were filed for second reading.

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

Second Reading of Bills

[S 1093](#), as amended in the House, and [S 1206](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 326](#) 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 326](#) 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 (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

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

[H 326](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as 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 (Siddoway), Crabtree, Davis, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Bayer, Den Hartog, Foreman, Guthrie, Nonini. Total - 5.

Total - 35.

Whereupon the President Pro Tempore declared [H 326](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 329](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw (Siddoway), Crabtree, Davis, Den Hartog, Hagedorn, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 329](#) was before the Senate for final consideration.

[H 329](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as 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 (Siddoway), Crabtree, Davis, Den Hartog, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Bayer, Foreman, Guthrie, Nonini, Patrick. Total - 5.

Total - 35.

Whereupon the President Pro Tempore declared [H 329](#) passed, title was approved, and the bill ordered returned to the House.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1093](#), as amended in the House, be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1093](#), as amended in the House, be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking. Total - 34.

NAYS—None.

Absent and excused—Winder. Total - 1.

Total - 35.

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

[S 1093](#), as amended in the House, 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 (Siddoway), Crabtree, Davis, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Souza, Thayn, Vick, Winder. Total - 27.

NAYS—Burgoyne, Den Hartog, Jordan, Keough, Nye, Rohn (Buckner-Webb), Stennett, Ward-Engelking. Total - 8.

Total - 35.

Whereupon the President Pro Tempore declared [S 1093](#), as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1206](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [S 1206](#) was before the Senate for final consideration.

[S 1206](#) 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, Burtenshaw (Siddoway), Crabtree, Davis, Hagedorn, Harris, Heider, Hill, Lakey, Lee, Lodge, Martin, Nye, Patrick, Rice, Ward-Engelking, Winder. Total - 19.

NAYS—Bair, Bayer, Burgoyne, Den Hartog, Foreman, Guthrie, Johnson, Jordan, Keough, Mortimer, Nonini, Rohn (Buckner-Webb), Souza, Stennett, Thayn, Vick. Total - 16.

Total - 35.

Whereupon the President Pro Tempore declared [S 1206](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Petitions, Resolutions, and Memorials

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

Reports of Standing Committees

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:13 p.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 Pro Tempore Hill presiding.

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

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 28, 2017

The JUDICIARY AND RULES Committee reports that [S 1093](#), as amended in the House, has been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1093](#), as amended in the House, and ordered it transmitted to the House for the signature of the Speaker.

Senator Rice was recorded present at this order of business.

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

Messages from the Governor

Senator Guthrie was recorded present at this order of business.

March 28, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I am transmitting today to the Office of the Secretary of State, the following Senate Bill, which will be allowed to become law without my signature within the time limited by law:

[S 1101](#)

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

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

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

Messages from the House

March 28, 2017

Dear Mr. President:

I return herewith [S 1141](#), which have passed the House.

MAULIN, Chief Clerk

[S 1141](#) were referred to the Judiciary and Rules Committee for enrolling.

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

Messages from the Governor

March 28, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1038](#), as amended, [S 1074](#), as amended,
[S 1079](#), [S 1118](#), [S 1126](#), as amended, [S 1153](#),
[S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), and [S 1160](#)

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

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

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

Miscellaneous Business

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

Messages from the House

March 28, 2017

Dear Mr. President:

I return herewith [S 1195](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Lakey, granted by unanimous consent, [S 1195](#), 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 Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the House amendments to [S 1195](#), 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 1195](#), as amended in the House?"

On request by Senator Lakey, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1195](#), as amended in the House.

[S 1195](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:56 p.m. until the hour of 10 a.m., Wednesday, March 29, 2017.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

EIGHTIETH LEGISLATIVE DAY
WEDNESDAY, MARCH 29, 2017

Senate Chamber

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

Roll call showed all members present except Senator Souza, absent and formally excused by the Chair; and Acting Senator Rohn, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Aaron Swanson, 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, 2017, was read and approved as corrected.

LODGE, 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 Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 29, 2017

The JUDICIARY AND RULES Committee reports that [S 1141](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1141](#) and ordered it transmitted to the House for the signature of the Speaker.

March 29, 2017

The JUDICIARY AND RULES Committee reports that [S 1195](#), as amended in the House, has been correctly engrossed.

LODGE, Chairman

[S 1195](#), as amended in the House, was filed for first reading.

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

Messages from the House

March 28, 2017

Dear Mr. President:

I transmit herewith [H 334](#), which has passed the House.

MAULIN, Chief Clerk

[H 334](#) was filed for first reading.

March 28, 2017

Dear Mr. President:

I return herewith [S 1206](#) and [SCR 105](#), which have passed the House.

MAULIN, Chief Clerk

[S 1206](#) and [SCR 105](#) were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, 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 1195](#), as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

[H 334](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

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

Reports of Standing Committees

On request by Senator Davis, granted by unanimous consent, the President appointed a committee consisting of Senator Winder, Chairman, and Senator Ward-Engelking to escort the committee from the House of Representatives into the Senate Chamber.

Representatives Thompson, Holtzclaw, and Smith informed the Senate that the House was ready to adjourn *Sine Die*.

The President thanked and discharged the committee.

Senator Rohn was recorded present at this order of business.

March 29, 2017

The JUDICIARY AND RULES Committee reports that [S 1206](#) and [SCR 105](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1206](#) and [SCR 105](#) and ordered them transmitted to the House for the signature of the Speaker.

March 29, 2017

The TRANSPORTATION Committee reports out [H 334](#) with the recommendation that it do pass.

BRACKETT, Chairman

[H 334](#) was filed for second reading.

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

Messages from the House

March 29, 2017

Dear Mr. President:

I transmit herewith [H 328](#), which has passed the House.

MAULIN, Chief Clerk

[H 328](#) was filed for first reading.

On request by Senator Davis, 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 328](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

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

Reports of Standing Committees

March 29, 2017

The FINANCE Committee reports out [H 328](#) with the recommendation that it do pass.

KEOUGH, Chairman

[H 328](#) was filed for second reading.

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

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1195](#), as amended in the House, be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1195](#), as amended in the House, be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Stennett, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Souza, Thayn. Total - 2.

Total - 35.

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

[S 1195](#), as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Davis, Hill, Lakey, Martin. Total - 5.

NAYS—Agenbroad, Bair, Bayer, Brackett, Burgoyne, Burtenshaw (Siddoway), Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lee, Lodge, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

Absent and excused—Souza. Total - 1.

Total - 35.

Whereupon the President declared that [S 1195](#), as amended in the House, had failed to pass the Senate and ordered the bill filed in Office of the Secretary of Senate.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 334](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Souza. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 334](#) was before the Senate for final consideration.

[H 334](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as 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 (Siddoway), Crabtree, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Nye, Rice, Rohn (Buckner-Webb), Stennett, Ward-Engelking, Winder. Total - 26.

NAYS—Bayer, Den Hartog, Foreman, Mortimer, Nonini, Patrick, Thayn, Vick. Total - 8.

Absent and excused—Souza. Total - 1.

Total - 35.

Whereupon the President declared [H 334](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 328](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw (Siddoway), Crabtree, Davis, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Rohn (Buckner-Webb), Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Souza. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 328](#) was before the Senate for final consideration.

[H 328](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as 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 (Siddoway), Crabtree, Davis, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Rohn (Buckner-Webb), Stennett, Thayne, Ward-Engelking, Winder. Total - 27.

NAYS—Bayer, Den Hartog, Foreman, Guthrie, Hagedorn, Nonini, Vick. Total - 7.

Absent and excused—Souza. Total - 1.

Total - 35.

Whereupon the President declared [H 328](#) passed, title was approved, and the bill ordered returned to the House.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [S 1162](#) was recommitted to the Transportation Committee.

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

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the President appointed a committee consisting of Senator Heider, Chairman, and Senators Guthrie and Nye 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 Davis, granted by unanimous consent, the President appointed a committee consisting of President Pro Tempore Hill, Chairman, and Senators Stennett and Burtenshaw 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 Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

President Pro Tempore Hill ordered the Sergeant at Arms to retrieve the Idaho State flag that had been raised over the Senate Chambers during the First Regular Session of the Sixty-fourth Legislature of the State of Idaho. The flag was then presented to Senator Bair in honor of his exemplary service to the Senate.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the First Regular Session of the Sixty-fourth Legislature of the Idaho Senate adjourned *Sine Die* at 12 noon, in recognition of the exemplary service of the Senate attaches, Wednesday, March 29, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

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

March 28, 2017

Dear Mr. President:

I return herewith Enrolled [S 1120](#), [S 1125](#), [S 1177](#), [S 1178](#), [S 1179](#), [S 1139](#), as amended, [S 1185](#), [S 1186](#), [S 1187](#), [S 1189](#), [S 1090](#), as amended, [S 1151](#), [S 1150](#), [S 1119](#), [S 1154](#), [S 1192](#), [S 1193](#), [S 1194](#), [SCR 111](#), [SCR 112](#), [SCR 116](#), [SCR 118](#), [SCR 119](#), [SCR 120](#), [S 1191](#), [S 1196](#), [S 1166](#), [S 1197](#), [S 1203](#), [S 1199](#), [S 1198](#), [S 1200](#), [S 1201](#), [SCR 121](#), [SCR 122](#), [SJM 102](#), [S 1205](#), [S 1202](#), [SCR 123](#), [SCR 124](#), and [S 1190](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1120](#), [S 1125](#), [S 1177](#), [S 1178](#), [S 1179](#), [S 1139](#), as amended, [S 1185](#), [S 1186](#), [S 1187](#), [S 1189](#), [S 1090](#), as amended, [S 1151](#), [S 1150](#), [S 1119](#), [S 1154](#), [S 1192](#), [S 1193](#), [S 1194](#), [S 1191](#), [S 1196](#), [S 1166](#), [S 1197](#), [S 1203](#), [S 1199](#), [S 1198](#), [S 1200](#), [S 1201](#), [S 1205](#), [S 1202](#), and [S 1190](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled [SCR 111](#), [SCR 112](#), [SCR 116](#), [SCR 118](#), [SCR 119](#), [SCR 120](#), [SCR 121](#), [SCR 122](#), [SJM 102](#), [SCR 123](#), and [SCR 124](#) were referred to Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 28, 2017

The JUDICIARY AND RULES Committee reports that [S 1141](#), [S 1144](#), [S 1093](#), as amended in the House, [S 1206](#), and [SCR 105](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1141](#), [S 1144](#), [S 1093](#), as amended in the House, [S 1206](#), and [SCR 105](#) and ordered them transmitted to the House for the signature of the Speaker.

March 28, 2017

Dear Mr. President:

I return herewith Enrolled [S 1144](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1144](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 28, 2017

Dear Mr. President:

I return herewith Enrolled [S 1093](#), as amended in the House, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1093](#), as amended in the House, was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 29, 2017

Dear Mr. President:

I return herewith Enrolled [S 1141](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1141](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 29, 2017

Dear Mr. President:

I return herewith Enrolled [S 1206](#) and [SCR 105](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1206](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled [SCR 105](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 30, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 111](#), [SCR 112](#), [SCR 116](#), [SCR 118](#), [SCR 119](#), [SCR 120](#), [SCR 121](#), [SCR 122](#), [SJM 102](#), [SCR 123](#), [SCR 124](#), and [SCR 105](#) were delivered to the Office of the Secretary of State at 1:54 p.m., March 30, 2017.

LODGE, Chairman

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

March 30, 2017

The JUDICIARY AND RULES Committee reports that Enrolled [S 1120](#), [S 1125](#), [S 1177](#), [S 1178](#), [S 1179](#), [S 1139](#), as amended, [S 1185](#), [S 1186](#), [S 1187](#), [S 1189](#), [S 1090](#), as amended, [S 1151](#), [S 1150](#), [S 1119](#), [S 1154](#), [S 1192](#), [S 1193](#), [S 1194](#), [S 1191](#), [S 1196](#), [S 1166](#), [S 1197](#), [S 1203](#), [S 1199](#), [S 1198](#), [S 1200](#), [S 1201](#), [S 1205](#), [S 1202](#), [S 1190](#), [S 1144](#), [S 1093](#), as amended in the House, [S 1141](#), and [S 1206](#) were delivered to the Office of the Governor at 2 p.m., March 30, 2017.

LODGE, Chairman

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

March 28, 2017

Dear Mr. President:

I transmit herewith Enrolled [HCR 29](#), [H 315](#), [H 307](#), [H 313](#), [H 314](#), and [H 316](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 29](#), [H 315](#), [H 307](#), [H 313](#), [H 314](#), and [H 316](#) and ordered them returned to the House.

March 28, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 317](#), [H 318](#), [H 320](#), [H 321](#), [H 274](#), as amended in the Senate, and [H 67](#), as amended in the Senate, as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 317](#), [H 318](#), [H 320](#), [H 321](#), [H 274](#), as amended in the Senate, and [H 67](#), as amended in the Senate, as amended in the Senate, and ordered them returned to the House.

March 29, 2017

Dear Mr. President:

I transmit herewith Enrolled [HJM 9](#), [H 326](#), and [H 329](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HJM 9](#), [H 326](#), and [H 329](#) and ordered them returned to the House.

March 30, 2017

Dear Mr. President:

I transmit herewith Enrolled [H 334](#) and [H 328](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 334](#) and [H 328](#) and ordered them returned to the House.

April 4, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1041](#), [S 1086](#), [S 1088](#), [S 1099](#), as amended in the House, [S 1105](#), [S 1107](#), [S 1109](#), [S 1164](#), [S 1165](#), [S 1167](#), [S 1168](#), [S 1169](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), [S 1174](#), [S 1175](#), and [S 1176](#)

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

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

April 6, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1076](#), as amended, [S 1090](#), as amended, [S 1093](#), as amended in the House, [S 1119](#), [S 1120](#), [S 1125](#), [S 1139](#), as amended, [S 1141](#), [S 1144](#), [S 1150](#), [S 1151](#), [S 1152](#), [S 1154](#), [S 1166](#), [S 1177](#), [S 1178](#), [S 1179](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1189](#), [S 1190](#), [S 1191](#), [S 1192](#), [S 1193](#), [S 1194](#), [S 1196](#), [S 1198](#), [S 1199](#), [S 1200](#), [S 1201](#), [S 1202](#), [S 1203](#), and [S 1205](#)

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

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

April 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I have transmitted to you today the following Senate Bill, which was allowed to become law without my signature:

[S 1197](#)

as prescribed by the Constitution.

Having allowed Senate Bill 1101 to become law without my signature, limiting filing fees to \$100 for the processing

of deferred stockwater claims in the Snake River Basin Adjudication, I also now allow to become law without my signature Senate Bill 1197, which provides funds for the Idaho Department of Water Resources to process those stockwater claims.

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

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

April 11, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I have transmitted to you today the following Senate Bill, which was allowed to become law without my signature:

[S 1206](#)

as prescribed by the Constitution.

Transportation has been one of the central focuses and primary frustrations of my three terms as governor.

From the mistrust and misunderstandings that stifled our efforts in 2009 to the collaborative successes of 2015, we have made halting but very real progress towards securing a safer and more effective system of roads and bridges for Idaho motorists. We enacted the first fuel tax increase since 1996, along with vehicle registration increases and a "surplus eliminator" mechanism aimed at addressing our maintenance and repair backlog. And the Idaho Transportation Department has never been more efficient, effective or motivated to succeed.

Yet the gap between what's been accomplished and what remains to be done remains wide. Our transportation funding streams are tenuous, subject to federal reductions and too dependent on fuel tax revenue that is relatively diminishing as vehicles become more and more efficient.

So while I object to significant portions of this legislation for the reasons outlined below, the imminent and ongoing risk to our citizens and the negative impact on our key corridors of commerce are too great to keep Senate Bill 1206 from becoming law. What's more, the prospects for meaningful action to generate additional long-term funding for Idaho's roads and bridges in an election year are too remote to let this opportunity pass.

That being said, I am troubled by the determination - particularly in the House of Representatives - that General Fund revenue now must be an ingredient of any transportation revenue plan. I have said repeatedly and clearly that I oppose putting transportation in direct competition with education and our other constitutional and statutory commitments for General Fund revenue. So while I hope that lawmakers will reconsider the provision carving out 1 percent of State sales tax revenue from our General Fund, House leadership has expressed to me that such reconsideration is highly unlikely. But that is a discussion for the interim and beyond. Immediate needs require immediate action, and with all its flaws Senate Bill 1206 provides at least a short-term response.

Beyond what I consider its unwelcome draw on sales tax receipts, I withhold my signature from this legislation because it includes a dicey permanent diversion of funding from other sources. It also eliminates a requirement that some existing revenue be used only for maintenance and repairs and cuts out useful local accountability measures from an earlier version of the bill. I would encourage further consideration of both those issues.

Even those portions of the bill for which I expressed my early support violate my user-pay, pay-as-you-go philosophy toward transportation funding. But while increasing our bonded indebtedness by issuing up to \$300 million in additional GARVEE bonds authorized by this legislation is not my preferred option, it at least provides a noncompetitive revenue source for large construction projects like that on an already dangerously congested Interstate 84. I also remain relatively confident that our federal highway funding distributions will continue to cover debt service on our GARVEE bonds. So despite my misgivings, the pressing safety issues on I-84 compel my grudging approval.

It is worth noting that members of legislative leadership and germane committee chairs gave me little hope that substantive changes would be favorably considered in the 2018 session. So it appears that the mission of providing a more fiscally sound and sustainable answer to Idaho's transportation funding needs will be passed along to the next governor and Legislature.

I advise and implore them to look beyond quick fixes to proposals that are fiscally responsible within the context of all our budgetary demands, not dependent on year-to-year financial windfalls - either federal or State - and sustainable beyond a near-term window. It also should enable and encourage local highway jurisdictions - which have taxing authority of their own - to become more self-sufficient and accountable to their constituents by becoming less dependent on State-generated revenue.

I hope future deliberations will more broadly consider such measures as a fee on vehicle miles traveled to supplement the fuel tax and vehicle registration fees as the core elements of how we pay for the roads that safely connect us in order effectively grow the economy that sustains us.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
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, BRAD LITTLE, 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 March 29th, 2017, the Eightieth 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 17th day of April, 2017.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

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 - FIRST REGULAR SESSION -

SIXTY-FOURTH IDAHO LEGISLATURE - 2017

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HILL, BRENT President Pro Tempore	Rexburg
DAVIS, BART M. Majority Leader	Idaho Falls
WINDER, CHUCK Assistant Majority Leader	Boise
LAKEY, TODD M. Majority Caucus Chair	Nampa
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
BRUCK, LAUREN Journal Clerk	Boise
MCDONALD, SARAH JANE Sergeant at Arms	Boise
MARY SUE JONES Chief of Staff to President Pro Tem	Boise
LISTER, CAITLIN Minority Chief of Staff	Boise
BUHLER, KEITH Chaplain	Boise

SECTION II-O

SENATE COMMITTEE ASSIGNMENTS
2017 LEGISLATURE

[Organizational Session: December 1, 2016]

Agricultural Affairs (9)

Rice, Chairman
Den Hartog, Vice Chairman

Patrick
Bayer
Guthrie
Johnson
Thayn
Foreman

Jordan

Davis
Hagedorn
Anthon
Agenbroad
Foreman

Burgoyne
Nye

Judiciary and Rules (9)

Lodge, Chairman
Lee, Vice Chairman

Commerce and Human Resources (9)

Patrick, Chairman
Guthrie, Vice Chairman

Martin
Lakey
Thayn
Souza
Anthon

Ward-Engelking
Burgoyne

Hill
Siddoway
Rice
Vick
Patrick

Burgoyne
Nye

Local Government and Taxation (9)

Johnson, Chairman
Bayer, Vice Chairman

Resources and Environment (9)

Bair, Chairman
Vick, Vice Chairman

Winder
Nonini
Den Hartog
Guthrie
Crabtree

Buckner-Webb
Ward-Engelking

Siddoway
Brackett
Heider
Bayer
Johnson

Stennett
Jordan

Education (9)

Mortimer, Chairman
Thayn, Vice Chairman

State Affairs (9)

Siddoway, Chairman
Hagedorn, Vice Chairman

Finance (10)

Keough, Chairman
Martin, Vice Chairman

Bair
Mortimer
Souza
Lee
Agenbroad
Crabtree

Ward-Engelking
Nye

Davis
Hill
Winder
Lodge
Lakey

Stennett
Buckner-Webb

Health and Welfare (9)

Heider, Chairman
Souza, Vice Chairman

Transportation (9)

Brackett, Chairman
Nonini, Vice Chairman

Martin
Lee
Harris
Anthon
Agenbroad
Foreman

Jordan

Keough
Winder
Hagedorn
Den Hartog
Lodge
Harris

Buckner-Webb

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HILL, BRENT President Pro Tempore	Rexburg
DAVIS, BART M. Majority Leader	Idaho Falls
WINDER, CHUCK Assistant Majority Leader	Boise
LAKEY, TODD M. Majority Caucus Chair	Nampa
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
VILLARREAL, CANDACE Secretary to the Secretary of the Senate	Boise
BRUCK, LAUREN Journal Clerk	Boise
RANDOLPH, JILL Assistant Clerk	Boise
JONES, MARY SUE Chief of Staff to President Pro Tem	Boise
MOYER, PEGGY Assistant to the Majority Leader	Boise
BUJARSKI, DAVID Assistant to the Assistant Majority Leader	Boise
PENNINGTON, SHARON Assistant to the Majority Caucus Chairman	Boise
LISTER, CAITLIN Minority Chief of Staff	Boise
MCDONALD, SARAH JANE Sergeant at Arms	Boise
CSUTORAS, JERRY Assistant Sergeant at Arms	Boise

BUHLER, KEITH Boise
Chaplain

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JORDAN, MARYANNE Minority Caucus Chair Agricultural Affairs Health and Welfare Resources and Environment	Boise.....	17
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	<u>Agricultural Affairs (9)</u> Rice, Chairman Den Hartog, Vice Chairman			<u>Judiciary and Rules (9)</u> Lodge, Chairman Lee, Vice Chairman
Patrick Bayer Guthrie Johnson Thayn Foreman		Jordan	Davis Hagedorn Anthon Agenbroad Foreman	Burgoyne Nye
	<u>Commerce and Human Resources (9)</u> Patrick, Chairman Guthrie, Vice Chairman			<u>Local Government and Taxation (9)</u> Johnson, Chairman Bayer, Vice Chairman
Martin Lakey Thayn Souza Anthon		Ward-Engelking Burgoyne	Hill Siddoway Rice Vick Patrick	Burgoyne Nye
	<u>Education (9)</u> Mortimer, Chairman Thayn, Vice Chairman			<u>Resources and Environment (9)</u> Bair, Chairman Vick, Vice Chairman
Winder Nonini Den Hartog Guthrie Crabtree		Buckner-Webb Ward-Engelking	Siddoway Brackett Heider Bayer Johnson	Stennett Jordan
	<u>Finance (10)</u> Keough, Chairman Martin, Vice Chairman			<u>State Affairs (9)</u> Siddoway, Chairman Hagedorn, Vice Chairman
Bair Mortimer Souza Lee Agenbroad Crabtree		Ward-Engelking Nye	Davis Hill Winder Lodge Lakey	Stennett Buckner-Webb
	<u>Health and Welfare (9)</u> Heider, Chairman Souza, Vice Chairman			<u>Transportation (9)</u> Brackett, Chairman Nonini, Vice Chairman
Martin Lee Harris Anthon Agenbroad Foreman		Jordan	Keough Winder Hagedorn Den Hartog Lodge Harris	Buckner-Webb

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BEAMS, BRYON	Page
BENNETT, GAYE	Transportation Committee Secretary
BRADSHAW, MCKINLEY	*Page
BRUCK, LAUREN	Journal Clerk
BUDELL, JUANITA	Resources and Environment Committee Secretary
BUHLER, KEITH	Chaplain
BUJARSKI, DAVID	Assistant to the Assistant Majority Leader
BUSH, KIT	Page
CARDON, BRIDGER	*Page
CARDON, BRIGHAM	*Page
CARR, JENNIFER	Local Government and Taxation Committee Secretary
CHAMBERS, ALAIRE	Page
CLARK, ARTI	Majority Staff Assistant
CLAYTON, JEANNE	Majority Staff Assistant
CORNWALL, CAROL	Judiciary and Rules Committee Secretary
CSUTORAS, JERRY	Assistant Sergeant at Arms
DEIS, CAROL	Agricultural Affairs Committee Secretary
DILLON, KELSEY	Minority Staff Assistant
DRAPER, ANIKA	*Page
FREEMAN, MELISSA	*Page
GALLIANI, ANNIKA	Minority Staff Assistant
HAYS, AUDREY	Majority Staff Assistant
HIGHBURGER, AMBER	Majority Staff Assistant
HONSAKER, AMBERLEE	Finance Committee Secretary
JACKSON-HEIM, JEANNE	Health and Welfare Committee Secretary
JENSEN, TESS	Page
JONES, MARY SUE	**Chief of Staff to President Pro Tem
KAMBEITZ, LINDA	Commerce and Human Resources Committee Secretary
LISTER, CAITLIN	**Minority Chief of Staff
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<u>Name</u>	<u>Position</u>
MELTON, TWYLA.....	State Affairs Committee Secretary
MILLER, KATY.....	Majority Staff Assistant
MOHR, LEANN.....	Education Committee Secretary
MOYER, PEGGY.....	Assistant to the Majority Leader
NOVAK, JENNIFER.....	**Secretary of the Senate
OLESON, ETHAN.....	*Page
PENNINGTON, SHARON.....	Assistant to the Majority Caucus Chairman
RANDOLPH, JILL.....	Assistant Clerk
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SWENSON, ETHAN.....	Minority Staff Assistant
VILLARREAL, CANDACE.....	Secretary to the Secretary of the Senate
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Attache sworn in January 11, 2017

* Attache sworn in February 22, 2017

** Permanent Employees

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SECTION V

NUMERICAL INDEX OF SENATE BILLS

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

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1001	Burgoyne	S St Aff	ELECTIONS - Repeals, amends and adds to existing law to provide for a nonpartisan election of county, state and district officers.	16	-	18
1002	Burgoyne	S Jud	MOTOR VEHICLES - Amends existing law to provide that a driver involved in an accident who believes or has reason to believe that the accident resulted in injury or death shall have certain duties.	16	-	18
1003	Health and Welfare	LAW	NURSES - Amends existing law to revise provisions regarding nurse emeritus licenses; and renewal and reinstatement of nurse licenses. Session Law Chapter No. 55	17	87	169
1004	Health and Welfare	LAW	BOARD OF NURSING - Amends existing law to revise provisions regarding compensation for members of the Board of Nursing. Session Law Chapter No. 49	17	57	143
1005	Health and Welfare	LAW	CHILD PROTECTION - Amends existing law to revise definitions in the Child Protective Act. Session Law Chapter No. 38	24	50	139
1006	Burgoyne	S Transp	MOTOR VEHICLES - Amends and adds to existing law to authorize the Idaho Transportation Department to issue driving privilege cards to certain individuals.	28	-	30
1007	Commerce and Human Resources	S Com/HuRes	ENGINEERS AND SURVEYORS - Amends existing law to provide that the board may require mediation of disputes between professional land surveyors.	29	-	120
1008	Commerce and Human Resources	LAW	SURVEYS - Amends existing law to revise the definition of "basis of bearing." Session Law Chapter No. 86	29	113	235
1009	Health and Welfare	LAW	CROP RESIDUE BURNING - Amends, repeals and adds provisions regarding the open burning of crop residue. Session Law Chapter No. 56	29	48	169
1010	Finance	LAW	APPROPRIATIONS - FISH AND GAME - Appropriates an additional \$400,000 to the Department of Fish and Game for fiscal year 2017. Session Law Chapter No. 2	31	39	66
1011	Judiciary and Rules	LAW	JUVENILE CORRECTIONS - Amends existing law to provide a correct code reference. Session Law Chapter No. 87	31	98	235

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1012	Judiciary and Rules	S Jud	JUVENILE CORRECTIONS - Amends existing law to provide that the department shall notify certain persons at the time of a juvenile's actual release.	31	-	33
1013	Judiciary and Rules	LAW	MINORS - Repeals existing law relating to possession of marijuana or drug paraphernalia by a minor, the use of controlled substances, and fines. Session Law Chapter No. 163	31	98	273
1014	Education	S Educ	SCHOOL TECHNOLOGY - Amends existing law to remove a date from the title of the Idaho Educational Technology Initiative, to require each school district and public charter school to submit a technology plan to the State Department of Education, and to provide the requirements for such plans.....	32	-	33
1015	Education	H Educ	EDUCATION - Amends existing law to revise the definitions of "instructional staff," "measurable student achievement," and "performance criteria.".....	32	48	48
1016	Local Government and Taxation	LAW	TAX APPEALS BOARD - Amends existing law to increase daily compensation for members of the Board of Tax Appeals. Session Law Chapter No. 39	33	50	139
1017	Local Government and Taxation	H Gen Ord	FIRE PROTECTION DISTRICTS - Amends existing law to revise a notice provision for holding an election in a fire protection district.	33	56	56
1018	Education	LAW	EDUCATION - Repeals existing law relating to school accountability report cards. Session Law Chapter No. 59	33	71	214
1019	Education	LAW	SCHOOL SAFETY PATROLS - Repeals and adds to existing law to provide for school safety patrols, to provide that it is unlawful for a vehicle operator to disregard directions from a school safety patrol member, and to provide for the reporting of violations. Session Law Chapter No. 60	33	67	214
1020	Finance	LAW	APPROPRIATIONS - SECRETARY OF STATE - Appropriates an additional \$2,222,200 to the Secretary of State for fiscal year 2017. Session Law Chapter No. 12	36	48	105
1021	Finance	LAW	APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Appropriates to the Public Defense Commission an additional \$100,000 from the General Fund in operating expenditures for fiscal year 2017; and reduces the appropriation to the Public Defense Commission by \$100,000 from the General Fund in trustee and benefit payments for fiscal year 2017. Session Law Chapter No. 11	37	48	105
1022	Finance	LAW	APPROPRIATIONS - DIVISION OF VOCATIONAL REHABILITATION - Appropriates an additional \$3,000 to the Division of Vocational Rehabilitation for the Council for the Deaf and Hard of Hearing for fiscal year 2017. Session Law Chapter No. 10	37	48	105
1023	Judiciary and Rules	LAW	FUNERAL PROCESSIONS - Amends existing law to revise penalties for certain violations. Session Law Chapter No. 170	37	113	273

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1024	Judiciary and Rules	LAW	CHILD PROTECTIVE ACT - Amends existing law to revise the definition of "protective order." Session Law Chapter No. 174	37	114	273
1025	Judiciary and Rules	LAW	ADMINISTRATIVE JUDGES - Amends existing law to remove a certain power of an administrative judge. Session Law Chapter No. 173	37	114	273
1026	Judiciary and Rules	LAW	CRIMINAL PROCEDURE - Amends existing law to revise a provision regarding who may apply for relief. Session Law Chapter No. 172	37	114	273
1027	Resources and Environment	LAW	FISH AND GAME - Amends existing law to revise certain license, tag and permit provisions; to provide for grizzly bear tags; to require taxidermist and fur buyer's licenses for those that engage in the business of buying certain skins and parts of specified animals; to require the retention of records for those who purchase certain skins and parts of specified animals; to revise reporting requirements regarding the taking of certain wolves and to provide for the control of depredation of grizzly bear; to provide an exception for grizzly bear to prohibitions of waste and destruction of wildlife; and to provide for reimbursement to the state for grizzly bear killed, possessed or wasted. Session Law Chapter No. 61	37	77	214
1028	Resources and Environment	LAW	UNDERGROUND STORAGE TANK ACT - Adds to existing law to provide for the Idaho Underground Storage Tank Program Fund. Session Law Chapter No. 40	37	64	139
1029	Education	LAW	POSTSECONDARY EDUCATION - Amends existing law to provide that a school district shall provide counseling services regarding the granting of postsecondary credit for career technical courses; and to authorize the school district to grant credit for career technical courses. Session Law Chapter No. 88	39	67	235
1030	Education	LAW	DUAL ENROLLMENT - Amends existing law to provide for the dual enrollment of a student in a public charter school and to provide for related restrictions and clarifications. Session Law Chapter No. 62	39	72	214
1031	State Affairs	LAW	VETERANS - Amends existing law to provide for the Veterans Transportation Fund Grant Program and to remove reference to a voucher system. Session Law Chapter No. 109	39	72	268
1032	Local Government and Taxation	LAW	PERMANENT BUILDING FUND - Amends existing law to remove obsolete statutory and session law references in a statute dealing with anticipation of revenues in the Permanent Building Fund. Session Law Chapter No. 41	44	72	139
1033	Education	H Educ	EDUCATIONAL DATA SYSTEM - Amends existing law to revise a definition; to clarify the conditions under which student data is personally identifiable, to specify the storage of student data, and to provide that the State Board of Education and the Department of Education shall ensure the security of the educational data system.	44	77	77

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1034	Education	LAW	EDUCATION - Amends existing law to remove a requirement for a broadband infrastructure improvement grant and to revise the duty of the State Board of Education to make certain rules. Amended in the Senate Session Law Chapter No. 89	44 68	- 94	- 235
1035	State Affairs	LAW	ENDOWMENT FUND INVESTMENT BOARD - Amends existing law to revise daily compensation provided to members of the Endowment Fund Investment Board. Session Law Chapter No. 90	44	77	235
1036	Finance	LAW	APPROPRIATIONS - TRANSPORTATION DEPARTMENT- Appropriates an additional \$24,760,900 to the Idaho Transportation Department for fiscal year 2017..... Session Law Chapter No. 9	47	62	105
1037	Commerce and Human Resources	LAW	DENTISTS - Amends existing law to revise provisions regarding the licensing of dentists and dental hygienists. Session Law Chapter No. 57	53	94	169
1038	Commerce and Human Resources	LAW	DENTISTS - Amends existing law to provide that the Board of Dentistry may commence emergency proceedings against a licensee under certain circumstances. Amended in the Senate Session Law Chapter No. 196	53 152	- 166	- 276
1039	Commerce and Human Resources	LAW	EMPLOYMENT SECURITY LAW - Amends existing law to provide that Idaho career information systems staff in the Department of Labor are classified employees and to provide for a onetime irrevocable election..... Amended in the Senate Session Law Chapter No. 110	53 132	- 160	- 268
1040	State Affairs	LAW	CODIFIER'S CORRECTIONS - Amends existing law to make codifier's corrections and to provide correct terminology and code references. Session Law Chapter No. 58	53	87	169
1041	Education	LAW	EDUCATION - Amends and adds to existing law to provide that moneys may be transferred to the Public Education Stabilization Fund under certain circumstances. Session Law Chapter No. 211	56	87	280
1042	Finance	LAW	APPROPRIATIONS - PERMANENT BUILDING FUND - Appropriates an additional \$384,100 to the Department of Administration for the Division of Public Works from the Permanent Building Fund for fiscal year 2017..... Session Law Chapter No. 42	60	87	139
1043	Transportation	LAW	MOTOR VEHICLES - Amends existing law to revise certain exceptions to widths of vehicles. Amended in the House (See House Journal) Session Law Chapter No. 111	60	97 199	- 268

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1044	Transportation	S Transp	DYED FUEL - Adds to and amends existing law to provide that certain vehicles shall be subject to inspection for dyed fuel; to provide conditions under which inspections may be conducted, to provide that specified provisions of law shall not be construed to require reporting of violations to the federal government, to provide for the limitation of inspection authority, to provide for outreach and education, to provide exceptions to applicability; to provide that the presence of dye in certain motor vehicles at a designated concentration or greater shall constitute a violation of specified law, to provide that certain persons may inspect, collect and secure samples of special fuel to detect the presence of dye under specified conditions; and to provide for fines.	60	-	63
1045	Commerce and Human Resources	LAW	IDAHO GLOBAL ENTREPRENEURIAL MISSION COUNCIL - Amends existing law to allow for subcommittees of the Idaho Global Entrepreneurial Mission Council, to provide membership of the subcommittees, and to provide powers and duties. Session Law Chapter No. 112	60	159	268
1046	Commerce and Human Resources	VETOED	HEALTH SAVINGS ACCOUNTS - Amends existing law to provide that a high deductible health plan shall be made available to state employees on an optional basis and to provide that the Department of Administration shall make an annual deposit of a certain amount in a health savings account.	60	131	269
1047	Commerce and Human Resources	LAW	SUBMERSIBLE WELL PUMPS - Amends existing law to revise a reference to the National Electrical Code. Session Law Chapter No. 113	60	113	268
1048	Commerce and Human Resources	H Bus	INSURANCE - Amends existing law to provide a certain statement regarding under-insured motor vehicle coverage.....	60	174	174
1049	Commerce and Human Resources	LAW	INSURANCE - Amends existing law to revise provisions regarding portable electronics insurance. Session Law Chapter No. 114	60	119	268
1050	Health and Welfare	S Health/Wel	IMMUNIZATIONS - Amends existing law to clarify language regarding exemptions.	67	-	69
1051	Health and Welfare	S Health/Wel	PERSONS WITH DISABILITIES - Amends and adds to existing law to provide that persons with mental or emotional disabilities may be accompanied by support animals in places open to the public.	67	-	69
1052	Transportation	S Transp	DYED FUEL - Amends and repeals existing law to remove references to dyed fuel.	70	-	74
1053	Transportation	S Transp	TRANSPORTATION BOARD - Amends existing law to provide additional duties of the board to develop a highway access management system based on objective standards that will balance the economic development objectives of properties abutting state of Idaho highways with the transportation safety and access management objectives of state highways in a manner consistent with certain criteria.....	70	-	74
1054	Transportation	S Transp	EMINENT DOMAIN - Amends existing law to revise procedures and factors regarding the assessment of damage in eminent domain proceedings.	70	-	74

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1055	Commerce and Human Resources	LAW	PERSONNEL - Amends existing law to authorize the director and administrator of the Division of Human Resources to seek certain legal remedies regarding recruitment or retention bonuses. Session Law Chapter No. 91	71	123	235
1056	Commerce and Human Resources	S Jud	IDAHO BAIL ACT - Amends existing law to revise provisions regarding bail forfeiture.	71	-	74
1057	Commerce and Human Resources	VETOED	EMPLOYEE COMPENSATION - Amends existing law to revise a provision regarding job evaluation and to provide that the annual survey shall contain certain data.	71	270	270
1058	Commerce and Human Resources	S FAILED	TELEHEALTH ACCESS - Adds to existing law to provide for coverage for the cost of telehealth services. Amended in the Senate	71 153	- 167	- 167
1059	Education	LAW	MASTER TEACHER PREMIUMS - Amends existing law to extend eligibility for master teacher premiums to pupil service staff employees under certain conditions. Session Law Chapter No. 92	71	131	235
1060	Health and Welfare	LAW	HEALTH CARE - Adds to existing law to provide that the state Department of Health and Welfare shall make available certain information regarding cytomegalovirus. Session Law Chapter No. 93	71	131	235
1061	State Affairs	H Com/HuRes	PERSONNEL - Amends existing law to provide that elected officials shall be ineligible for overtime, to provide that certain employees shall be eligible for overtime and to provide that certain employees shall be ineligible for overtime.	71	132	132
1062	Finance	LAW	APPROPRIATIONS - MILITARY DIVISION - Appropriates an additional \$4,400,000 to the Federal/State Agreements Program for construction and maintenance projects for fiscal year 2017. Session Law Chapter No. 50	75	98	143
1063	Resources and Environment	LAW	IRRIGATION - Amends existing law to provide that certain state lands shall be subject to specified law for the levy and collection of assessments. Session Law Chapter No. 63	76	123	214
1064	Resources and Environment	LAW	IRRIGATION - Amends existing law to revise fee provisions regarding petitions for exclusion; to revise when hearings are to be held regarding petitions for exclusion, to require payment of outstanding assessments, to provide for liens; to revise provisions regarding exceptions to payment of costs associated with exclusion of land, and to revise when hearings are to be held. Session Law Chapter No. 94	76	126	235

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1065	Resources and Environment	S Res/Env	LAND OWNERSHIP - Adds to existing law to set forth requirements for state agencies regarding the acquisition and sale of certain properties, to provide that under specified conditions state agencies shall be required to receive permission from county commissioners for acquisition of land and to provide that under specified conditions the Fish and Game Commission shall not be required to sell land due to certain land donations.	76	-	80
1066	Local Government and Taxation	S Loc Gov	IDENTITY THEFT - Amends existing law to provide that a tax preparer who experiences a data breach must inform the Idaho State Tax Commission.	76	-	80
1067	Local Government and Taxation	S Loc Gov	BUILDING CODES - Amends existing law to define "owner-builder"; to provide exemptions for owner-builders; and to provide for additional disclosure information.	76	-	80
1068	Agricultural Affairs	S Agric Aff	INVASIVE SPECIES - Amends and adds to existing law to establish the Office of Invasive Species Policy and to provide for its duties; to revise definitions; to revise the duties of the director of the Department of Agriculture with regard to invasive species; to encourage collaborative efforts with other agencies; and to provide a penalty for a person who fails to stop at a check station.	76	-	80
1069	Transportation	LAW	REAL ID - Amends existing law to provide that when the Idaho Transportation Board and the Idaho Transportation Department achieve approval by the Department of Homeland Security for issuance of REAL ID compliant driver's licenses and identification cards, applicants shall be offered a choice of compliant or noncompliant cards. Session Law Chapter No. 175	81	113	273
1070	Transportation	H Transp	MOTOR VEHICLES - Amends and adds to existing law to provide Idaho Rotary International specialty license plates.	81	119	119
1071	Transportation	S Transp	LICENSE PLATES - Amends existing law to provide an exception regarding the visibility of license plates.	81	-	85
1072	Transportation	S FAILED	DYED FUEL - Amends and adds to existing law to provide that certain vehicles shall be subject to inspection for dyed fuel; to provide conditions under which inspections may be conducted, to provide that specified provisions of law shall not be construed to require reporting violations to the federal government, to provide for the limitation of inspection authority, to provide for outreach and education, to provide exceptions to applicability; to provide that the presence of dye in certain motor vehicles at a designated concentration or greater shall constitute a violation, to provide that certain persons may inspect, collect and secure samples of special fuel to detect the presence of dye under specified conditions; and to provide for fines.	81	136	136
1073	Transportation	S Transp	COMMERCIAL DRIVER'S LICENSES - Amends existing law to revise provisions regarding skills test fees for commercial driver's licenses.	82	-	85

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1074	Commerce and Human Resources	LAW	PUBLIC PROCUREMENT - Amends and adds to existing law to revise provisions regarding procurement by political subdivisions; and to provide that political subdivisions may use a request for proposal process under certain circumstances. Amended in the Senate Session Law Chapter No. 197	82 132	- 159	- 276
1075	Commerce and Human Resources	LAW	INSURANCE - Amends existing law to revise provisions regarding dividends and other distributions. Session Law Chapter No. 95	82	119	235
1076	Commerce and Human Resources	LAW	PROTECTION OF PUBLIC EMPLOYEES - Amends existing law to clarify prohibited actions against employees. Amended in the Senate Session Law Chapter No. 272	82 172	- 190	- 281
1077	Commerce and Human Resources	H FAILED	INSURANCE - Repeals and adds to existing law to implement the Idaho Motor Vehicle Service Contract Act and the Idaho Vehicle Theft Protection Program Act..... Amended in the Senate Amended in the House (See House Journal)	82 132	- 159	- 268
1078	Commerce and Human Resources	S Com/HuRes	INSURANCE - Amends existing law to establish provisions regarding underinsured motor vehicle coverage.	82	-	85
1079	Commerce and Human Resources	LAW	LIMITED LINES TRAVEL INSURANCE ACT - Adds to and amends existing law to provide requirements for limited lines travel insurance producers. Session Law Chapter No. 198	82	161	276
1080	Local Government and Taxation	LAW	PROPERTY TAXES - Amends existing law to remove language specifying a date after which a county auditor must deliver a missed property roll to the tax collector. Session Law Chapter No. 96	83	114	235
1081	Health and Welfare	LAW	IMMUNIZATION ASSESSMENT BOARD - Amends existing law to extend the sunset date. Session Law Chapter No. 97	83	114	235
1082	Health and Welfare	S Health/Wel	COMMUNITY PRIMARY CARE PROGRAM - Adds to existing law to establish the Community Primary Care Program.	83	-	85
1083	Judiciary and Rules	LAW	EMERGENCY COMMUNICATIONS OFFICERS - Amends and adds to existing law to provide standards of training, education and certification of emergency communications officers. Session Law Chapter No. 181	86	136	273
1084	State Affairs	LAW	IRRIGATION DISTRICTS - Amends existing law to increase the county recorder filing fee for delinquency lists. Session Law Chapter No. 98	88	131	235
1085	State Affairs	LAW	BOARD OF COUNTY COMMISSIONERS - Amends existing law to revise a provision regarding notification of meetings of the board and to remove a provision regarding public notice for certain meetings. Session Law Chapter No. 99	89	131	235

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1086	State Affairs	LAW	HIGHWAY DISTRICTS - Amends existing law to revise when highway district commissioners may agree on a replacement commissioner in the event of a vacancy. Session Law Chapter No. 212	89	160	280
1087	State Affairs	S St Aff	HORSE RACING - Amends existing law to revise a provision regarding distribution of the source market fee.....	89	-	92
1088	Judiciary and Rules	LAW	DNA DATABASE ACT OF 1996 - Amends existing law to provide that registered sex offenders are required to submit DNA samples, to provide that a collection facility is not required to collect a DNA sample in certain instances; and to provide certain conditions for the collection of a DNA sample. Session Law Chapter No. 213	89	146	280
1089	Judiciary and Rules	LAW	WITNESSES IN CRIMINAL PROCEEDINGS - Amends existing law to provide that facility dogs shall be allowed to remain at the witness stand with a child during testimony in certain instances..... Session Law Chapter No. 176	89	124	273
1090	Judiciary and Rules	LAW	HEALTH CARE - Amends existing law to revise provisions regarding advance health care directives. Amended in the Senate Session Law Chapter No. 273	89 189	- 223	- 281
1091	Judiciary and Rules	LAW	LIMITED LIABILITY COMPANIES - Amends existing law to remove provisions regarding the dissolution of a limited liability company. Session Law Chapter No. 100	89	136	235
1092	Judiciary and Rules	LAW	RENEWAL OF JUDGMENTS - Amends existing law to provide that a renewed judgment may be recorded in the same manner as the original judgment, and the lien established thereby shall continue for 10 years from the date of the renewed judgment. Session Law Chapter No. 177	89	136	273
1093	Judiciary and Rules	LAW	CRIMINAL OFFENSES - Amends existing law to revise the penalties for unlawful entry and to provide for restitution. Amended in the House (See House Journal) Session Law Chapter No. 274	89	160 275	- 281
1094	Education	LAW	TEACHERS - Amends existing law to provide that a criminal history check on a teacher applicant may be shared with the employing school district. Session Law Chapter No. 115	89	131	268
1095	Education	S Educ	SCHOOLS - Adds to existing law to create the Special Education Reimbursement Act facilitating Medicaid reimbursement to schools for eligible pupils.	89	-	92
1096	Education	S Educ	SCHOOLS - Adds to existing law to provide funding for cost adjustments in a public school employer's portion of employee health care plans.	90	-	92
1097	Education	S Educ	SCHOOLS - Amends and adds to existing law to establish the Master Schools Premium as an alternative to the Master Teacher Premium.	90	-	92

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1098	Resources and Environment	LAW	OIL AND GAS - Adds to existing law to require producers to file monthly statements with the Idaho State Tax Commission, to provide for contents of the statements and to provide that statements or reports shall be signed and sworn to by the producer or a designee. Session Law Chapter No. 116	90	159	268
1099	Resources and Environment	LAW	DEPARTMENT OF LANDS - Amends existing law to provide for an administrator to handle matters of oil and gas conservation and to provide qualifications. Amended in the House (See House Journal) Session Law Chapter No. 214	90	126 253	- 281
1100	Resources and Environment	S Res/Env	OIL AND GAS - Amends and adds to existing law to require that when payment is made to any owner of a royalty interest, certain information shall be included on the payor's check stub or on an attachment; to provide that royalties shall not be reduced by costs; to revise confidentiality provisions; to provide for disclosure of certain records; to provide for metering of production and for custody transfer meters; to provide for the registration of all persons engaged in meter proving or testing and to provide for qualification; to provide for the testing of meters and to provide for variances; to provide requirements regarding the commingling of production; to provide for orders regarding spacing units and to provide for temporary spacing units; to revise application for integration order provisions; to remove an exception to requirements regarding good faith efforts to inform uncommitted owners of an intent to develop mineral resources in a proposed spacing unit; to remove certain redaction and mailing requirements; and to provide for civil penalties for violation of orders.	90	-	92
1101	Resources and Environment	LAW	WATER - Amends existing law to limit fees imposed for stock watering claims. Session Law Chapter No. 162	90	160	275
1102	Resources and Environment	S Res/Env	STOCKWATER RIGHTS - Repeals and adds to existing law to prohibit the acquisition of certain stockwater rights, to provide that certain permittees shall not be considered agents of the federal government, to limit the use of certain stockwater rights, and to provide for the effect of an illegal change of ownership or transfer.	90	-	92
1103	State Affairs	S Educ	SCHOOLS - Amends and adds to existing law to provide for the boundaries of school trustee zones, to provide that a school district may allow districtwide voting for all trustees, and to revise the dates of a school trustee's term of office. Amended in the Senate.....	96 172	- -	- 190
1104	Judiciary and Rules	S Jud	MAGISTRATES - Amends existing law to provide for the appointment of magistrates when certain vacancies occur, to provide for the reassignment of certain magistrates and to provide that the Supreme Court may request certain approval and appropriations.	102	-	104
1105	Judiciary and Rules	LAW	THEFT - Amends existing law to provide for other equipment in certain types of theft. Session Law Chapter No. 215	102	166	280

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1106	State Affairs	S St Aff	TOBACCO - Amends existing law to change the legal age of tobacco possession from 18 to 21.....	105	-	108
1107	Judiciary and Rules	LAW	COMMERCIAL DRIVER'S LICENSES - Amends existing law to revise provisions regarding skills test fees for commercial driver's licenses..... Session Law Chapter No. 216	113	146	280
1108	Judiciary and Rules	LAW	JUDGES SALARIES - Amends existing law to increase the salaries. Session Law Chapter No. 168	113	146	273
1109	Judiciary and Rules	LAW	BOARD OF CORRECTION - Amends existing law to provide that certain initial reviews may be held in executive session, to provide that certain deliberations and voting shall be made in executive session and to provide for firearm restoration in certain instances..... Session Law Chapter No. 217	113	147	280
1110	State Affairs	S Transp	MOTOR VEHICLES - Adds to and amends existing law to prohibit the release of emissions under certain conditions, to prohibit certain modification of diesel-powered vehicles and to provide for violations and penalties.	118	-	121
1111	State Affairs	LAW	STOCKWATER RIGHTS - Repeals and adds to existing law to prohibit the acquisition of certain stockwater rights, to provide that certain permittees shall not be considered agents of the federal government, to limit the use of certain stockwater rights, and to provide for the effect of an illegal change of ownership or transfer..... Session Law Chapter No. 178	118	160	273
1112	Finance	LAW	APPROPRIATIONS - AGRICULTURE DEPARTMENT - Appropriates an additional \$1,010,000 to the Department of Agriculture for fiscal year 2017, for watercraft inspection stations; and authorizes 3 additional full-time equivalent positions..... Session Law Chapter No. 101	122	146	235
1113	Judiciary and Rules	LAW	IDAHO CRIMINAL JUSTICE SYSTEM - Amends existing law to revise the composition and compensation of the Commission of Pardons and Parole; to provide that certain meetings by less than a majority of the commission regarding parole violations shall be exempt from the open meetings law; to revise rulemaking authority for the commission; to provide that the commission shall consider certain factors in making any parole or commutation decision and to revise how the commission holds hearings on parole violations..... Session Law Chapter No. 182	122	159	273
1114	Judiciary and Rules	S St Aff	ALCOHOL - Repeals and adds to existing law to prohibit acts by a permittee or his agent or employee, to require supervision, and to provide exceptions, penalties and administrative action.....	123	-	125
1115	Finance	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates to the Idaho State Police for the Brand Inspection Program an additional \$250,000 from the General Fund for fiscal year 2017 for livestock software..... Session Law Chapter No. 102	129	162	235

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1116	Finance	LAW	APPROPRIATIONS - CORRECTION DEPT - Appropriates to the Department of Correction an additional \$505,400 from the General Fund and \$185,000 from dedicated funds for a total of \$690,400 for fiscal year 2017; appropriates an additional \$134,900 from the General Fund to the Department of Correction for the Medical Services Program; and reduces the General Fund appropriation to the Department of Correction by \$1,071,700 for fiscal year 2017. Session Law Chapter No. 103	129	162	235
1117	State Affairs	LAW	SELF-FUNDED INSURANCE PLANS - Amends existing law to allow the director of the Department of Insurance to extend the period for minimum surplus requirements up to 12 months if certain conditions occur. Session Law Chapter No. 179	129	161	273
1118	State Affairs	LAW	FISH AND GAME - Amends existing law to provide that individuals or landowners that have been issued a kill permit by the director of the Department of Fish and Game or his designee may, in conjunction with their responsibility for field dressing the animals taken, keep one animal for their personal use and to provide that under certain conditions a second animal subsequently taken may be kept by the individual or landowner. Session Law Chapter No. 199	130	174	276
1119	State Affairs	LAW	PUBLIC RECORDS - Amends existing law to provide that certain records of the Public Defense Commission shall be exempt from disclosure. Session Law Chapter No. 275	130	174	281
1120	Judiciary and Rules	LAW	REAL PROPERTY - Amends existing law to revise provisions regarding forcible detainer of real property. Session Law Chapter No. 276	130	174	281
1121	Judiciary and Rules	H Transp	SAFE ROUTES TO SCHOOL HEALTHY KIDS PROGRAM - Adds to existing law to provide for the Safe Routes to School Healthy Kids Program.	130	162	162
1122	Judiciary and Rules	H Jud	COMMISSIONERS ON UNIFORM STATE LAWS - Amends existing law to provide that certain persons shall be members; to clarify that a commissioner appointed by the Governor shall have a certain term of office and to clarify per diem payments to life member commissioners.	130	166	166
1123	State Affairs	LAW	SCHOOLS - Amends existing law to authorize transportation funding for field trips authorized by a school board. Session Law Chapter No. 117	135	161	268
1124	Judiciary and Rules	S Jud	PARENTS AND GUARDIANS - Amends existing law to revise the requirements for a delegation of powers by a parent or guardian.	135	-	249
1125	Judiciary and Rules	LAW	COURTS - Amends existing law to provide that a delinquency shall not exist in certain instances and to provide for a written objection to a set-off. Session Law Chapter No. 277	135	174	281

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1126	Judiciary and Rules	LAW	SAFE HAVEN - Amends existing law to add fire station to the definition of "safe haven."	136	-	-
			Amended in the Senate	153	167	276
			Session Law Chapter No. 200			
1127	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF FINANCE - Appropriates \$8,355,300 to the Department of Finance for fiscal year 2018; provides legislative intent relating to certain continuous appropriations; and limits the number of authorized full-time equivalent positions to 66.	139	162	235
			Session Law Chapter No. 104			
1128	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF INSURANCE - Appropriates \$9,690,600 to the Department of Insurance for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 76.5.	139	162	235
			Session Law Chapter No. 105			
1129	Finance	LAW	APPROPRIATIONS - LABOR DEPARTMENT - Appropriates an additional \$80,000 to the Department of Labor for fiscal year 2017; appropriates \$97,785,700 to the Department of Labor for fiscal year 2018; transfers \$2,500,000 from the General Fund to the Workforce Development Training Fund; and limits the number of authorized full-time equivalent positions to 700.	139	162	235
			Session Law Chapter No. 106			
1130	State Affairs	S FAILED	MOTOR VEHICLES - Adds to and amends existing law to prohibit the release of emissions under certain conditions and to prohibit certain modification of diesel-powered vehicles.....	145	-	-
			Amended in the Senate	172	182	182
1131	State Affairs	S St Aff	ABORTION - Amends existing law to require certain information about abortion to be posted on the Department of Health and Welfare's website.	145	-	148
1132	Finance	LAW	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Appropriates \$6,561,800 to the Public Utilities Commission for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 52.	145	174	273
			Session Law Chapter No. 166			
1133	Finance	LAW	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Appropriates an additional \$10,000 to the Commission for the Blind and Visually Impaired for fiscal year 2017.	145	174	273
			Session Law Chapter No. 167			
1134	Finance	LAW	APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION - Appropriates \$14,131,500 to the Office of Species Conservation for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 12.63.....	145	167	235
			Session Law Chapter No. 107			

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1135	Finance	LAW	APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Appropriates \$753,600 to the Endowment Fund Investment Board for fiscal year 2018; limits the number of authorized full-time equivalent positions to 3.7; authorizes continuous appropriation authority for certain costs; and expresses legislative intent with regard to transfers from the earnings reserve funds to the income funds..... Session Law Chapter No. 108	145	167	235
1136	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Appropriates \$102,551,800 to the Department of Fish and Game for fiscal year 2018; limits the number of authorized full-time equivalent positions to 558; and appropriates an additional \$125,000 to the Department of Fish and Game for fiscal year 2017 for depredation payments..... Session Law Chapter No. 171	149	177	273
1137	Finance	LAW	APPROPRIATIONS - SECRETARY OF STATE - Appropriates \$3,220,800 to the Secretary of State for fiscal year 2018; limits the number of authorized full-time equivalent positions to 29; and reappropriates certain unexpended and unencumbered balances. Session Law Chapter No. 180	149	175	273
1138	Finance	LAW	APPROPRIATIONS - PUBLIC TELEVISION - Appropriates \$9,633,100 to Idaho Public Television for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 65.48. Session Law Chapter No. 169	149	175	273
1139	State Affairs	LAW	HEALTH CARE - Adds to and amends existing law to provide that certain hospitals or facilities shall specify which persons have authority to admit patients. Amended in the Senate Session Law Chapter No. 278	155 189	- 209	- 281
1140	State Affairs	S Educ	TEACHERS - Adds to existing law to authorize the Paraprofessional Pathway to Certification Program.	155	-	157
1141	Finance	LAW	APPROPRIATIONS - MILITARY DIVISION - DISASTER RELIEF - Appropriates and transfers \$2 million from the General Fund to the Disaster Emergency Fund; provides legislative intent; appropriates and transfers \$50 million from the General Fund to the Emergency Relief Fund; and appropriates and transfers \$7,448,000 from the Consumer Protection Fund to the General Fund. Session Law Chapter No. 279	155	175	281
1142	Judiciary and Rules	S FAILED	HEALTH CARE ASSISTANCE PROGRAM - Adds to existing law to implement the Health Care Assistance Program..... Amended in the Senate	155 215	- 229	- 229
1143	Judiciary and Rules	S Jud	MOTOR VEHICLE INSURANCE - Amends existing law to provide a felony penalty for a third or subsequent violation of driving without insurance within a period of 5 years.....	155	-	157

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1144	Judiciary and Rules	LAW	ALCOHOL - Repeals and adds to existing law to prohibit acts by a permittee or his agent or employee, to require supervision, and to provide exceptions, penalties and administrative action. Session Law Chapter No. 280	155	242	281
1145	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Appropriates \$172,320,100 for the Welfare Division in the Department of Health and Welfare for fiscal year 2018; limits the number of authorized full-time equivalent positions to 630.55 for fiscal year 2018; provides for transfers to the Cooperative Welfare Fund; prohibits transfers of trustee and benefit payments; provides legislative intent for program integrity; requires biannual forecast reports; appropriates an additional \$116,300 for the Benefit Payments Program for fiscal year 2017; and reduces the number of authorized full-time equivalent positions by 5 for fiscal year 2017. Session Law Chapter No. 165	158	182	273
1146	Finance	LAW	APPROPRIATIONS - BUILDING SAFETY DIVISION - Appropriates an additional \$50,000 to the Division of Building Safety for fiscal year 2017; appropriates \$13,989,900 to the Division of Building Safety for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 141. Session Law Chapter No. 164	158	183	273
1147	State Affairs	S Educ	COLLEGES AND UNIVERSITIES - Amends and adds to existing law to provide for the transfer of college credits at full value from one Idaho public college or university to another.	165	-	169
1148	State Affairs	S Educ	SCHOOLS - Adds to existing law to authorize school improvement programs and school leadership improvement programs.	165	-	169
1149	State Affairs	S Educ	CAREER TECHNICAL EDUCATION - Adds to existing law to authorize performance-based incentive funding for career technical education secondary programs.	165	-	169
1150	State Affairs	LAW	INSURANCE - Amends and repeals existing law to revise provisions regarding the individual high risk reinsurance pool. Session Law Chapter No. 281	165	209	281
1151	State Affairs	LAW	WARRANTS - Amends existing law to revise procedures when a warrant issued by the State Controller is lost or destroyed. Session Law Chapter No. 282	165	199	281
1152	Finance	LAW	APPROPRIATIONS - COLLEGE AND UNIVERSITIES - Appropriates \$564,958,700 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 2018; provides certain reappropriation authority; provides legislative intent for systemwide needs; provides legislative intent for reporting on the Complete College Idaho initiative; and exempts appropriation object and program transfer limitations. Session Law Chapter No. 283	170	209	281

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1153	Finance	LAW	APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Appropriates and transfers \$17,999,500 from the General Fund to the Catastrophic Health Care Cost Fund for fiscal year 2018; and appropriates and transfers \$4,945,100 from the Catastrophic Health Care Cost Fund to the General Fund for fiscal year 2017. Session Law Chapter No. 201	170	199	276
1154	Judiciary and Rules	LAW	PEACE OFFICER STANDARDS AND TRAINING COUNCIL - Amends existing law to provide that the council may obtain and retain certain criminal justice information in certain instances. Session Law Chapter No. 284	170	224	281
1155	Judiciary and Rules	S Jud	IDAHO ADMINISTRATIVE PROCEDURES ACT - Repeals, amends and adds to existing law to revise procedures for contested cases and presiding officers.	170	-	176
1156	Finance	LAW	APPROPRIATIONS - VOCATIONAL REHABILITATION - Appropriates \$28,175,900 to the Division of Vocational Rehabilitation for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 152.5. Session Law Chapter No. 202	173	200	276
1157	Finance	LAW	APPROPRIATIONS - HISTORICAL SOCIETY - Appropriates \$8,056,600 to the Idaho State Historical Society for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 55. Session Law Chapter No. 203	173	200	276
1158	Finance	LAW	APPROPRIATIONS - ATTORNEY GENERAL - Appropriates \$24,714,400 to the Attorney General for fiscal year 2018; limits the number of authorized full-time equivalent positions to 208.6; and exempts the Attorney General from object and program transfer limitations. Session Law Chapter No. 204	177	200	276
1159	Finance	LAW	APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Appropriates \$5,827,700 to the Public Defense Commission for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 6. Session Law Chapter No. 205	177	200	276
1160	Finance	LAW	APPROPRIATIONS - SUPREME COURT - Appropriates \$71,656,300 to the Supreme Court for fiscal year 2018; exempts the appropriation from object and program transfer limitations; and provides for legislative intent regarding retirement contributions. Session Law Chapter No. 206	177	200	276
1161	State Affairs	S St Aff	USE OF FORCE - Amends and repeals existing law to provide that certain persons who enter or attempt to enter the habitation of another are presumed to be doing so with the intent to commit a felony, to revise a provision regarding use of force and to provide that certain persons shall not have a duty to retreat.	181	-	188
1162	Judiciary and Rules	S Transp	HIGHWAYS - Adds to and amends existing law to authorize GARVEE bonding to finance highway transportation projects.	181	-	279

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1163	Judiciary and Rules	S Transp	HIGHWAYS - Adds to and amends existing law to provide GARVEE bonding authority and general bonding authority for highway construction; extends the surplus eliminator from 2015 for 5 years; provides moneys from the Sales Tax Account for bond debt service and for funding the Idaho State Police; and provides for a sales tax exemption for materials actually used on public roads.	181	-	188
1164	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - CHILD WELFARE/DEVELOPMENTALLY DISABLED SERVICES/SERVICE INTEGRATION - Appropriates \$107,113,200 to the Department of Health and Welfare for the divisions of Child Welfare, Services for the Developmentally Disabled, and Service Integration for fiscal year 2018; limits the number of authorized full-time equivalent positions for the three divisions to 739.46; provides for General Fund transfers to the Cooperative Welfare Fund; limits transfers for trustee and benefit payments; provides for program integrity; provides legislative intent on educating children in the department's care; requires a report on foster care support staff; directs expenditures for Head Start; and appropriates an additional \$868,100 to the Department of Health and Welfare for the Child Welfare Division for fiscal year 2017. Session Law Chapter No. 218	182	210	280
1165	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Appropriates \$114,110,000 to the Department of Health and Welfare for the Public Health Services Division for fiscal year 2018; limits the number of authorized full-time equivalent positions to 234.69; provides for transfers to the Cooperative Welfare Fund; limits the transfer of funds budgeted for trustee and benefit payments; provides for program integrity; provides for specific use of General Fund moneys; requires an annual report on accreditation status; and appropriates an additional \$1,070,300 to the Department of Health and Welfare for the Physical Health Services Program for fiscal year 2017. Session Law Chapter No. 219	182	210	280
1166	Finance	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates \$77,568,300 to the Idaho State Police for fiscal year 2018; limits the number of authorized full-time equivalent positions to 587.85; reappropriates certain unexpended and unencumbered balances; provides legislative intent regarding youth equine education; and provides legislative intent regarding transfers to the Public School Income Fund. Session Law Chapter No. 285	185	251	281
1167	Finance	LAW	APPROPRIATIONS - PARKS AND RECREATION - Appropriates \$41,229,200 to the Idaho Department of Parks and Recreation for fiscal year 2018; limits the number of authorized full-time equivalent positions to 154.64; permits the department to exceed transfer limitations between programs for certain project grants; and provides carryover authority for the Capital Development Program. Session Law Chapter No. 220	185	210	280

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1168	Finance	LAW	APPROPRIATIONS - LANDS - Appropriates \$54,359,100 to the Department of Lands for fiscal year 2018; limits the number of authorized full-time equivalent positions to 309.15; and exempts certain appropriation object transfer limitations. Session Law Chapter No. 221	185	210	280
1169	Finance	LAW	APPROPRIATIONS - COMMISSION ON AGING - Appropriates \$12,558,400 to the Commission on Aging for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 13. Session Law Chapter No. 222	193	210	280
1170	Finance	LAW	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Appropriates \$38,818,000 to the Superintendent of Public Instruction for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 142. Session Law Chapter No. 223	193	210	280
1171	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - BOND PAYMENT PROGRAM - Appropriates \$12,303,000 to the Department of Administration for the Bond Payment Program for fiscal year 2018. Session Law Chapter No. 224	193	210	280
1172	Finance	LAW	APPROPRIATIONS - STATE LIQUOR DIVISION - Appropriates \$20,116,400 to the State Liquor Division for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 224. Session Law Chapter No. 225	193	211	280
1173	Finance	LAW	APPROPRIATIONS - CAPITOL COMMISSION - Appropriates \$2,342,000 to the Idaho State Capitol Commission for fiscal year 2018; provides a cash transfer; and provides certain reappropriation authority. Session Law Chapter No. 226	193	211	280
1174	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - MEDICAID - Appropriates \$2,285,308,600 for the Medicaid Division in the Department of Health and Welfare for fiscal year 2018; limits the number of authorized full-time equivalent positions to 216 for fiscal year 2018; provides for transfers to the Cooperative Welfare Fund; directs transfers from trustee and benefit payments; provides legislative intent regarding program integrity; requires monthly Medicaid tracking reports; provides for transfers between programs; requires biannual reports regarding managed care implementation; requires an annual report on flexible spending authority; provides legislative intent for non-emergency medical transportation for fiscal year 2018; appropriates an additional \$10,741,500 for the Medicaid Division for fiscal year 2017; reduces the appropriation by \$22,600,000 for the Enhanced Medicaid Plan program for fiscal year 2017; authorizes 5 additional full-time equivalent positions for fiscal year 2017; and provides legislative intent for non-emergency medical transportation for fiscal year 2017. Session Law Chapter No. 227	194	211	280

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1175	Finance	LAW	APPROPRIATIONS - STATE CONTROLLER - Appropriates \$16,158,600 to the Idaho State Controller for fiscal year 2018; limits the number of authorized full-time equivalent positions to 95; provides for the recovery of State Controller service costs to the General Fund; and provides certain dedicated fund reappropriation authority. Session Law Chapter No. 228	194	211	280
1176	Finance	LAW	APPROPRIATIONS - WATER RESOURCES - Appropriates \$26,311,800 to the Department of Water Resources for fiscal year 2018; limits the number of authorized full-time equivalent positions to 158; appropriates and transfers \$716,000 from the Revolving Development Fund to the Aquifer Planning and Management Fund; and transfers \$5,000,000 of the appropriation from the General Fund to the Secondary Aquifer Planning, Management and Implementation Fund. Session Law Chapter No. 229	194	211	280
1177	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF COMMERCE - Appropriates \$38,829,600 to the Department of Commerce for fiscal year 2018; limits the number of authorized full-time equivalent positions to 43; transfers \$2,000,000 from the General Fund to the Idaho Opportunity Fund; transfers \$31,800 from the Indirect Cost Recovery Fund to the General Fund; and transfers \$8,200 from the Indirect Cost Recovery Fund to the Tourism and Promotion Fund. Session Law Chapter No. 286	203	224	281
1178	Finance	LAW	APPROPRIATIONS - BOARD OF TAX APPEALS - Appropriates \$606,700 to the Board of Tax Appeals for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 5. Session Law Chapter No. 287	203	224	281
1179	Finance	LAW	APPROPRIATIONS - TAX COMMISSION - Appropriates \$43,367,700 to the Idaho State Tax Commission for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 455. Session Law Chapter No. 288	203	224	281
1180	State Affairs	S Loc Gov	PROPERTY TAXATION - Amends existing law to revise property tax exemption criteria for property that is a component of real property and is a single family dwelling....	203	-	204
1181	State Affairs	S St Aff	CHILD PROTECTIVE ACT - Amends existing law to provide that a court shall consider certain methods when deciding whether to authorize medical or surgical care for a child.	203	-	204
1182	State Affairs	S FAILED	CHILDREN - Amends existing law to revise a provision regarding medical treatment by prayer through spiritual means.	203	237	237
1183	State Affairs	S St Aff	FIREARMS - Amends existing law to provide that property owners have immunity for carrying, possessing or storing firearms in certain instances and to provide that a governmental entity and its employees are not liable for certain claims.	203	-	249

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1184	Judiciary and Rules	S Transp	HIGHWAYS - Adds to and amends existing law to provide GARVEE bonding authority and general bonding authority for highway construction; extends the surplus eliminator from 2015 for 5 years; provides moneys from the Sales Tax Account for bond debt service and for funding the Idaho State Police; and provides for a sales tax exemption for certain materials used on public roads.	206	-	207
1185	Finance	LAW	APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates \$16,842,500 to the Industrial Commission for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 138.25. Session Law Chapter No. 289	214	229	281
1186	Finance	LAW	APPROPRIATIONS - AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE - Appropriates \$31,287,300 to the Agricultural Research and Cooperative Extension Service for fiscal year 2018; and exempts object transfer limitations. Session Law Chapter No. 290	214	229	281
1187	Finance	LAW	APPROPRIATIONS - ENVIRONMENTAL QUALITY DEPARTMENT - Appropriates \$67,899,900 to the Department of Environmental Quality for fiscal year 2018; limits the number of authorized full-time equivalent positions to 382; transfers \$1.5 million from the Water Pollution Control Fund to the Environmental Remediation Basin Fund; expresses legislative intent regarding the Environmental Remediation Basin Fund and requires an annual report; expresses legislative intent regarding uses of the Water Pollution Control Fund; expresses legislative intent regarding certain moneys appropriated for agricultural best management practices; and expresses legislative intent regarding uses of the Hazardous Waste Emergency Fund. Session Law Chapter No. 291	214	229	281
1188	Judiciary and Rules	S FAILED	HIGHWAYS - Adds to and amends existing law to provide GARVEE bonding authority and general bonding authority for highway construction; extends the surplus eliminator from 2015 for 5 years; provides moneys from the Sales Tax Account for bond debt service and for funding the Idaho State Police; and provides for a sales tax exemption for certain materials used on public roads. Amended in the Senate	212 241	- 249	- 249

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1189	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - MENTAL HEALTH SERVICES/PSYCHIATRIC HOSPITALIZATION/SUBSTANCE ABUSE TREATMENT AND PREVENTION - Appropriates \$104,056,200 to the divisions of Mental Health, Psychiatric Hospitalization, and Substance Abuse Treatment and Prevention for fiscal year 2018; limits the number of authorized full-time equivalent positions for the three divisions to 709.58 for fiscal year 2018; provides for General Fund transfers to the Cooperative Welfare Fund; directs expenditures for trustee and benefit payments; provides for program integrity; limits transfers of legislative appropriations; clarifies responsibility for education of certain children in state care; directs an interagency payment; requires an annual report on community support for the Behavioral Health Community Crisis Centers; appropriates an additional \$2,255,400 to the Children's Mental Health program, Community Hospitalization program and the Substance Abuse Treatment and Prevention program for fiscal year 2017; reduces the appropriation by \$500,000 for the Adult Mental Health program for fiscal year 2017; and provides an additional 11 full-time equivalent positions for the Children's Mental Health program for fiscal year 2017. Session Law Chapter No. 292	214	230	281
1190	State Affairs	LAW	ELECTION CONTESTS - Repeals, adds to and amends existing law relating to elections, election contests and election offenses. Session Law Chapter No. 293	222	237	281
1191	State Affairs	LAW	DIETITIANS - Repeals, amends and adds to existing law to revise licensing and other provisions. Session Law Chapter No. 294	223	237	281
1192	Finance	LAW	APPROPRIATIONS - CORRECTION DEPARTMENT - Appropriates \$241,944,700 to the Department of Correction for fiscal year 2018; limits the number of authorized full-time equivalent positions to 1,987.85; and reappropriates certain unexpended and unencumbered balances. Session Law Chapter No. 295	223	242	281

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1193	Finance	LAW	<p>APPROPRIATIONS - HEALTH AND WELFARE - INDEPENDENT COUNCILS/INDIRECT SUPPORT SERVICES/HEALTHCARE POLICY INITIATIVES/LICENSING AND CERTIFICATION - Appropriates \$75,303,200 to the Department of Health and Welfare for the divisions of Independent Councils, Indirect Support Services, Healthcare Policy Initiatives and Licensing and Certification for fiscal year 2018; limits the number of authorized full-time equivalent positions to 381.1; provides for General Fund transfers to the Cooperative Welfare Fund; directs expenditures for trustee and benefit payments; limits services to available resources; requires a report on VOCA funds; requires a monthly Medicaid tracking report; requires a biannual Medicaid Program Integrity Unit report; requires quarterly transfer reports; requires monthly vacancy reports; requires a report on the implementation of the SHIP grant; requires biannual reports on facility licensing and certification; and appropriates an additional \$1,115,100 to the Department of Health and Welfare, Indirect Support Services, for fiscal year 2017.</p> <p>Session Law Chapter No. 296</p>	228	242	281
1194	Finance	LAW	<p>APPROPRIATIONS - PERMANENT BUILDING FUND - Appropriates \$71,425,700 from the Permanent Building Fund for fiscal year 2018; authorizes the allocation of funds for specific projects for fiscal year 2018; provides a General Fund cash transfer; provides legislative intent relating to utilization of matching funds; provides legislative intent relating to reallocation of project savings; and provides direction on the timing of the use of funds for specific projects.</p> <p>Session Law Chapter No. 297</p>	229	-	281
1195	State Affairs	S FAILED	<p>EMPLOYMENT SECURITY LAW - Amends existing law to revise the average high cost multiple on and after January 1, 2018, and certain income tax rates.</p> <p>Amended in the House (See House Journal)</p>	229	248 278	- 278
1196	State Affairs	LAW	<p>IDAHO UNBORN INFANTS DIGNITY ACT - Amends existing law to revise provisions regarding prohibitions.</p> <p>Session Law Chapter No. 298</p>	229	248	281
1197	Finance	LAW	<p>APPROPRIATIONS - WATER RESOURCES - Appropriates an additional \$300,000 from the General Fund to the Department of Water Resources for fiscal year 2018; and authorizes an additional 2 full-time equivalent positions for fiscal year 2018.</p> <p>Session Law Chapter No. 323</p>	231	251	281
1198	Finance	LAW	<p>APPROPRIATIONS - HEALTH AND WELFARE - PHYSICAL HEALTH SERVICES - Appropriates an additional \$15,000 to the Physical Health Services Program for fiscal year 2018.</p> <p>Session Law Chapter No. 299</p>	236	254	281
1199	Finance	LAW	<p>APPROPRIATIONS - PARDONS AND PAROLE COMMISSION - Appropriates an additional \$307,900 from the General Fund to the Commission of Pardons and Parole for fiscal year 2018; and authorizes an additional 3 full-time equivalent positions.</p> <p>Session Law Chapter No. 300</p>	236	254	281

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1200	Finance	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates an additional \$183,500 to the Idaho State Police for fiscal year 2018. Session Law Chapter No. 301	236	254	281
1201	Finance	LAW	APPROPRIATIONS - SUPREME COURT - Appropriates an additional \$707,800 from the General Fund to the Supreme Court for fiscal year 2018; and exempts the appropriation from object and program transfer limitations. Session Law Chapter No. 302	236	255	281
1202	Judiciary and Rules	LAW	GARNISHMENTS - Repeals, amends and adds to existing law to revise the process for garnishment. Session Law Chapter No. 303	238	251	281
1203	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF LANDS - Appropriates an additional \$66,400 to the Department of Lands for fiscal year 2017; authorizes an additional 3 full-time equivalent positions onetime for fiscal year 2017; appropriates an additional \$375,000 for fiscal year 2018; and authorizes an additional 3 full-time equivalent positions ongoing for fiscal year 2018. Session Law Chapter No. 304	248	253	281
1204	Finance	H Approp	APPROPRIATIONS - ADMINISTRATION DEPARTMENT - Appropriates an additional \$77,000 to the Department of Administration for the Office of Group Insurance for fiscal year 2018.	250	261	261
1205	Finance	LAW	APPROPRIATIONS - LEGISLATURE - Appropriates an additional \$100,000 from the General Fund to the Legislature for fiscal year 2018 for the Interim Committee to study fees on certain vehicles. Session Law Chapter No. 305	250	260	281
1206	Judiciary and Rules	LAW	HIGHWAYS AND ROADS - Adds to, amends and repeals existing law to authorize GARVEE bonding to finance highway transportation projects, to provide distribution from the sales tax account for certain transportation projects, and to revise distributions from the strategic initiatives program. Session Law Chapter No. 322	271	275	281

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	S St Aff	RIGHTS OF CRIME VICTIMS - Proposing an amendment to Section 22, Article I, of the Constitution of the State of Idaho, relating to rights of crime victims.	79	-	85
102	State Affairs	S St Aff	RIGHTS OF CRIME VICTIMS - Proposing an amendment to Section 22, Article I, of the Constitution of the State of Idaho, relating to rights of crime victims.	134	134	138
103	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.	152	204	204

SENATE INDEX

SECTION VII

SENATE JOINT MEMORIALS

Senate Joint Memorial	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	H St Aff	CRATERS OF THE MOON - Stating findings of the Legislature and supporting designation of Craters of the Moon National Monument as a national park, provided such designation meets certain conditions.	142	154	154
102	State Affairs	ADOPTED	SAGE-GROUSE - Stating findings of the legislature and requesting that Congress provide protections for adoption and implementation of state sage-grouse conservation plans and to provide a mechanism for the Governor of a state to ensure state sage-grouse plans can be implemented on lands operated by the Bureau of Land Management and the U.S. Forest Service for a period of at least 10 years.....	202	209	280

SECTION VIII

SENATE RESOLUTIONS

Senate Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	ADOPTED	SENATE RULE 54 - Stating findings of the Senate and providing for a new Rule 54 to the Rules of the Senate. ...	221	222	222

SECTION IX

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	ADOPTED	AMERICAN LEGION FAMILY YOUTH PROGRAMS DAY - Stating findings of the Legislature and supporting and commending the Idaho Department of the American Legion, its Legionnaires and Legion Auxiliary in their volunteer efforts to serve the youth of Idaho through their youth programs and designating the second Thursday in January of each year as American Legion Family Youth Programs Day in Idaho.....	51	59	148
102	Agricultural Affairs	ADOPTED	VETERINARY MEDICINE - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Board of Veterinary Medicine relating to Rules of the State of Idaho Board of Veterinary Medicine.	58	67	117
103	State Affairs	ADOPTED	KRISTIN ARMSTRONG - Stating findings of the Legislature and commending Kristin Armstrong for her accomplishments at the 2016 Summer Olympics.	58	67	259
104	Commerce and Human Resources	ADOPTED	ADMINISTRATION DEPARTMENT - Stating findings of the Legislature and directing the Department of Administration to provide state officers or employees with a health transparency tool or a medical diversion program.....	78	144	212
105	Education	ADOPTED	CYBERCORE INTEGRATION CENTER AND COLLABORATIVE COMPUTING CENTER - Stating findings of the Legislature and authorizing the State Board of Education to enter into agreements with the Idaho State Building Authority to finance construction of the Idaho Cybercore Integration Center and the Idaho Collaborative Computing Center.....	78	154	280
106	State Affairs	ADOPTED	MINORU YASUI - Stating findings of the Legislature and honoring Minoru Yasui for his courage and his commitment to liberty and justice.	79	94	125
107	State Affairs	ADOPTED	GENE HARRIS - Stating findings of the Legislature and recognizing and honoring Gene Harris for his lifelong achievements as a celebrated jazz musician as well as his cultural and educational contributions to the State of Idaho.	88	109	208
108	State Affairs	S FAILED	FEDERAL BUDGET - Stating findings of the Legislature and making a formal application to Congress to call a convention for the sole purpose of proposing for ratification an amendment to the Constitution which requires a balanced federal budget.	95	140	140
109	State Affairs	ADOPTED	CATHY HOLLAND-SMITH - Stating findings of the Legislature and honoring Cathy Holland-Smith upon her retirement.	104	122	256

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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	H Health/Wel	POST-TRAUMATIC STRESS INJURY - Stating findings of the Legislature, declaring June as Post-Traumatic Stress Injury Awareness Month, declaring June 27 as Post-Traumatic Stress Injury Awareness Day and urging the Department of Health and Welfare and the Division of Veterans Services to educate people about post-traumatic stress injury.	111	122	122
111	State Affairs	ADOPTED	CECILIA VIOLETTA LOPEZ - Stating findings of the Legislature and honoring and congratulating Cecilia Violetta Lopez for her achievements in opera.	116	129	280
112	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 of the Public Works Contractors License Board.	128	154	280
113	State Affairs	ADOPTED	MEDICAL RESIDENCIES - Stating findings of the Legislature and urging Idaho hospitals to establish new residency programs for medical student graduates.	128	144	259
114	State Affairs	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.	141	154	259
115	State Affairs	ADOPTED	DIANE KELLY - Stating findings of the Senate and recognizing, honoring and commending Diane Kelly for her service to the Idaho State Senate and to the people of Idaho.	141	170	259
116	State Affairs	ADOPTED	TRANSPORTATION - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study regarding an annual registration fee and an operating fee by weight class based on the total miles the owner operated such vehicle on roads and highways in Idaho.	151	173	280
117	State Affairs	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 Administration.	164	164	181
118	State Affairs	ADOPTED	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.	164	181	280
119	State Affairs	ADOPTED	RULE REJECTION - EDUCATION - THOROUGHNESS - Stating findings of the Legislature and rejecting a certain rule of the State Board of and State Department of Education relating to Rules Governing Thoroughness.	164	181	280
120	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.	179	198	280

SENATE INDEX

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
121	State Affairs	ADOPTED	TEMPORARY RULES - Stating findings of the Legislature and approving and extending temporary rules reviewed by the Legislature, with an exception.	179	198	280
122	Judiciary and Rules	ADOPTED	ADMINISTRATIVE HEARING OFFICER INTERIM COMMITTEE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of potential approaches to mitigate the risk of bias in contested cases.	213	222	280
123	Judiciary and Rules	ADOPTED	SESSION LAWS - Stating findings of the Legislature and endorsing the limitation of printing a total of 100 copies, given the accessibility with online access to the Idaho Session Laws.	220	248	280
124	State Affairs	ADOPTED	JOINT RULE 22- Stating findings of the legislature and providing for new Joint Rule 22 of the Joint Rules of the Senate and the House of Representatives of Idaho.	220	236	280

SECTION X

ENROLLED 2017 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)
1003	55	Health and Welfare	03/08/2017	07/01/2017
1004	49	Health and Welfare	03/01/2017	07/01/2017
1005	38	Health and Welfare	02/28/2017	07/01/2017
1008	86	Commerce and Human Resources	03/20/2017	07/01/2017
1009	56	Health and Welfare	03/08/2017	03/08/2017 SECTION 1; 02/28/2018 SECTION 2 & 3
1010	2	Finance	02/06/2017	02/06/2017
1011	87	Judiciary and Rules	03/20/2017	07/01/2017
1013	163	Judiciary and Rules	03/27/2017	07/01/2017
1016	39	Local Government and Taxation	02/28/2017	07/01/2017
1018	59	Education	03/16/2017	07/01/2017
1019	60	Education	03/16/2017	07/01/2017
1020	12	Finance	02/16/2017	02/16/2017
1021	11	Finance	02/16/2017	02/16/2017
1022	10	Finance	02/16/2017	02/16/2017
1023	170	Judiciary and Rules	03/27/2017	07/01/2017
1024	174	Judiciary and Rules	03/27/2017	07/01/2017
1025	173	Judiciary and Rules	03/27/2017	07/01/2017
1026	172	Judiciary and Rules	03/27/2017	07/01/2017
1027	61	Resources and Environment	03/16/2017	07/01/2017
1028	40	Resources and Environment	02/28/2017	07/01/2017
1029	88	Education	03/20/2017	07/01/2017
1030	62	Education	03/16/2017	07/01/2017
1031	109	State Affairs	03/24/2017	07/01/2017
1032	41	Local Government and Taxation	02/28/2017	02/28/2017
1034aa	89	Education	03/20/2017	03/20/2017
1035	90	State Affairs	03/20/2017	03/20/2017
1036	9	Finance	02/16/2017	02/16/2017
1037	57	Commerce and Human Resources	03/08/2017	07/01/2017
1038aa	196	Commerce and Human Resources	03/28/2017	07/01/2017
1039aa	110	Commerce and Human Resources	03/24/2017	07/01/2017
1040	58	State Affairs	03/08/2017	07/01/2017
1041	211	Education	04/04/2017	07/01/2017
1042	42	Finance	02/28/2017	02/28/2017

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Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1043aaH	111	Transportation	03/24/2017	03/24/2017
1045	112	Commerce and Human Resources	03/24/2017	07/01/2017
1047	113	Commerce and Human Resources	03/24/2017	03/24/2017; 03/31/2018 Sunset Clause - SECTION 1
1049	114	Commerce and Human Resources	03/24/2017	07/01/2017
1055	91	Commerce and Human Resources	03/20/2017	07/01/2017
1059	92	Education	03/20/2017	07/01/2019
1060	93	Health and Welfare	03/20/2017	07/01/2017
1062	50	Finance	03/01/2017	03/01/2017
1063	63	Resources and Environment	03/16/2017	07/01/2017
1064	94	Resources and Environment	03/20/2017	07/01/2017
1069	175	Transportation	03/27/2017	07/01/2017
1074aa	197	Commerce and Human Resources	03/28/2017	07/01/2017
1075	95	Commerce and Human Resources	03/20/2017	07/01/2017
1076aa	272	Commerce and Human Resources	04/06/2017	07/01/2017
1079	198	Commerce and Human Resources	03/28/2017	07/01/2017
1080	96	Local Government and Taxation	03/20/2017	07/01/2017
1081	97	Health and Welfare	03/20/2017	07/01/2017; 07/01/2019 Sunset Clause
1083	181	Judiciary and Rules	03/27/2017	07/01/2017
1084	98	State Affairs	03/20/2017	07/01/2017
1085	99	State Affairs	03/20/2017	07/01/2017
1086	212	State Affairs	04/04/2017	07/01/2017
1088	213	Judiciary and Rules	04/04/2017	07/01/2017
1089	176	Judiciary and Rules	03/27/2017	07/01/2017
1090aa	273	Judiciary and Rules	04/06/2017	07/01/2017
1091	100	Judiciary and Rules	03/20/2017	07/01/2017
1092	177	Judiciary and Rules	03/27/2017	03/27/2017
1093aaH	274	Judiciary and Rules	04/06/2017	07/01/2017
1094	115	Education	03/24/2017	03/24/2017
1098	116	Resources and Environment	03/24/2017	07/01/2017
1099aaH	214	Resources and Environment	04/04/2017	04/04/2017
1101	162	Resources and Environment	law w/o signature	07/01/2017
1105	215	Judiciary and Rules	04/04/2017	07/01/2017

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1107	216	Judiciary and Rules	04/04/2017	07/01/2017 SECTION 1; When the Idaho Transportation Department submits to the Secretary of State in writing that ITD's information technology system has been updated to support the Organ Donation Distribution Fund - SECTION 2
1108	168	Judiciary and Rules	03/27/2017	07/01/2017
1109	217	Judiciary and Rules	04/04/2017	07/01/2017
1111	178	State Affairs	03/27/2017	03/27/2017
1112	101	Finance	03/20/2017	03/20/2017
1113	182	Judiciary and Rules	03/27/2017	07/01/2017
1115	102	Finance	03/20/2017	03/20/2017
1116	103	Finance	03/20/2017	03/20/2017
1117	179	State Affairs	03/27/2017	07/01/2017
1118	199	State Affairs	03/28/2017	07/01/2017
1119	275	State Affairs	04/06/2017	04/06/2017
1120	276	Judiciary and Rules	04/06/2017	07/01/2017
1123	117	State Affairs	03/24/2017	07/01/2017
1125	277	Judiciary and Rules	04/06/2017	07/01/2017
1126aa	200	Judiciary and Rules	03/28/2017	07/01/2017
1127	104	Finance	03/20/2017	07/01/2017
1128	105	Finance	03/20/2017	07/01/2017
1129	106	Finance	03/20/2017	03/20/2017 SECTION 1; 07/01/2017 all other SECTIONS
1132	166	Finance	03/27/2017	07/01/2017
1133	167	Finance	03/27/2017	03/27/2017
1134	107	Finance	03/20/2017	07/01/2017
1135	108	Finance	03/20/2017	07/01/2017
1136	171	Finance	03/27/2017	07/01/2017 SECTION 1 & 2; 03/27/2017 SECTION 3
1137	180	Finance	03/27/2017	07/01/2017
1138	169	Finance	03/27/2017	07/01/2017
1139aa	278	State Affairs	04/06/2017	07/01/2017
1141	279	Finance	04/06/2017	04/06/2017
1144	280	Judiciary and Rules	04/06/2017	04/06/2017
1145	165	Finance	03/27/2017	03/27/2017 SECTION 7 & 8; 07/01/2017 all other SECTIONS

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Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1146	164	Finance	03/27/2017	03/27/2017 SECTION 1; 07/01/2017 SECTION 2 & 3
1150	281	State Affairs	04/06/2017	07/01/2017
1151	282	State Affairs	04/06/2017	07/01/2017
1152	283	Finance	04/06/2017	07/01/2017
1153	201	Finance	03/28/2017	07/01/2017 SECTION 1; 03/28/2017 SECTION 2
1154	284	Judiciary and Rules	04/06/2017	07/01/2017
1156	202	Finance	03/28/2017	07/01/2017
1157	203	Finance	03/28/2017	07/01/2017
1158	204	Finance	03/28/2017	07/01/2017
1159	205	Finance	03/28/2017	07/01/2017
1160	206	Finance	03/28/2017	07/01/2017
1164	218	Finance	04/04/2017	04/04/2017 SECTIONS 9 & 10; 07/01/2017 all other SECTIONS
1165	219	Finance	04/04/2017	04/04/2017 SECTION 8; 07/01/2017 all other SECTIONS
1166	285	Finance	04/06/2017	07/01/2017
1167	220	Finance	04/04/2017	07/01/2017
1168	221	Finance	04/04/2017	07/01/2017
1169	222	Finance	04/04/2017	07/01/2017
1170	223	Finance	04/04/2017	07/01/2017
1171	224	Finance	04/04/2017	07/01/2017
1172	225	Finance	04/04/2017	07/01/2017
1173	226	Finance	04/04/2017	07/01/2017
1174	227	Finance	04/04/2017	04/04/2017 SECTIONS 11-15; 07/01/2017 all other SECTIONS
1175	228	Finance	04/04/2017	07/01/2017
1176	229	Finance	04/04/2017	07/01/2017
1177	286	Finance	04/06/2017	07/01/2017
1178	287	Finance	04/06/2017	07/01/2017
1179	288	Finance	04/06/2017	07/01/2017
1185	289	Finance	04/06/2017	07/01/2017
1186	290	Finance	04/06/2017	07/01/2017
1187	291	Finance	04/06/2017	07/01/2017
1189	292	Finance	04/06/2017	04/06/2017 SECTION 10-12; 07/01/2017 all other SECTIONS

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1190	293	State Affairs	04/06/2017	07/01/2017
1191	294	State Affairs	04/06/2017	07/01/2017
1192	295	Finance	04/06/2017	07/01/2017
1193	296	Finance	04/06/2017	04/06/2017 SECTION 13 & 14; 07/01/2017 all other SECTIONS
1194	297	Finance	04/06/2017	07/01/2017
1196	298	State Affairs	04/06/2017	07/01/2017
1197	323	Finance	law w/o signature	07/01/2017
1198	299	Finance	04/06/2017	07/01/2017
1199	300	Finance	04/06/2017	07/01/2017
1200	301	Finance	04/06/2017	07/01/2017
1201	302	Finance	04/06/2017	07/01/2017
1202	303	Judiciary and Rules	04/06/2017	07/01/2017
1203	304	Finance	04/06/2017	04/06/2017 SECTION 1 & 2; 07/01/2017 all other SECTIONS
1205	305	Finance	04/06/2017	07/01/2017
1206	322	Judiciary and Rules	law w/o signature	04/11/2017 SECTION 13; 07/01/2017 all other SECTIONS

SECTION XI

NUMERICAL INDEX OF HOUSE BILLS RECEIVED BY THE SENATE

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1	State Affairs	LAW	IDAHO ADMINISTRATIVE PROCEDURE ACT - Amends existing law to provide legislative intent and to provide for the legislative review for parts of a rule.	33	57	67
2	Health and Welfare	LAW	PHARMACISTS - Amends existing law to revise provisions regarding the reciprocal licensing of pharmacists.	49	64	81
3	Health and Welfare	LAW	PHARMACISTS - Amends and adds to existing law to provide that prescribing tuberculin purified protein derivative products is within the practice of pharmacy; and to provide that a pharmacist may prescribe and administer a tuberculin purified protein derivative product under certain circumstances.	49	65	81
4	Health and Welfare	LAW	PHARMACISTS - Amends and adds to existing law to provide that prescribing tobacco cessation products is within the practice of pharmacy; and to provide that pharmacists may prescribe tobacco cessation products under certain circumstances.	49	65	81
5	Health and Welfare	LAW	CONTROLLED SUBSTANCES - Amends existing law to provide that opioid antagonists dispensed to humans shall be filed with the Board of Pharmacy, to provide that the board shall retain certain information for five years, to provide that pharmacists must register to access the controlled substances prescriptions database, and to revise a definition.	49	65	81
6	Health and Welfare	LAW	CONTROLLED SUBSTANCES - Amends existing law to revise the lists of Schedule I, III, IV, and V controlled substances.	42	61	70
7	Health and Welfare	S FAILED	MASSAGE THERAPISTS - Amends existing law to revise definitions; to provide that the State Board of Massage Therapy has the authority to review and approve certain educational curricula; and to revise terminology.	93	183	183
8	Health and Welfare	S FAILED	MASSAGE THERAPISTS - Amends existing law to require criminal history checks for licensing.	76	120	120
9	Health and Welfare	LAW	MASSAGE THERAPISTS - Amends existing law to revise provisions regarding compensation for members of the Board of Massage Therapy.	76	120	129
10	Health and Welfare	LAW	CHIROPRACTIC PRACTICE - Amends and adds to existing law to establish provisions regarding fees; and to revise provisions regarding licenses.	44	97	108

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
11	Health and Welfare	LAW	OPTOMETRISTS - Amends existing law to revise provisions regarding licenses. Amended in the Senate	76 189	- 211	- 273
12	State Affairs	H Held at Desk	ELECTIONS - Amends existing law to provide that a candidate for the state Legislature shall have been a registered elector within the legislative district for one year preceding the election..... Amended in the Senate Amended in the Senate	44 73 99	- 114	- 114
13	State Affairs	LAW	ELECTIONS - Amends existing law to remove the official date of a political party change by an elected official.	44	72	86
15	Local Government	LAW	URBAN RENEWAL - Amends existing law to provide a correct code reference.	60	94	105
16	Appropriations	LAW	APPROPRIATIONS - DEFICIENCY WARRANTS - Appropriates and transfers \$342,600 from the General Fund to the Pest Control Deficiency Fund for fiscal year 2017.	39	47	56
17	Transportation and Defense	LAW	MILITARY DIVISION - Amends existing law to provide that any contract with state matching funds in excess of a certain amount may not be let by the adjutant general until written approval is given by the State Board of Examiners.	60	98	108
18	Transportation and Defense	LAW	MILITARY DIVISION - Amends existing law to provide that the adjutant general of the Idaho National Guard is authorized to encourage recruitment and retention of national guardsmen by providing incentive payments for furtherance of their education.	60	99	108
19	Transportation and Defense	LAW	ARMORIES AND MILITARY PROPERTY - Amends existing law to revise the definition of "armory."	60	99	108
20	Transportation and Defense	LAW	VEHICLES - Amends existing law to provide for plug-in hybrid vehicle fees, to provide an exception regarding fees for electric vehicles, to revise fee provisions regarding certain hybrid vehicles; and to provide for the apportionment of fees.	71	107	117
22	Revenue and Taxation	LAW	INCOME TAXES - Amends, repeals and adds to existing law to move a provision for spousal tax relief to the collections portion of the tax code.	44	68	81
23	Revenue and Taxation	LAW	TAXES - Amends existing law to clarify a taxpayer's rights following a perfected protest and to provide a date on which a notice of deficiency becomes final when the protest is not perfected.	44	72	86
24	Revenue and Taxation	LAW	TAXES - Amends existing law to establish the right of a taxpayer to an independent administrative redetermination and to provide restrictions on ex parte communications among State Tax Commission staff.	44	64	81
25	Revenue and Taxation	LAW	TOBACCO PERMITS - Amends existing law regarding tobacco distributors to reflect current terminology by replacing the term "registration certificate" with "permit."	44	64	81

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
26	Revenue and Taxation	LAW	TAXES - Amends existing law to update a reference to the Internal Revenue Code.	44	61	70
27	Business	LAW	AIR FLIGHT - Amends existing law to provide an exemption to any poles or structures supporting electric lines carrying a voltage of sixty-nine kilovolts or more.	67	120	129
29	Revenue and Taxation	LAW	TAXES - Amends existing law to remove obsolete language regarding past grocery tax credit increases and to establish the amount of the grocery tax credit.	49	68	81
30	Revenue and Taxation	LAW	ELECTRIC UTILITIES - Amends existing law to specify a market discount rate in determining the valuation of operating property of rate-regulated electric utility companies for assessment purposes.	49	72	86
31	Revenue and Taxation	LAW	PROPERTY TAX RELIEF - Amends existing law to exclude nontaxable Roth individual retirement account distributions from income calculation for the purposes of property tax relief eligibility.	49	68	81
32	Revenue and Taxation	LAW	SALES TAX - Amends existing law to increase to 90 days the amount of time a tax-exempt motor vehicle purchased by a nonresident may be used in Idaho.	49	119	129
33	Revenue and Taxation	LAW	WINE DIRECT SHIPPER LICENSE - Amends existing law to provide that a wine direct shipper license may be suspended under certain conditions.	49	99	108
36	Education	LAW	EDUCATION - Repeals existing law relating to certain restrictions regarding fraternities, sororities, and secret societies.	67	97	108
37	Education	LAW	SCHOOL PROPERTY - Repeals existing law to remove an obsolete provision of law allowing school property to be used as senior citizen centers.	67	97	108
38	Health and Welfare	LAW	MENTAL HEALTH - Amends existing law to provide a code reference.	106	183	208
41	Health and Welfare	LAW	INDIVIDUALS WITH DISABILITIES - Adds to existing law to provide that accounts established under the federal Achieving a Better Life Experience Act shall be disregarded when determining an applicant's eligibility for certain programs or grants and to provide for certain assistance subject to appropriation.	86	177	198
43	Health and Welfare	LAW	MEDICAL ASSISTANCE - Amends existing law to revise eligibility standards for medical assistance to include children with serious emotional disturbance.	86	183	208
46	Health and Welfare	LAW	SIGN LANGUAGE INTERPRETERS - Amends and adds to existing law to provide for licensure of sign language interpreters.	83	184	208
47	Appropriations	LAW	APPROPRIATIONS - ENERGY RESOURCES OFFICE - Appropriates an additional \$50,000 in personnel costs to the Office of Energy Resources for fiscal year 2017; and reduces the appropriation by \$50,000 in operating expenditures for fiscal year 2017.	49	61	70

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
48	Appropriations	LAW	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Appropriates an additional \$100,000 to the Public Utilities Commission for fiscal year 2017.	49	61	70
49	Appropriations	LAW	APPROPRIATIONS - DEFICIENCY WARRANTS - Appropriates and transfers \$38,400 from the General Fund to the Hazardous Substance Emergency Response Fund for fiscal year 2017.	49	61	70
50	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY - Appropriates an additional \$1,000,000 to the Idaho State Historical Society for fiscal year 2017; authorizes carryover of any unspent balances of those moneys into fiscal year 2018; and provides legislative intent.	49	64	81
51	Resources and Conservation	LAW	OUTFITTERS AND GUIDES - Amends existing law to revise the definition of the term "license year."	67	191	227
52	Resources and Conservation	LAW	OIL AND GAS - Adds to existing law ratifying, approving, adopting and confirming the Interstate Compact to Conserve Oil and Gas.	67	186	208
53	Resources and Conservation	LAW	STATE AND SCHOOL LANDS - Amends existing law to authorize the State Board of Land Commissioners to lease state and school lands for oil and gas development for a term of up to ten years.	67	192	227
54	State Affairs	LAW	BUSINESS ENTITIES - Amends existing law to remove and revise fees charged by the Secretary of State for business filings.	56	98	108
57	State Affairs	LAW	STATE LOTTERY - Amends existing law to revise the definition of "major procurement."	83	114	126
58	Education	LAW	TEACHING CERTIFICATES - Repeals existing law relating to teaching certificates obtained during or prior to 1947.	67	97	108
63	Commerce and Human Resources	LAW	EMPLOYMENT SECURITY LAW - Amends existing law to provide reference to the Federal Workforce Innovation and Opportunity Act.	67	195	227
64	Resources and Conservation	LAW	OIL AND GAS - Amends existing law to revise provisions regarding applications for and permits to drill or treat a well, integration order options and the processing of certain applications for orders; to revise certain fee provisions; to provide that requests for orders may be appealed to the Oil and Gas Commission; and to revise provisions regarding hearings, written orders and the exhaustion of administrative remedies.	93	192	227
67	Revenue and Taxation	VETOED	TAXATION POLICIES REGARDING FOOD - Amends, repeals and adds to existing law to provide a sales and use tax exemption for food sold for human consumption; and to revise a distribution	61 217 239	- 250	- 280
70	Education	LAW	SCHOOLS - Adds to existing law to provide legislative intent and to provide for the award of STEM (science, technology, engineering and mathematics) school or STEM program designation.	108	186	208

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
73	Education	LAW	COMMUNITY COLLEGES - Amends existing law to provide correct terminology and to provide that upper division courses and programs are subject to certain approval.	93	178	198
74	Education	LAW	PUBLIC CHARTER SCHOOL COMMISSION - Amends existing law to clarify the sequence of appointments to the commission.	76	103	112
75	Education	LAW	EDUCATION OF EXPECTANT MOTHERS - Repeals and amends existing law to remove an obsolete provision relating to the education of expectant mothers; and to remove the funding provision for such programs.	76	103	112
77	Local Government	LAW	VITAL STATISTICS - Amends existing law to provide a correct code reference to the Public Records Act.	71	98	108
78	Transportation and Defense	LAW	MOTOR VEHICLES - Amends existing law to revise provisions regarding unattended motor vehicles and to provide an exception to the applicability of certain provisions regarding unattended motor vehicles.	83	183	208
81	Health and Welfare	LAW	HEALTH CARE - Amends and adds to existing law to revise provisions regarding the Idaho Conrad J-1 Visa Waiver Program.	123	185	208
82	Revenue and Taxation	S Loc Gov	SALES TAX - Amends existing law to provide a sales tax exemption for free medical clinics.	67	-	67
83	Revenue and Taxation	S Loc Gov	REVENUE AND TAXATION - Amends existing law to provide that a new construction roll shall show certain reductions in taxable market value and to provide for exceptions; and to establish provisions regarding a certain amount that shall be subtracted from the dollar amount of property taxes certified for an annual budget.	67	-	67
86	Business	LAW	PUBLIC WORKS CONSTRUCTION MANAGEMENT LICENSING - Amends existing law to provide that certain acts regarding public works construction management licensing shall be unlawful; to remove reference to interim licenses, and to provide that the administrator of the Idaho Division of Building Safety shall have certain powers and duties.	119	205	228
87	Business	LAW	PLUMBING AND PLUMBERS - Amends existing law to revise a code reference regarding compensation of members of the Idaho Plumbing Board.	119	205	228
90	Resources and Conservation	LAW	FISH AND GAME - Amends infraction provisions regarding upland game bird shooting hours restrictions.	97	192	227
92	State Affairs	LAW	WINE - Amends existing law to revise certain wine license requirements associated with retail beer licenses.	93	183	208
93	State Affairs	LAW	CONCEALED WEAPONS - Amends existing law to revise a provision regarding who may carry a concealed weapon.	158	234	257

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
95	State Affairs	S St Aff	STATE LOTTERY - Amends existing law to provide that the state lottery shall not disclose certain identifying information of prize winners, to provide criteria for written authorization by a prize winner to disclose identifying information, to provide an exception to certain state agencies and vendors; and to provide that certain identifying information and records of prize winners shall be exempt from disclosure.	119	-	119
96	Resources and Conservation	LAW	BEAR RIVER COMMISSION - Amends existing law to provide for alternate commissioners for the Bear River Commission.	93	186	208
97	Judiciary, Rules and Administration	LAW	ATTORNEY'S FEES - Repeals and amends existing law to revise provisions regarding attorney's fees in civil actions.....	93	126	133
98	Business	LAW	REAL ESTATE - Amends existing law to require that a real estate broker's business name appears clearly and conspicuously on real estate advertisements.....	119	205	228
99	Business	LAW	REAL ESTATE LICENSES - Amends and adds to existing law to authorize the Idaho Real Estate Commission to issue a cooperative license to an out-of-state broker working with an Idaho broker for a commercial real estate transaction; to establish the terms and conditions of a cooperative license; and to authorize a license fee. Amended in the House (See House Journal)	158	232	257
100	Business	LAW	INSURANCE - Amends and adds to existing law to provide that insurers and insurance groups shall conduct an own risk and solvency assessment (ORSA), to provide for a summary report of the assessment; and to exempt certain documents from the Public Records Act.	97	187	208
101	Business	LAW	INSURANCE - Amends and adds to existing law to provide statutory purpose; and to revise provisions regarding credit for reinsurance.	87	187	208
102	Business	LAW	INSURANCE - Amends and adds to existing law to establish provisions regarding corporate governance annual disclosure by insurers and insurance groups.	97	187	208
104	State Affairs	LAW	DOG RACING - Amends existing law to provide an exception to applicability of prohibitions against dog racing for certain exhibition-style live dog races and to certain sled dog races. Amended in the Senate	97 152	- 167	- 228
105	Education	LAW	TEACHER PREPARATION - Amends existing law to provide that a teacher preparation assessment may consist of multiple measures for the demonstration of skills by the student.	123	185	208
106	Education	S FAILED	RESIDENTIAL SCHOOLS - Amends existing law to require accredited residential schools to make reports required by the Department of Education and to retain them under the jurisdiction of the Department of Health and Welfare.	145	224	224
107	Education	LAW	HIGHER EDUCATION - Amends existing law regarding the WICHE compact to clarify that references to the territories of Alaska and Hawaii shall mean the states of Alaska and Hawaii.	123	185	208

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
108	Education	LAW	PROPRIETARY SCHOOLS - Amends existing law to provide an exemption from proprietary school registration provisions for an individual or entity that offers a program, school or course regarding the instruction or practice of yoga.....	130	195	227
111	Transportation and Defense	LAW	MOTOR VEHICLE REGISTRATION - Amends and repeals existing law to remove certain special plate provisions; to revise a fee and the transfer of certain funds from the Plate Manufacturing Account to the Highway Distribution Account and to the State Highway Account..... Amended in the House (See House Journal)	158	233	257
112	Appropriations	LAW	APPROPRIATIONS - EXECUTIVE OFFICE OF THE GOVERNOR - Appropriates an additional \$64,900 to the Executive Office of the Governor for fiscal year 2017.	83	98	108
113	Education	LAW	TEACHERS - Amends existing law to provide that a teacher or administrator who retires at age 60+ years and who again becomes employed may continue receiving benefits and not accrue additional services, under certain conditions.	130	187	208
115	Health and Welfare	LAW	PHYSICIANS AND SURGEONS - Amends existing law to revise provisions regarding licensure background checks.	123	186	208
118	Business	LAW	CEMETERIES - Amends existing law to grant the director of the Department of Finance temporary authority regarding administration of Cemetery Endowment Care Fund and to provide procedures. Amended in the Senate	106 172	- 200	- 273
119	Business	LAW	REAL ESTATE APPRAISER BOARD - Authorizes the Idaho Real Estate Board to collect and remit fees necessary to provide appraisal management services in connection with federally related transactions from an appraisal management company to the appropriate federal agency.	136	211	236
120	Business	LAW	MORTICIANS AND FUNERAL HOME DIRECTORS - Adds to existing law to authorize the Board of Morticians to issue inactive licenses to morticians and funeral home directors and to promulgate rules governing the inactive licenses.....	139	211	236
121	Business	LAW	DRIVING BUSINESSES - Amends existing law to revise licensing provisions for driving businesses.	149	217	236
122	Business	LAW	ARCHITECTS - Amends existing law to revise provisions regarding a license by endorsement and temporary practice.....	136	218	236
123	Judiciary, Rules and Administration	S FAILED	MOTORCYCLES - Adds to existing law to provide that law enforcement shall not engage in motorcycle profiling.	136	201	201
124	Appropriations	LAW	APPROPRIATIONS - COMMERCE DEPARTMENT - Appropriates an additional \$100,000 to the Department of Commerce for fiscal year 2017; and authorizes carryover of any unspent balances of those moneys into fiscal year 2018.....	93	106	117

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
126	State Affairs	LAW	APPOINTMENT OF OFFICERS - Amends existing law to provide that certain appointments shall be made by the board of county commissioners instead of the Governor. Amended in the Senate	119 153	- 167	- 228
128	Health and Welfare	LAW	MEDICAID - Amends existing law to provide that the Department of Health and Welfare may enter agreements with providers to pay for Medicaid services based on value.....	123	185	208
129	Health and Welfare	S FAILED	DIETITIANS - Repeals, amends and adds to existing law to revise licensing and other provisions.	123	186	186
130	Local Government	LAW	LOCAL GOVERNMENT FINANCES - Amends existing law to revise the duties of city treasurers and to satisfy publication requirements; to revise provisions regarding the examination of accounts of fiscal officers; and to revise the contents of a treasurer's monthly report for public depository law purposes.	145	201	228
131	Transportation and Defense	LAW	MOTOR VEHICLES - Amends existing law to provide that the Idaho Transportation Department may refuse to issue a dealer or salesman license to any applicant convicted of any felony committed in conjunction with a dealership and to provide that licensed motor vehicle dealers and salesmen convicted of certain offenses shall not be eligible to reapply for a license until certain conditions are met. Amended in the House (See House Journal)	158	233	257
132	Transportation and Defense	LAW	MOTOR VEHICLES - Amends existing law to provide a maximum speed limit for certain vehicles passing a vehicle traveling less than the speed limit on a two-lane road where the posted speed limit is 55 miles per hour or greater ,with limitations.	108	183	208
133	Appropriations	LAW	SOIL AND WATER CONSERVATION COMMISSION - AUDITS - Amends existing law to change the requirement for an annual financial audit to a periodic management review.	119	190	227
135	Business	S Com/HuRes	FARM EQUIPMENT AGREEMENTS - Amends existing law to revise certain supplier violation provisions; to provide that the fact a dealer agreement allows an event, act or omission does not control whether such event, act or omission resulted in a substantial change in the dealer's competitive circumstances; to provide that a supplier shall provide written notice to an equipment dealer of any substantial change in the dealer's competitive circumstances; and to provide for content of the notice. Amended in the House (See House Journal)	223	-	223
136	Business	LAW	INSURANCE - Amends existing law to provide cause for a certain penalty.	145	232	257
137	Business	LAW	ELECTRICIANS - Amends existing law to revise a certain exemption regarding property owners. Amended in the House (See House Journal)	198	243	264
138	Business	LAW	ACCOUNTANCY - Amends existing law to revise definitions; and to clarify enforcement authority for dishonesty or fraud by a licensee.	145	232	257

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
139	Business	VETOED	BARBER AND COSMETOLOGY SERVICES - Repeals, amends and adds to existing law to establish licensing and other provisions for occupations providing barber and cosmetology services.	139	257	273
140	Resources and Conservation	LAW	COMPREHENSIVE STATE WATER PLAN - Amends existing law to revise provisions regarding notice to legislative members of adopted changes to the plan.	145	196	227
141	Resources and Conservation	LAW	COMMERCIAL WILDLIFE TANNERIES - Amends existing law to revise provisions regarding records of commercial wildlife tanneries; and to provide for the seizure and confiscation of wildlife or portions thereof in the possession of commercial wildlife tanneries under certain conditions.	136	201	228
142	Commerce and Human Resources	LAW	STATE PROCUREMENT - Amends existing law to provide that state institutions of higher education must procure property from an open contract except under certain circumstances.	123	218	236
143	Commerce and Human Resources	LAW	STATE PROCUREMENT - Amends existing law to provide that the administrator of the Division of Purchasing may authorize agencies to participate in cooperative purchasing agreements and to utilize contracts of other agencies.	123	218	236
145	Commerce and Human Resources	LAW	PUBLIC EMPLOYEE RETIREMENT SYSTEM - Amends existing law to revise the definition of "employer." Amended in the Senate	123 217	- 231	- 273
146	Judiciary, Rules and Administration	LAW	SEXUAL ASSAULT EVIDENCE - Amends existing law to provide that a victim of sexual assault shall not be denied a certain medical examination, to provide that inability to pay for an examination shall not be an obstacle, to revise provisions regarding retention of sexual assault evidence kits, to provide that certain persons shall receive written notification in certain instances and to provide that law enforcement shall notify certain persons regarding a change in the status of a case.	136	232	257
148	Judiciary, Rules and Administration	LAW	GUARDIANS AND CONSERVATORS - Amends and adds to existing law to provide for the appointment of co-guardians in certain instances; to provide for the appointment of temporary guardians in certain instances; to revise the duties and qualifications for a visitor in guardianship proceedings; and to revise the proceedings for the appointment of guardians and conservators.	149	232	257
149	State Affairs	LAW	ELECTIONS - Amends existing law to provide additional forms of personal identification that may be presented at the polls.	119	190	227
150	State Affairs	S St Aff	ELECTIONS - Amends existing law to provide that early voting shall begin during a certain time period before the election.	130	-	130
151	State Affairs	S St Aff	DOG RACING - Amends existing law to provide an exception for sled dog races to the prohibition on dog racing and to provide for applicability.	123	-	123

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
152	State Affairs	LAW	UNCLAIMED PROPERTY - Amends existing law to establish an exemption for nonprofit corporations providing telecommunications service and delivery of electric power, and to remove certain requirements for such entities.	145	191	227
153	Revenue and Taxation	LAW	FOREST LANDS TAXATION - Amends existing law to extend a sunset date on the use of certain criteria regarding timber productivity valuation and forest management cost allowances.	119	130	133
154	Revenue and Taxation	S Loc Gov	PROPERTY TAXATION - Amends existing law to require additional information on the property tax notice. Amended in the House (See House Journal)	158	-	158
156	Transportation and Defense	LAW	PARK MODEL RECREATIONAL VEHICLES - Amends and adds to existing law to revise provisions regarding the prohibition of the sale of certain recreational vehicles and park model recreational vehicles; to revise provisions regarding exemptions from local ordinances and regulations; to provide for titling, licensing and registration of certain recreational vehicles, to provide for the disposition of annual license fees for park model recreational vehicle registration; to provide titling requirements for certain park model recreational vehicles; to provide that certain base requirements for mobile and manufactured homes shall be an implicit part of any rental agreement between landlord and resident; to provide that park model recreational vehicles shall constitute personal property; and to provide that designated items not incorporated as component parts of a park model recreational vehicle at the time of manufacture shall be subject to sales and use tax separately from the sales price of the vehicle.	130	195	227
166	Commerce and Human Resources	LAW	STATE PROCUREMENT - Repeals and adds to existing law to establish provisions regarding solicitations, proposed contract awards and contract awards made in violation of the State Procurement Act.	123	243	264
168	Resources and Conservation	LAW	FISH AND GAME - Amends existing law to revise moneys to be deposited into the Fish and Game Set-aside Account.....	136	225	245
169	Resources and Conservation	LAW	CONSTITUTIONAL DEFENSE COUNCIL - Amends existing law to revise provisions requiring legislative approval for any action to introduce or reintroduce any species into the state.	136	196	227
170	Resources and Conservation	LAW	FISH, WILDLIFE AND WATER RESOURCES - Amends existing law to revise provisions regarding Idaho's primacy over the management of its fish, wildlife and water resources and to provide that any introduction or reintroduction without state consultation and approval is prohibited.	136	197	227
171	Resources and Conservation	LAW	FISHWAYS - Amends existing law to provide that specified law regarding fishways shall not apply to the Hells Canyon Hydroelectric Project.	136	201	228
180	Judiciary, Rules and Administration	S Jud	DEBT COLLECTORS - Amends existing law to provide that a collection agency licensee, a collection agency or its agent or a creditor citizen may collect interest or incidental fees, charges or expenses if they are expressly authorized by the agreement creating the debt.	136	-	136

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
181	State Affairs	LAW	LOCAL GOVERNMENT INVESTMENT POOL - Amends existing law to authorize public charter school participation in the Local Government Investment Pool.	145	191	227
182	State Affairs	LAW	STATE TREASURER - Amends existing law to provide that each fund invested by the State Treasurer shall be charged an investment administration fee.	145	191	227
183	State Affairs	LAW	STATE TREASURER - Amends existing law to revise duties of the State Treasurer, to modernize language and to reflect current practices.	145	191	227
184	State Affairs	LAW	STATE TREASURER - Amends and adds to existing law to provide authority to administer programs associated with receipt of moneys and to add language regarding the use of payment methods; and to authorize interaccount transfers for services and related costs provided by the State Treasurer to state government departments.	145	-	-
			Amended in the Senate	172	200	273
185	Revenue and Taxation	LAW	INCOME TAXATION - Amends existing law to increase the amount that may be deducted annually for contributions to a college savings program.	139	187	208
186	Education	LAW	SCHOOLS - Amends existing law to add wireless LAN services to the scope of the Education Opportunity Resource Act.	158	201	228
			Amended in the House (See House Journal)			
188	State Affairs	LAW	CAMPAIGN FINANCE - Amends existing law to provide for electronic or online filing and publishing of campaign reports and to provide an exception.	149	195	227
191	Health and Welfare	LAW	PHARMACY - Amends existing law to provide that pharmacists may make certain prescriptions as authorized by rule of the Board of Pharmacy.	145	195	227
193	State Affairs	LAW	SECRETARY OF STATE - Amends existing law to provide that the Secretary of State may deliver a record to a person by electronic transmission.	149	195	227
195	Health and Welfare	LAW	CHIROPRACTIC PRACTICE - Amends and adds to existing law to provide for certification in clinical nutrition.	139	225	245
197	State Affairs	VETOED	ELECTIONS - Amends existing law to revise the procedure for filling a vacancy in the U.S. House of Representatives.	158	225	245
199	Education	LAW	EDUCATION - Amends existing law to revise requirements for a Pay for Success contract, to withhold funds until the contract terms have been met, and to provide for the funding of contracts.	145	201	228
200	Judiciary, Rules and Administration	S Jud	COURT FEES - Amends existing law to provide for the reimbursement and awarding of electronic payment convenience fees in certain instances.	149	-	149

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
201	Judiciary, Rules and Administration	LAW	CHANGE OF NAMES - Amends existing law to revise provisions regarding who shall sign a petition for a name change, what must be specified in the petition, and how notice of a hearing of a petition for a name change must be published, and to provide that notice shall be served on certain persons regarding a hearing.	145	225	245
202	Judiciary, Rules and Administration	VETOED	CIVIL FORFEITURES - Amends existing law to revise which property is subject to civil forfeiture and under which conditions, to establish a right of replevin upon court order, to require certain findings by the court, to remove payment of the state's costs, to provide for disposition of the seized property and to establish reporting requirements..... Amended in the Senate	149 217	- 231	- 273
203	State Affairs	LAW	SECRETARY OF STATE - Amends and adds to existing law to authorize the Secretary of State to create a statewide electronic filing system and to provide that public disclosure of certain personal information of users of the system shall be exempt.....	149	196	227
204	State Affairs	LAW	PERSONAL DELIVERY DEVICES - Adds to and amends existing law to authorize personal delivery devices to operate on sidewalks of the state.	156	204	228
205	Revenue and Taxation	LAW	COUNTY RECORDER'S FEES - Amends existing law to provide for recording fees for certain instruments.	158	233	257
206	Revenue and Taxation	S Loc Gov	INCOME TAXATION - Amends existing law to provide that capital gains and losses on precious metals bullion and monetized bullion sales be added to or subtracted from Idaho taxable income under certain circumstances.	198	-	198
207	Revenue and Taxation	LAW	TAXING DISTRICTS - Amends existing law to provide a procedure where a taxing district may disclaim the right to recover all or any portion of a forgone balance.	140	190	227
208	Appropriations	LAW	APPROPRIATIONS - AGRICULTURE DEPARTMENT - Appropriates an additional \$1,019,900 to the Department of Agriculture for fiscal year 2017, of which \$519,900 is for the methyl bromide project; and \$500,000 is for animal tracking software; and provides reappropriation authority for fiscal year 2018.	140	186	208
209	State Affairs	LAW	NOTARIAL ACTS - Repeals, amends and adds to existing law to establish the Revised Uniform Law on Notarial Acts.	158	225	245
211	Resources and Conservation	LAW	INVASIVE SPECIES - Amends existing law to increase the invasive species sticker fee for the boats of nonresidents.....	158	225	245
212	Health and Welfare	LAW	PSYCHOLOGISTS - Amends and adds to existing law to allow licensed psychologists to prescribe drugs to patients under certain conditions.	158	233	257
213	Health and Welfare	S FAILED	BEHAVIORAL HEALTH SERVICES - Amends existing law to revise provisions regarding membership of the State Behavioral Health Planning Council and the Regional Behavioral Health Board.	158	233	233

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
215	Revenue and Taxation	LAW	IDAHO REIMBURSEMENT INCENTIVE ACT - Amends existing law to include franchise tax in "new state revenue" and to exclude taxes reimbursable by the federal government, and to provide that agreements with applicants for the reimbursement shall exclude taxes reimbursable by the federal government.	158	201	228
216	Revenue and Taxation	LAW	VACATION RENTALS - Adds to existing law to limit regulation of short-term rentals and vacation rentals and to provide a statewide standard and a transaction tax.	156	234	257
217	Revenue and Taxation	S Loc Gov	SALES AND USE TAX REBATE - Adds to existing law to provide a sales and use tax rebate to certain developers of certain information technology equipment companies, to provide definitions, to establish provisions regarding a claim, and to provide for approval by the tax commission.	198	-	198
219	Appropriations	LAW	APPROPRIATIONS - OFFICE OF DRUG POLICY - Appropriates \$4,683,700 to the Office of Drug Policy for fiscal year 2018; limits the number of authorized full-time equivalent positions to 6; and appropriates an additional \$21,000 to the Office of Drug Policy for fiscal year 2017.....	156	191	227
220	Business	S Com/HuRes	BARBERING AND COSMETOLOGY - Amends existing law to provide that a licensee may practice event styling or demonstrate the use of thermal styling equipment away from a licensed presence.	182	-	182
222	Health and Welfare	LAW	SECURE TREATMENT FACILITY ACT - Adds to existing law to establish the admission of patients into a secure treatment facility.	156	232	257
223	Education	S Educ	SCHOOLS - Adds to existing law to establish Rural Education Support Networks.	166	-	166
224	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON THE ARTS - Appropriates \$1,987,000 to the Commission on the Arts for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 10.	156	191	227
225	Appropriations	LAW	APPROPRIATIONS - PERSI - Appropriates \$7,947,900 to the Public Employee Retirement System of Idaho for fiscal year 2018; limits the number of authorized full-time equivalent positions to 67; and provides legislative intent.	156	191	227
226	Appropriations	LAW	APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Appropriates \$9,341,700 from the General Fund to the Public Health Districts for fiscal year 2018.	156	194	227
227	Appropriations	LAW	APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Appropriates \$44,609,800 to the Division of Veterans Services for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 346.	158	192	227
228	Education	LAW	SCHOOLS - Amends existing law to authorize the development and maintenance of online portals for adult education and parent resources.	156	224	245

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
230	Health and Welfare	LAW	FISH AND GAME - Amends and adds to existing law to provide for the use of moneys for fishing access; to revise provisions regarding moneys paid into the Fish and Game Set-Aside Account; to provide for the use of moneys derived from certain license endorsements; to revise provisions regarding the transfer of certain amounts from the Expendable Big Game Depredation Fund; to revise conditions and requirements regarding payment for certain damages due to depredation; to revise certain deposit provisions regarding the Fish and Game Set-Aside Account; to provide for 3-year nonresident junior fishing licenses; to provide for license endorsements to fund wildlife depredation compensation and prevention and sportsmen access programs; to revise certain license fees; to revise provisions regarding procedures associated with depredation claims; and to provide that methods of determining forage utilization and damage or loss due to wildlife may include enclosure cages or other devices.....	166	226	245
235	Revenue and Taxation	LAW	PROPERTY TAX - Amends existing law to establish criteria for a property tax exemption for business property regarding a new or existing plant investment.	171	234	257
237	Appropriations	LAW	APPROPRIATIONS - LAVA HOT SPRINGS - Appropriates \$2,291,500 to the Lava Hot Springs Foundation for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 15.8.	158	192	227
238	Appropriations	LAW	APPROPRIATIONS - ENERGY AND MINERAL RESOURCES - Appropriates \$1,300,700 to the Office of Energy and Mineral Resources for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 8.	158	194	227
239	Appropriations	LAW	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Appropriates \$4,986,600 to the Commission for the Blind and Visually Impaired for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 41.12.	158	194	227
242	Education	LAW	SCHOOLS - Amends existing law to authorize a waiver of minimum instructional hours for after a disaster declaration under certain conditions.	177	233	257
243	Commerce and Human Resources	LAW	DEPARTMENT OF LABOR - Adds to existing law to authorize the Department of Labor to request criminal record checks of certain persons; to provide for the receipt and use of criminal history information; to provide for the communication of clearance or denial; to provide for formal review of a denial; to provide for immunity from liability; and to provide that clearance is not a determination of suitability for employment or contracting.....	158	233	257
244	Business	LAW	INSURANCE - Adds to existing law to establish provisions regarding notice of lapse or termination of an individual life insurance policy.	182	243	264

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245	Appropriations	LAW	APPROPRIATIONS - DIVISION OF HUMAN RESOURCES - Appropriates \$2,263,800 to the Division of Human Resources for fiscal year 2018; limits the number of authorized full-time equivalent positions to 15; provides guidance for employee compensation; and provides guidance for the implementation of employee compensation.	166	196	227
246	Appropriations	LAW	APPROPRIATIONS - JUVENILE CORRECTIONS DEPT - Appropriates \$52,029,400 to the Department of Juvenile Corrections for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 413.	166	196	227
248	Appropriations	LAW	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Appropriates \$650,900 to the State Independent Living Council for fiscal year 2018; and limits the number of full-time equivalent positions to 4.	166	196	227
250	State Affairs	LAW	ABORTION - Amends existing law to remove language providing that a physician has examined in person a woman to whom an abortifacient is administered to determine the medical appropriateness of such administration and has determined that the abortifacient is sufficiently safe for use in the gestational age at which it will be administered; and to remove language providing that no drug may be prescribed through telehealth services for the purposes of causing an abortion.	171	232	257
253	Ways and Means	LAW	EDUCATION - Amends existing law to revise the definitions of "instructional staff," "measurable student achievement," and "performance criteria."	198	242	264
254	Ways and Means	LAW	SCHOOLS - Amends existing law to remove term limits for public charter school commissioners.	198	243	264
257	Ways and Means	LAW	POSTSECONDARY CREDIT SCHOLARSHIP - Amends existing law to revise requirements for the source matching funds for the Postsecondary Credit Scholarship Program.	199	243	264
259	Appropriations	LAW	APPROPRIATIONS - LIBRARIES COMMISSION - Appropriates \$5,752,900 to the Idaho Commission for Libraries for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 37.5.	182	243	264
260	Appropriations	LAW	APPROPRIATIONS - EDUCATION BOARD - SPECIAL PROGRAMS - Appropriates \$19,686,600 to Special Programs under the State Board of Education for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 43.13.	182	244	264
261	Appropriations	LAW	APPROPRIATIONS - CAREER TECHNICAL EDUCATION DIVISION - Appropriates an additional \$35,100 to the Division of Career Technical Education for the State Leadership and Technical Assistance Program for fiscal year 2017; appropriates an additional \$503,500 to General Programs for fiscal year 2017; and reduces the appropriation by \$538,600 to General Programs for fiscal year 2017.	182	244	264
262	Ways and Means	LAW	SCHOOLS - Amends existing law to increase the public school funding formula for college and career advisors.	198	243	264

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263	Ways and Means	S Loc Gov	INCOME TAXATION - Amends existing law to provide an income tax credit for charitable contributions made to medical residency placement organizations accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Organization based in Idaho and devoted to placing medical residency within Idaho.	231	-	231
265	Appropriations	LAW	APPROPRIATIONS - MILITARY DIVISION - Appropriates \$92,091,200 to the Military Division for fiscal year 2018; limits the number of authorized full-time equivalent positions to 323.8; and grants a continuous appropriation for the Idaho Office of Emergency Management's Miscellaneous Revenue Fund for costs arising out of hazardous substance incidents.	198	244	264
266	Appropriations	LAW	APPROPRIATIONS - MEDICAL BOARDS - Appropriates \$6,709,500 to the Medical Boards for fiscal year 2018; limits the number of authorized full-time equivalent positions to 48.2; provides non-General Fund reappropriation for fiscal year 2018; and appropriates an additional \$60,000 to the Board of Pharmacy for fiscal year 2017.	198	244	264
270	Ways and Means	S St Aff	BOND AND LEVY ELECTIONS - Adds to existing law to establish the Government Noninterference in Bond and Levy Elections Act.	199	-	199
272	Appropriations	LAW	APPROPRIATIONS - EDUCATION BOARD, HEALTH EDUCATION PROGRAMS - Appropriates \$15,905,800 to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs for fiscal year 2018; limits the number of authorized full-time equivalent positions to 25.8; provides a lump sum appropriation for dedicated funds; and reappropriates unexpended and unencumbered dedicated fund balances for the Dental Education Programs.	209	244	264
273	Ways and Means	S St Aff	OPEN MEETINGS LAW - Amends existing law to revise the definition of "public agency."	223	-	223
274	Ways and Means	VETOED	INVASIVE SPECIES - Amends and adds to existing law to establish the position of administrator of invasive species policy; to revise the duties of the director of the Idaho Department of Agriculture; to authorize the director to apply for search warrants under certain conditions, to provide that certain check stations may have extended operating hours; to provide penalties for any person failing to stop at a check station; to provide that the director shall pursue federal government partnerships and funding; to provide that the director under certain conditions shall enter into cooperative agreements; and to provide for formal memoranda of agreement with certain entities. Amended in the Senate	199 249	- 255	- 280
275	Appropriations	LAW	APPROPRIATIONS - LIEUTENANT GOVERNOR - Appropriates \$172,900 to the Office of the Lieutenant Governor for fiscal year 2018; limits the number of authorized full-time equivalent positions to 3; and authorizes lump sum spending authority.	209	244	264

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276	Appropriations	LAW	APPROPRIATIONS - HISPANIC AFFAIRS - Appropriates \$311,600 to the Commission on Hispanic Affairs for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 3.	209	244	264
277	Appropriations	LAW	APPROPRIATIONS - LOTTERY - Appropriates \$6,189,300 to the Idaho State Lottery for fiscal year 2018; limits the number of authorized full-time equivalent positions to 45; and provides legislative intent regarding certain continuous appropriations.	209	245	264
278	Ways and Means	S St Aff	EMERGENCIES - Adds to existing law to provide for first informer broadcasters in the Idaho Emergency Operations Plan and to provide for training.	223	-	223
279	Ways and Means	LAW	SCHOOLS - Amends existing law to revise the requirements for public charter schools.	209	251	268
280	Appropriations	LAW	APPROPRIATIONS - GOVERNOR, EXECUTIVE OFFICE OF - Appropriates \$2,348,100 to the Executive Office of the Governor for fiscal year 2018; limits the number of authorized full-time equivalent positions to 22; and exempts appropriation from object and program transfer limitations.....	209	245	264
281	Appropriations	LAW	APPROPRIATIONS - LEGISLATIVE BRANCH - Appropriates \$8,694,700 to the legislative branch for fiscal year 2018; reappropriates any unexpended and unencumbered balances in the Professional Services Fund; and exempts appropriation from object transfer limitations.	209	245	264
282	Appropriations	LAW	APPROPRIATIONS - FINANCIAL MANAGEMENT DIVISION - Appropriates \$1,928,300 to the Division of Financial Management for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 15.	209	245	264
283	Revenue and Taxation	S Loc Gov	REVENUE AND TAXATION - Amends existing law to provide that a new construction roll shall show certain reductions in taxable market value with exceptions; and to establish provisions regarding a certain amount that shall be subtracted from the dollar amount of property taxes certified for an annual budget and to provide that property that has become tax exempt may not be counted for 3% budget purposes.	231	-	231
284	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - ADMINISTRATORS DIVISION - Appropriates \$90,616,400 for the Public Schools Educational Support Program/Division of Administrators for fiscal year 2018; and amends existing law to increase the salary-based apportionment for administrators.	231	252	268
285	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION - Appropriates \$924,988,500 for the Public Schools Educational Support Program/Division of Teachers for fiscal year 2018; directs the use of moneys for professional development; and defines the term "distributed."	231	252	268

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286	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - OPERATIONS DIVISION - Appropriates \$653,649,000 for the Public Schools Educational Support Program/Division of Operations for fiscal year 2018; amends existing law to increase the salary-based apportionment for classified staff; provides an estimate for discretionary funds per support unit; provides for expenditures for information technology staff; provides for classroom technology and instructional management systems; defines the term "distributed"; and allows for transfers among other divisions.	231	252	268
287	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CHILDREN'S PROGRAMS DIVISION - Appropriates \$298,637,800 for the Public Schools Educational Support Program/Division of Children's Programs for fiscal year 2018; directs the use of funds for the Idaho Digital Learning Academy; directs the use of funds for the Safe and Drug-Free Schools Program; directs the use of funds for remedial coursework; directs the use of funds for limited English proficiency programs; directs the use of funds for gifted and talented students; directs the use of funds for purchasing digital content and curriculum; requires advanced opportunities reporting; directs the State Controller to transfer funds to the Commission on Hispanic Affairs; directs the State Controller to transfer funds to the Idaho State Police; provides reappropriation for certain dedicated funds; and defines the term "distributed."	231	252	268
288	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - FACILITIES DIVISION - Appropriates \$48,486,600 for the Public Schools Educational Support Program/Division of Facilities for fiscal year 2018; provides moneys for the Bond Levy Equalization Fund; specifies the amount of revenue to be distributed to the General Fund; and allows for the General Fund to be included in the year-end reconciliation, if necessary.	231	252	268
289	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CENTRAL SERVICES DIVISION - Appropriates \$13,975,800 for the Public Schools Educational Support Program/Division of Central Services for fiscal year 2018; directs the use for literacy programs, intervention services, math initiative programs and limited English proficiency programs; directs the use of funds for student assessments; directs the use for wireless technology infrastructure; directs the use for professional development; provides legislative intent for content and curriculum; provides guidance on year-end reconciliation; provides legislative intent for technology content and curriculum; and defines terms.	231	253	268
290	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND DIVISION - Appropriates \$10,884,300 for the Public Schools Educational Support Program/Division of Educational Services for the Deaf and the Blind for fiscal year 2018.	231	253	268
293	Ways and Means	LAW	VETERINARIANS - Adds to existing law to provide for a specified renewal fee for a certain year.	231	252	268

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294	Appropriations	LAW	APPROPRIATIONS - COMMUNITY COLLEGES - Appropriates \$40,000,900 to the State Board of Education for Community Colleges for fiscal year 2018; exempts the appropriation from object and program transfer limitations; requires an update on the Complete College Idaho initiative; and appropriates an additional \$1,200,000 to the College of Southern Idaho for fiscal year 2017.	246	258	273
295	Appropriations	LAW	APPROPRIATIONS - CAREER TECHNICAL EDUCATION DIVISION - Appropriates \$74,754,900 to the Division of Career Technical Education for fiscal year 2018; exempts appropriation object transfer limitations; and reappropriates certain unexpended and unencumbered fund balances.	246	258	273
296	Appropriations	LAW	APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION - Appropriates \$3,125,900 to the Soil and Water Conservation Commission for fiscal year 2018; limits the number of authorized full-time equivalent positions to 17.75; and provides legislative intent regarding distributions to the districts.	246	258	273
297	Appropriations	LAW	APPROPRIATIONS - WOLF DEPREDATION CONTROL BOARD - Appropriates and transfers \$400,000 from the General Fund to the Wolf Control Fund for fiscal year 2018.	246	259	273
298	Appropriations	LAW	APPROPRIATIONS - STEM ACTION CENTER - Appropriates \$6,589,800 to the STEM Action Center for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 4.	246	261	273
300	Appropriations	LAW	APPROPRIATIONS - OFFICE OF STATE BOARD OF EDUCATION - Appropriates \$9,036,500 to the Office of the State Board of Education for fiscal year 2018; limits the number of authorized full-time equivalent positions to 31.25; authorizes the reappropriation of the Federal Grant Fund; authorizes the reappropriation of the Public Charter School Authorizers Fund; authorizes the reappropriation of the Higher Education Stabilization Fund; provides legislative intent regarding administrator training on teacher evaluations; and provides legislative intent regarding school improvement evaluations.	246	262	273
301	Ways and Means	LAW	OIL AND GAS - Amends, repeals and adds to existing law to revise the membership of the Oil and Gas Conservation Commission, to revise the duties of the commission and the Department of Lands, to provide well spacing and setback requirements, to provide for unit integration, to provide reporting requirements and to provide for the rights and remedies of royalty owners. Amended in the House (See House Journal)	256	260	273
302	Appropriations	LAW	APPROPRIATIONS - REGULATORY BOARDS - Appropriates \$8,058,900 to the Regulatory Boards for fiscal year 2018; limits the number of authorized full-time equivalent positions to 69; and appropriates an additional \$78,300 to the Regulatory Boards for fiscal year 2017.	246	262	273

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303	Appropriations	LAW	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION/STATE TAX COMMISSION/INDUSTRIAL COMMISSION - Amends existing law to increase the salaries of members of the Public Utilities Commission; to increase the salaries of members of the State Tax Commission; to increase the salaries of members of the Industrial Commission; appropriates an additional \$11,000 to the Public Utilities Commission for commissioner salaries; appropriates an additional \$13,500 to the State Tax Commission for commissioner salaries; and appropriates an additional \$10,500 to the Industrial Commission for commissioner salaries.....	246	262	273
304	Appropriations	LAW	APPROPRIATIONS - STATE TREASURER - Appropriates \$4,203,500 to the State Treasurer for fiscal year 2018; limits the number of authorized full-time equivalent positions to 26; provides for reappropriation authority for the LGIP Fund; provides legislative intent regarding conference-related activities; provides legislative intent regarding payment of bank service fees; and provides legislative intent regarding mitigation of bank service fees.	246	263	273
305	Appropriations	LAW	APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER - Appropriates \$2,889,200 to the Office of the State Appellate Public Defender for fiscal year 2018; limits the number of authorized full-time equivalent positions to 23; provides legislative intent for the payment of outside counsel costs; provides legislative intent for the payment of capital representation costs; and provides for a cash transfer.	246	263	273
306	Appropriations	LAW	APPROPRIATIONS - PARDONS AND PAROLE COMMISSION - Appropriates \$3,011,600 to the Commission of Pardons and Parole for fiscal year 2018; and limits the number of authorized full-time equivalent positions to 34.	246	263	273
307	State Affairs	LAW	ADMINISTRATIVE RULES - Adds to existing law to provide that administrative rules that expire on July 1, 2017, will continue to be effective until July 1, 2018, to provide that administrative rules approved or extended by the adoption of a concurrent resolution shall be effective until July 1, 2018, 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.	256	265	280
308	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Appropriates \$44,939,600 to the Department of Agriculture for fiscal year 2018; limits the number of authorized full-time equivalent positions to 209; appropriates an additional \$171,300 to the Idaho State Police for fiscal year 2018; authorizes one additional full-time equivalent position to the Idaho State Police; and provides legislative intent regarding the Watercraft Inspection Program.	256	260	273

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
309	Appropriations	LAW	APPROPRIATIONS - MILLENNIUM FUND - Appropriates, distributes and transfers a total of \$9,136,200 from the Idaho Millennium Income Fund for fiscal year 2018; requires nonstate entities to sign an agreement with the state in order to receive funds; provides that certain unexpended and unencumbered moneys shall revert to the Idaho Millennium Income Fund at the end of fiscal year 2018; and provides that any remaining unexpended and unencumbered moneys in the Idaho Millennium Income Fund shall be transferred to the Idaho Millennium Permanent Endowment Fund at the end of fiscal year 2018.	256	261	273
312	Appropriations	LAW	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Appropriates an additional \$90,200 to the State Independent Living Council for fiscal year 2018.	256	261	273
313	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - MENTAL HEALTH SERVICES/DIVISION OF MEDICAID - Appropriates an additional \$1,043,900 to the Children's Mental Health Program for fiscal year 2018; reduces the appropriation to the Children's Mental Health Program by \$1,181,600 for fiscal year 2018; authorizes an additional 7 full-time equivalent positions; and provides for legislative intent for the Division of Medicaid.	264	266	280
314	Appropriations	LAW	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Appropriates \$665,166,400 for fiscal year 2018; limits the number of authorized full-time equivalent positions to 1,648; expresses legislative intent for certain continuously appropriated funds; authorizes the transfer of moneys to the Tourism and Promotion Fund; provides reappropriation authority for certain dedicated funds; provides reappropriation authority for airport development grants; and provides a cash transfer to the GARVEE Debt Service Fund.	264	266	280
315	Ways and Means	LAW	STATE BUILDINGS - Amends existing law to provide that the director of the Department of Administration may authorize the Division of Public Works to enter into leases incidental to the acquisition of a facility by the Idaho State Building Authority.	250	265	280
316	Appropriations	LAW	APPROPRIATIONS - LEGISLATURE - Appropriates \$400,000 to the Legislature for fiscal year 2018 for the Public School Funding Formula Interim Committee.	264	266	280
317	Appropriations	LAW	APPROPRIATIONS - FISH AND GAME DEPARTMENT - Appropriates an additional \$5,493,300 to the Department of Fish and Game for fiscal year 2018; and authorizes an additional 7 full-time equivalent positions for fiscal year 2018.	270	271	280
318	Appropriations	VETOED	APPROPRIATIONS - GOVERNOR, EXECUTIVE OFFICE OF GOVERNOR - Appropriates an additional \$40,900 to the Executive Office of the Governor for fiscal year 2017; authorizes one additional full-time equivalent position onetime for fiscal year 2017; appropriates an additional \$142,700 for fiscal year 2018; and authorizes one additional full-time equivalent position ongoing for fiscal year 2018.	270	272	280

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
319	Ways and Means	LAW	WATER - Amends existing law to provide for uses where a temporary approval shall be granted and to provide for duration of approval.	250	260	273
320	Appropriations	LAW	APPROPRIATIONS - VARIOUS AGENCIES - Appropriates an additional \$40,000 to the Department of Fish and Game for fiscal year 2018; appropriates an additional \$40,000 to the Idaho Transportation Department for fiscal year 2018; appropriates an additional \$45,000 to the Bureau of Occupational Licenses for fiscal year 2018; appropriates an additional \$35,000 to the Board of Medicine for fiscal year 2018; and appropriates an additional \$40,000 to the State Liquor Division for fiscal year 2018.	270	272	280
321	Appropriations	LAW	APPROPRIATIONS - LEGISLATURE - Appropriates \$125,000 from the General Fund to the Legislature for fiscal year 2017 to fund the State Employee Group Insurance and Benefits Committee; and provides reappropriation authority.	270	272	280
326	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Appropriates an additional \$5,500,000 from the Administration and Accounting Services Fund to the Department of Administration for fiscal year 2018.	273	274	280
328	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Appropriates \$22,422,800 to the Department of Administration for fiscal year 2018; limits the number of authorized full-time equivalent positions to 140; provides a dedicated fund cash transfer; directs the health insurance plan for state employees; and provides legislative intent for use of funds for a specific purpose.	278	279	280
329	Appropriations	LAW	APPROPRIATIONS - STATE TAX COMMISSION - Appropriates \$2,000,000 from the General Fund to the State Tax Commission for fiscal year 2017; and provides reappropriation authority for fiscal year 2018.	273	274	280
334	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law to revise a distribution from the Strategic Initiatives Program.	277	278	280

SECTION XII

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
2	Resources and Conservation	ADOPTED	RELICENSING HELLS CANYON COMPLEX - Stating findings of the Legislature, recognizing the value of Idaho's water resource to the economic vitality and prosperity of the citizens of Idaho, establishing state policies regarding the relicensing of the Hells Canyon Complex and supporting the protection of state sovereignty, property rights and the economy of the State of Idaho.....	108	144	158
3	Health and Welfare	ADOPTED	FEDERAL FACILITY AGREEMENT AND CONSENT ORDER - Stating findings of the Legislature and honoring the 25th anniversary of the signing of the Federal Facility Agreement and Consent Order and to supporting Congress to identify commit and sustain the necessary funding to allow the Department of Energy to continue to make progress at meeting its cleanup milestones to benefit the citizens of Idaho and their environment.	158	189	227
4	State Affairs	ADOPTED	INVASIVE SPECIES - Stating findings of the Legislature and encouraging western states and the federal government to establish cooperative and coordinated efforts with the State of Idaho to prevent, to whatever extent possible, through efforts including inspections, decontamination policies, enforcement of invasive species laws and rapid response protocols, further spread of the mussels, and containment where established, until such time as viable tools for eradication are discovered.....	158	189	227
6	Ways and Means	ADOPTED	FARMING - Stating findings of the Legislature and urging that farmers, ranchers and food processors be enabled to compete freely and trade fairly in foreign and domestic markets.....	198	247	268
7	Ways and Means	ADOPTED	AFFORDABLE CARE ACT - Stating findings of the Legislature and providing guidance on the replacement of the Affordable Care Act in Congress.....	209	228	257
8	Ways and Means	ADOPTED	INVASIVE SPECIES - Stating findings of the Legislature and urging Congress to appropriate funds to protect the Pacific Northwest against invasive mussels.....	231	247	268
9	Ways and Means	ADOPTED	U.S. AIR FORCE - Stating findings of the Legislature and calling on the Secretary of the U.S. Air Force and Congress to consider locating a squadron of F-35 Lightning II Joint Strike aircraft at Gowen Field in Boise.....	271	273	280

SECTION XIII

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 - STATE OF STATE ADDRESS - Provides for a joint session of the House of Representatives and the Senate to hear the Governor's State of the State Address.....	5	6	14
3	Health and Welfare	ADOPTED	FAMILY CAREGIVERS - Stating findings of the Legislature and supporting the recommendations in the Idaho Lifespan Family Caregiver Action Plan.	93	112	126
4	Commerce and Human Resources	S Com/HuRes	DEPARTMENT OF LABOR - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Department of Labor relating to Unemployment Insurance Benefits Administration Rules.	93	-	93
5	Resources and Conservation	ADOPTED	DEPARTMENT OF LANDS - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Idaho Department of Lands relating to Rules Governing Conservation of Oil and Natural Gas in the State of Idaho. ...	102	144	158
6	Commerce and Human Resources	S Com/HuRes	PUBLIC PROCUREMENT - Stating the findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of issues regarding to public procurement.	123	-	123
8	Health and Welfare	ADOPTED	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 Rules Governing the Idaho Child Care Program.	123	144	158
9	Health and Welfare	ADOPTED	RARE DISEASES - Stating findings of the Legislature and supporting efforts to alleviate the effects of rare diseases on Idahoans.....	145	188	227
11	State Affairs	ADOPTED	RAY HOUSTON - Stating findings of the Legislature and honoring Ray Houston upon his retirement.....	119	144	158
12	Education	ADOPTED	EDUCATION - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to conduct a study of the public school funding formula and to make recommendations.....	145	188	227
13	Health and Welfare	ADOPTED	GROUP INSURANCE AND TOTAL COMPENSATION STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to continue a study of the state employee group insurance plan structure and to make recommendations.....	123	228	257
14	Education	S Educ	CIVICS TEST - Stating findings of the Legislature and requesting that the State Board of Education adopt rules to provide for Idaho state government and Idaho history questions for the civics test given to secondary school students, starting with the 2017-2018 school year.	166	-	166

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
15	Agricultural Affairs	ADOPTED	IDAHO WHEAT COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Idaho Wheat Commission relating to Rules of the Idaho Wheat Commission.....	130	154	170
16	Agricultural Affairs	ADOPTED	IDAHO WHEAT COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Idaho Wheat Commission relating to Rules of the Idaho Wheat Commission.....	130	154	170
17	State Affairs	ADOPTED	IMMIGRANTS - Stating findings of the Legislature and recognizing the important history and ongoing contributions of legal immigrants toward the building of the United States.....	156	209	236
19	Health and Welfare	ADOPTED	FOSTER CARE STUDY COMMITTEE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the foster care system in Idaho.	145	189	227
21	Business	S Com/HuRes	DIVISION OF BUILDING SAFETY - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Division of Building Safety relating to Idaho Minimum Safety Standards and Practices for Logging, Recommended Safety Program.	156	-	156
22	Business	S Com/HuRes	DEPARTMENT OF INSURANCE - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Department of Insurance relating to Adoption of the International Fire Code.	156	-	156
23	Education	ADOPTED	UNIVERSITY OF IDAHO - Stating findings of the Legislature and commemorating the University of Idaho on its 125th anniversary.....	158	181	208
24	Transportation and Defense	S Transp	STATE POLICE - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Idaho State Police relating to the Motor Carrier Rules.	158	-	158
25	Education	ADOPTED	NATIONAL SPEECH AND DEBATE EDUCATION DAY - Stating findings of the Legislature and recognizing National Speech and Debate Education Day on March 3, 2017.....	166	209	236
26	Ways and Means	ADOPTED	SONIA GALAVIZ - Stating findings of the Legislature and recognizing Sonia Galaviz for her commitment to her students and her exemplary conduct as an Idaho teacher.....	198	247	268
27	Education	ADOPTED	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 Administration.	231	247	268
28	Ways and Means	ADOPTED	JIM JONES - Stating findings of the Legislature and honoring Jim Jones for his 50 years of public service to the citizens of Idaho, including as Attorney General and Chief Justice of the Supreme Court.....	198	222	245

SENATE INDEX

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
29	Ways and Means	ADOPTED	STATE BUILDING AUTHORITY - Stating findings of the Legislature and authorizing the Department of Administration to enter into agreements with the Idaho State Building Authority to finance the purchase of new or existing office or warehouse space to establish a single-destination complex to house state agencies.	250	264	280

SECTION XIV

SENATE SPONSORS - SENATE LEGISLATION VOTED ON IN SENATE - 2017

BILL NO.	SPONSOR(S)
S 1003	Souza
S 1004	Foreman
S 1005	Lee
S 1007	Patrick
S 1008	Martin
S 1009	Harris
S 1010	Bair
S 1011	Agenbroad
S 1013	Foreman
S 1015	Ward-Engelking
S 1016	Nye
S 1017	Rice
S 1018	Nonini
S 1019	Thayn
S 1020	Souza
S 1021	Mortimer
S 1022	Ward-Engelking
S 1023	Foreman
S 1024	Lee
S 1025	Agenbroad
S 1026	Burgoyne
S 1027	Vick
S 1028	Brackett
S 1029	Crabtree
S 1030	Nonini
S 1031	Hagedorn
S 1032	Johnson
S 1033	Mortimer
S 1034 aa	Mortimer
S 1035	Winder
S 1036	Crabtree
S 1037	Souza
S 1038 aa	Anthon
S 1039 aa	Thayn
S 1040	Davis
S 1041	Mortimer

BILL NO.	SPONSOR(S)
S 1042	Mortimer
S 1043 aaH	Den Hartog
S 1045	Patrick
S 1046	Thayn
S 1047	Nonini
S 1048	Rice
S 1049	Anthon
S 1055	Lakey
S 1057	Guthrie
S 1058 aa	Keough
S 1059	Ward-Engelking
S 1060	Heider
S 1061	Thayn
S 1062	Agenbroad
S 1063	Siddoway
S 1064	Johnson
S 1069	Vick
S 1070	Martin
S 1072	Brackett
S 1074 aa	Den Hartog
S 1075	Winder
S 1076 aa	Lakey
S 1077 aa	Martin
S 1079	Guthrie
S 1080	Rice
S 1081	Martin
S 1083	Foreman
S 1084	Nye
S 1085	Siddoway
S 1086	Nonini
S 1088	Nye
S 1089	Keough
S 1090 aa	Anthon
S 1091	Lodge
S 1092	Davis
S 1093 aaH	Rice

BILL NO.	SPONSOR(S)
S 1094	Ward-Engelking
S 1098	Bair
S 1099 aaH	Bair
S 1101	Brackett
S 1105	Burgoyne
S 1107	Brackett
S 1108	Davis
S 1109	Burgoyne
S 1111	Harris
S 1112	Keough
S 1113	Lodge
S 1115	Crabtree
S 1116	Agenbroad
S 1117	Thayn
S 1118	Siddoway
S 1119	Winder
S 1120	Lakey
S 1121	Brackett
S 1122	Davis
S 1123	Guthrie
S 1125	Burgoyne
S 1126 aa	Davis
S 1127	Agenbroad
S 1128	Lee
S 1129	Mortimer
S 1130 aa	Stennett
S 1132	Crabtree
S 1133	Martin
S 1134	Ward-Engelking
S 1135	Agenbroad
S 1136	Bair
S 1137	Martin
S 1138	Martin
S 1139 aa	Johnson
S 1141	Keough
S 1142 aa	Hagedorn

BILL NO.	SPONSOR(S)
S 1144	Buckner-Webb
S 1145	Bair
S 1146	Martin
S 1150	Guthrie
S 1151	Winder
S 1152	Nye
S 1153	Souza
S 1154	Foreman
S 1156	Mortimer
S 1157	Mortimer
S 1158	Agenbroad
S 1159	Agenbroad
S 1160	Nye
S 1164	Bair
S 1165	Bair
S 1166	Agenbroad
S 1167	Bair
S 1168	Crabtree
S 1169	Martin
S 1170	Mortimer
S 1171	Mortimer
S 1172	Souza
S 1173	Martin
S 1174	Bair
S 1175	Crabtree
S 1176	Bair
S 1177	Lee
S 1178	Crabtree
S 1179	Souza
S 1182	Johnson
S 1185	Lee
S 1186	Lee
S 1187	Bair
S 1188 aa	Brackett
S 1189	Souza
S 1190	Davis

BILL NO.	SPONSOR(S)
S 1191	Heider
S 1192	Agenbroad
S 1193	Lee
S 1194	Mortimer
S 1195 aaH	Lakey
S 1196	Bayer
S 1197	Bair
S 1198	Souza
S 1199	Lee
S 1200	Martin
S 1201	Nye
S 1202	Burgoyne
S 1203	Bair
S 1204	Keough
S 1205	Keough
S 1206	Brackett
SCR NO.	SPONSOR(S)
SCR 101	Hagedorn
SCR 102	Rice
SCR 103	Buckner-Webb
SCR 104	Thayn
SCR 105	Mortimer
SCR 106	Buckner-Webb
SCR 107	Winder
SCR 108	Hagedorn
SCR 109	Keough
SCR 110	Foreman
SCR 111	Buckner-Webb
SCR 112	Patrick
SCR 113	Winder
SCR 114	Bair
SCR 115	Stennett
SCR 116	Brackett
SCR 118	Thayn
SCR 119	Thayn

SCR NO.	SPONSOR(S)
SCR 120	Siddoway
SCR 121	Siddoway
SCR 122	Burgoyne
SCR 123	Lodge
SCR 124	Davis
SJM NO.	SPONSOR(S)
SJM 101	Siddoway
SJM 102	Brackett
SJR NO.	SPONSOR(S)
SJR 103	Lakey
SR NO.	SPONSOR(S)
SR 101	Davis

SECTION XV

SENATE SPONSORS - HOUSE LEGISLATION VOTED ON IN SENATE - 2017

BILL NO.	SPONSOR(S)
H 1	Winder
H 2	Jordan
H 3	Lee
H 4	Martin
H 5	Harris
H 6	Lee
H 7	Martin
H 8	Heider
H 9	Harris
H 10	Heider
H 11 aaS	Martin
H 12 aaS,aaS	Davis
H 13	Siddoway
H 15	Nye
H 16	Bair
H 17	Lakey
H 18	Hagedorn
H 19	Winder
H 20	Den Hartog
H 22	Siddoway
H 23	Burgoyne
H 24	Nye
H 25	Vick
H 26	Bayer
H 27	Winder
H 29	Bayer
H 30	Siddoway
H 31	Vick
H 32	Siddoway
H 33	Lodge
H 36	Guthrie
H 37	Crabtree
H 38	Anthon
H 41	Burgoyne
H 43	Jordan
H 46	Ward-Engelking

BILL NO.	SPONSOR(S)
H 47	Martin
H 48	Ward-Engelking
H 49	Martin
H 50	Nye
H 51	Bayer
H 52	Heider
H 53	Johnson
H 54	Siddoway
H 57	Siddoway
H 58	Den Hartog
H 63	Martin
H 64	Vick
H 67 aaS,aaS	Bayer
H 70	Nonini
H 73	Patrick
H 74	Buckner-Webb
H 75	Winder
H 77	Siddoway
H 78	Hagedorn
H 81	Harris
H 86	Martin
H 87	Martin
H 90	Heider
H 92	Lodge
H 93	Hagedorn
H 96	Harris
H 97	Lodge
H 98	Lakey
H 99 aa	Winder
H 100	Anthon
H 101	Patrick
H 102	Thayn
H 104 aaS	Stennett
H 105	Mortimer
H 106	Buckner-Webb
H 107	Crabtree

BILL NO.	SPONSOR(S)
H 108	Guthrie
H 111 aa	Keough
H 112	Mortimer
H 113	Mortimer
H 115	Souza
H 118 aaS	Patrick
H 119	Patrick
H 120	Martin
H 121	Anthon
H 122	Burgoyne
H 123	Agenbroad
H 124	Martin
H 126 aaS	Hagedorn
H 128	Jordan
H 129	Martin
H 130	Hill
H 131 aa	Hagedorn
H 132	Harris
H 133	Johnson
H 136	Burgoyne
H 137 aa	Anthon
H 138	Guthrie
H 139	Den Hartog
H 140	Heider
H 141	Anthon
H 142	Martin
H 143	Jordan
H 145 aaS	Lakey
H 146	Buckner-Webb
H 148	Burgoyne
H 149	Hagedorn
H 152	Anthon
H 153	Johnson
H 156	Hagedorn
H 166	Martin
H 168	Jordan

BILL NO.	SPONSOR(S)
H 169	Siddoway
H 170	Brackett
H 171	Johnson
H 181	Siddoway
H 182	Siddoway
H 183	Siddoway
H 184 aaS	Siddoway
H 185	Nye
H 186 aa	Mortimer
H 188	Lodge
H 191	Heider
H 193	Siddoway
H 195	Hagedorn
H 197	Siddoway
H 199	Nonini
H 201	Anthon
H 202 aaS	Burgoyne
H 203	Hagedorn
H 204	Brackett
H 205	Patrick
H 207	Rice
H 208	Crabtree
H 209	Hill
H 211	Stennett
H 212	Souza
H 213	Harris
H 215	Bayer
H 216	Rice
H 219	Souza
H 222	Heider
H 224	Ward-Engelking
H 225	Agenbroad
H 226	Crabtree
H 227	Agenbroad
H 228	Thayn
H 230	Bair

BILL NO.	SPONSOR(S)
H 235	Vick
H 237	Mortimer
H 238	Ward-Engelking
H 239	Ward-Engelking
H 242	Anthon
H 243	Burgoyne
H 244	Heider
H 245	Martin
H 246	Lee
H 248	Martin
H 250	Martin
H 253	Ward-Engelking
H 254	Mortimer
H 257	Thayn
H 259	Mortimer
H 260	Mortimer
H 261	Mortimer
H 262	Crabtree
H 265	Ward-Engelking
H 266	Souza
H 272	Mortimer
H 274 aaS	Harris
H 275	Martin
H 276	Ward-Engelking
H 277	Agenbroad
H 279	Den Hartog
H 280	Crabtree
H 281	Crabtree
H 282	Martin
H 284	Mortimer
H 285	Ward-Engelking
H 286	Ward-Engelking
H 287	Ward-Engelking
H 288	Mortimer
H 289	Mortimer
H 290	Lee

BILL NO.	SPONSOR(S)
H 293	Guthrie
H 294	Mortimer
H 295	Mortimer
H 296	Crabtree
H 297	Crabtree
H 298	Mortimer
H 300	Lee
H 301 aa	Lee
H 302	Agenbroad
H 303	Martin
H 304	Agenbroad
H 305	Agenbroad
H 306	Agenbroad
H 307	Siddoway
H 308	Bair
H 309	Martin
H 312	Lee
H 313	Lee
H 314	Crabtree
H 315	Hill
H 316	Mortimer
H 317	Bair
H 318	Keough
H 319	Stennett
H 320	Souza
H 321	Mortimer
H 326	Keough
H 328	Keough
H 329	Keough
H 334	Hagedorn
HCR NO.	SPONSOR(S)
HCR 1	Davis
HCR 3	Martin
HCR 5	Vick
HCR 8	Souza

HCR NO.	SPONSOR(S)
HCR 9	Jordan
HCR 11	Keough
HCR 12	Winder
HCR 13	Lakey
HCR 15	Den Hartog
HCR 16	Den Hartog
HCR 17	Burgoyne
HCR 19	Lee
HCR 23	Crabtree
HCR 25	Davis
HCR 26	Ward-Engelking
HCR 27	Thayn
HCR 28	Burgoyne
HCR 29	Hill
HJM NO.	SPONSOR(S)
HJM 2	Bair
HJM 3	Siddoway
HJM 4	Heider
HJM 6	Thayn
HJM 7	Rice
HJM 8	Patrick
HJM 9	Hagedorn