

**JOURNAL**  
of the  
**STATE SENATE**



**SECOND REGULAR SESSION**

of the

**SIXTY-FOURTH LEGISLATURE**

of the

**STATE OF IDAHO**  
**2018**



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**2018**



# SENATE JOURNAL

2018

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SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-FOURTH LEGISLATURE

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 8, 2018

Senate Chamber

At the hour of 12 noon on Monday, January 8, 2018, the time established for the convening of the Second 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.

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 Second 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 members of the Senate by district from 1 to 25.

Table with 2 columns: District number and Member name (Party). Lists members of the House from 26 to 35.

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 Second Day of January, in the year of our Lord, Two Thousand and Eighteen, and of the Independence of the United States of America, the Two Hundred and Forty-second.

/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. [District 33 Vacant]

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

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

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

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

On request by Senator Winder, granted by unanimous consent, the Sergeant-at-Arms, Sarah Jane McDonald, and the Assistant Sergeant-at-Arms, Jerry Csutoras, escorted the Sugar-Salem High School Symphony Strings into the Senate Chambers for the purpose of performing the America the Beautiful, Hoedown, and Here We Have Idaho. The Orchestra Director was Jennifer Barrus.

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

**Reading of Communications**

September 21, 2017

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

Dear Gov. Otter:

I formally resign as the Senator from Legislative District 33 in the Idaho State Senate at day's end, September 21, 2017.

I am so grateful the people of Idaho Falls gave me the privilege of serving them for the past nineteen years. These good and decent people have taught me a great deal, including to be sensitive to their right to share opinions, experiences, and judgment. These expressions have not always been comfortable to hear. But I learned to listen better and have a more respectful mind and heart. I will always be grateful for their counsel, trust, and support.

I was also privileged to serve as the Senate Majority Leader for many years. I am thankful for the Senate's confidence. Please let my colleagues know that I already miss serving with them.

Over the years, I studied the pictures of our predecessors on the Capitol's interior walls. Soon, like those before me, I will blur into legislative history, as it should be. Others will ably succeed me in leadership and service. But during these past nineteen years, I learned that, with few exceptions, Idahoans are fortunate to be represented by some of the most sincere and thoughtful people from both major political parties.

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

I leave the Senate in good and capable hands.

Sincerely yours,  
BART M. DAVIS

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

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

**Messages from the Governor**

October 10, 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 Tony Potts of Idaho Falls, Idaho, to the office of State Senator for Legislative District 33, Bonneville County, State of Idaho. The appointment is effective October 10, 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 People, that pursuant to the provisions of Section 59-904A, *Idaho Code*, the District 33 Legislative Committee of the Republican Party has submitted a list of three names for consideration in filling a vacancy in the Idaho State Senate.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Antony Potts of Idaho Falls, Idaho, to the office of State Senator, District 33, for a term commencing on October 10, 2017, and continuing until the next general election when the term of office expires.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise, on this 10th day of October 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-second and of the Statehood of Idaho the one hundred twenty-eight.

/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 Senator Potts, and he was recorded present at this order of business.

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

**Motions and Resolutions**

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

On request by Senator Winder, granted by unanimous consent, the following typographical corrections to the Joint Rules of the Senate and House would be as follows:

**JOINT RULE 2**

Definitions. – As used in these Joint Rules, unless the context clearly requires otherwise, the following terms shall have the meanings hereinafter respectively ascribed to them.

Resolution. – This term denotes the adoption of a motion, the subject matter of which would not properly constitute a statute. EXAMPLES: An alteration of the rules, a vote of thanks, a vote of censure, etc.

Concurrent Resolution. – This term denotes a resolution that originates in one house of the legislature where it is passed and is then sent to the other house for passage. It is signed by the presiding officers of both houses.

Joint Resolution. – A joint resolution is a resolution passed by both houses of the legislature proposing an amendment to the Constitution of the State of Idaho.



Proclamation. – A proclamation is an instrument, the subject matter of which does not constitute a statute, which after being introduced in the proper committee shall be sent immediately to the floor for action without being referred back to committee. A proclamation may be passed by voice vote. If a proclamation is passed by the house of origin it shall be sent to the other house for passage where it shall be placed on the floor for action without being referred to a committee. An example of a proclamation shall include but not be limited to a vote of thanks, praise or honor for a special achievement, accomplishment, anniversary or birthday. For purposes of the calendars of the Senate and House of Representatives a proclamation shall be considered a petition.

Bill. – This term denotes the draft of a law or amendment thereto submitted to the legislature for its approval or rejection. Bills may be originated in either house and may be amended or rejected in the other, except that bills for raising revenue must originate in the House of Representatives and a bill originating in one house and amended in the other may not again be amended in the house of origin except pursuant to report of a conference committee.

The enacting clause of every bill must read "Be It Enacted by the Legislature of the State of Idaho." All bills must be signed by the presiding officers of the respective houses. Every act or joint resolution shall be plainly worded avoiding as far as practicable the use of technical terms.

Joint Memorial. – A petition or representation made by the House of Representatives and concurred in by the Senate, or vice versa, addressed to whoever can effectuate the request of the memorial.

Engrossed Bill. – An amended bill with the amendments correctly drafted and before the house of origin for further action.

Enrolled Bill. – A bill that has passed both houses and awaits only the signatures of the presiding officers thereof.

JOINT RULE 8

Messages To Be Signed by Secretary or Chief Clerk. – Notice to either house of action by the other house shall be in writing and To Be signed by the Secretary or Chief Clerk, as the case may be, of the house from which such notice or message is conveyed.

JOINT RULE 13

Duties of Sergeant-at-Arms. – It shall be the duty of the sergeant-at-arms to announce to the presiding officer of his house all committees sent to it by the other house. The sergeant-at-arms of the House shall be the sergeant-at-arms of all joint sessions.

JOINT RULE 17

NUMBERING. – (a) All bills, joint resolutions, joint memorials and concurrent resolutions in the Senate and House of Representatives shall be numbered consecutively, commencing with numbers as follows:

Bills introduced in the Senate shall commence with the number 1001.

Bills introduced in the House shall commence with the number 1.

Senate joint resolutions, joint memorials and concurrent resolutions respectively, shall commence with the number 101.

House joint resolutions, joint memorials and concurrent resolutions, respectively, shall commence with the number 1.

(b) With the exception of extraordinary sessions, bills, resolutions and memorials shall be numbered consecutively from the first through the second regular sessions of the legislature. Bills, resolutions and memorials introduced during any extraordinary session shall be numbered without regard to the numbering system used in any regular session.

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

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

Majority Leader ..... Senator Chuck Winder  
Assistant Majority Leader ..... Senator Steve Vick  
Majority Caucus Chairman..... Senator Kelly Arthur Anthon

On request by Senator Winder, granted by unanimous consent, the Senate went at ease for the purpose of selecting seats for the Second Regular Session of the Sixty-fourth Idaho Legislature.

On request by Senator Winder, granted by unanimous consent, the seats were permanently assigned to the Senators for the Second Regular Session of the Sixty-fourth Idaho Legislature.

On request by Senator Winder, granted by unanimous consent, President Little appointed a committee consisting of Senator Thayn, Chairman, and Senator Nye to escort the committee from the House of Representatives into the Senate Chamber. Representatives Packer, Redman, and McCrostie informed the Senate that the House is now organized and ready to conduct business.

The Senate committee was discharged.

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

The committee was excused.

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

The committee was excused.

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

The committee was discharged.

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

The committee was discharged.

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

### **Messages from the House**

January 8, 2018

Dear Mr. President:

I transmit herewith [HCR 30](#), which has passed the House.

MAULIN, Chief Clerk

[HCR 30](#) was filed for first reading.

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

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

[HCR 30](#), by Moyle and Erpelding, was introduced and read at length.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [HCR 30](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [HCR 30](#) was before the Senate for final consideration.

On motion by Senator Winder, seconded by Senator Stennett, [HCR 30](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Twelfth Order of Business.

### **Second Reading of Bills**

#### **JOINT SESSION**

Pursuant to HCR 30, the hour of 1:00 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 of the House showed all members present.

Roll call of the Senate showed all members present.

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 Vick and Buckner-Webb, and Representatives Vander Woude and Rubel as the committee to wait upon and escort the elected officials to the House Chamber.

The Speaker excused the committee.

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

The Speaker excused the committee.

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

The Speaker introduced His Excellency, the Governor of the State of Idaho, C.L. "Butch" Otter, and the following State of the State and Budget Address was delivered by the Governor.

Mr. Speaker, Mr. President, honorable legislators, distinguished jurists, friends, my family, our First Lady, my fellow Idahoans: It is my high honor and distinct privilege to stand before you today to deliver my 12th and final State of the State and Budget Address.

It is my great good fortune to report to you that the State of Idaho is prosperous, positive, and poised for even better times ahead. Our population is growing fast. Our citizens are striving for a future with more opportunities and even brighter prospects. And our State government is leaner, more fiscally responsible, more transparent, more responsive, and better prepared than ever to help Idahoans achieve their own best potential.

Our books are balanced. Our fiscal obligations are being met. Our credit is strong. We are planning wisely, working collaboratively and investing sustainably. Our national politics often is dysfunctional, but in Idaho our government processes are sound and our policies and priorities reflect the will of the people we serve.

Of course there is room for improvement. As with all things human, there are shortcomings and frailties in our government that could benefit from thoughtful change. Just as certainly, any change can be difficult or even painful to achieve in a state as prudently conservative as Idaho - especially when it comes to questions of government's proper role in our lives. Yet it is my firm belief that over the past 11 years of overcoming natural disasters and manmade challenges, stubborn political divisions and devastating economic recession, together we have constructed a stronger, more durable foundation on which we and the people of Idaho can build.

And we will build, and grow, and keep changing for the better - not because of any particular ideology or due to our own well-intentioned leadership, but because of the creative genius, the entrepreneurial spirit, and the native independence and self-reliance of our citizens. They are the source of Idaho's greatness.

As a State government, we benefit enormously from tapping into that deep well of sage advice and counsel. I hear it at the coffee shop in Star and walking around downtown Boise. I hear it each month at the nearly 100 Capital for a Day events we've held in every corner of our state. More formally, there are some 4,800 Idaho citizen volunteers serving at any given time on our State oversight and advisory boards and commissions - from accountancy and aging to water resources and workforce development. They are and will remain an indispensable ingredient of our success, working quietly and tirelessly to ensure all voices are heard in the councils of government. They deserve our support and our thanks.

I also want to express my gratitude to our extraordinary State employees whose hard work and dedication help us all succeed. So let me begin by saying that my Executive Budget for fiscal 2019 includes a 3-percent pay increase for the men and women who make our State government one of the best run in America.

Allow me to also express my thanks to Major General Gary Saylor, Health and Welfare Director Dick Armstrong, Commerce Director Megan Ronk, Idaho State Police Colonel Ralph Powell, Court of Appeals Judge John Melanson, Supreme Court Justices Jim Jones, Daniel Eismann and Warren Jones, and many others who left State service in the past year.

Now please join me in welcoming new and newly elevated members to our official State of Idaho family - Adjutant General Michael Garshak, Health and Welfare Director Russ Barron, Commerce Director Bobbi-Jo Meuleman, Idaho State Police Colonel Ked Wills, Labor Director Melinda Smyser, Tax Commissioner Janet Trujillo, Drug Policy Administrator Nicole Fitzgerald, Court of Appeals Judge Jessica Lorello, and Supreme Court Justice Richard Bevan.

I know you will greet them with all the warmth and congeniality of comrades in arms.

We also are blessed to have back among us Director Gavin Gee, who survived a terrible accident last winter and a difficult recovery to resume his responsibilities at the Department of Finance. Thanks for joining us today Gavin; keep fighting the good fight.

Now, despite the talent and experience contained in this august body, I'm sure many of you share my feelings about starting a legislative session without the able assistance of former Senate Majority Leader Bart Davis. Our new U.S. Attorney for the District of Idaho served here for 19 years, embodying great legal scholarship, incredible legislative talent and unfailing statesmanship. Bart's absence from these proceedings will be apparent, and we can all be grateful for his long service and consistent civic virtue.

Some of you joined me and thousands of Idahoans this past August in saying farewell to the late Governor Cecil Andrus, who gave even more State of the State speeches than me! The outpouring of fond remembrance and well-earned respect for Cece was a welcome throwback to another political time. In fact, one of the qualities I admired most about Governor Andrus was a lesson I internalized during my years in Congress: Simply saying "no" is not enough. When the people of Idaho give us authority to act on their behalf, we must govern. Republican and Democrat. Majority and minority. Executive and Legislature. Together. To do less or to dither rather than decide is to shirk our duty and betray the public's trust.

With the aging of our population, healthcare has led Idaho's employment growth since I took office in 2007. It's added more

than 26,300 jobs, accounting for 46 percent of our overall job growth and 13 percent of total employment in Idaho. That illustrates two important questions that will be at the forefront of public policy debates for the next few decades: How do we make healthcare more accessible and affordable, and how do we ensure employers have enough educated, trained and skilled workers to meet the needs of Idaho's growing economy, especially in healthcare and other STEM fields? Let's start with education.

Most Idaho children who were in the first grade when I became Governor are now starting their last semester of high school. Every program, initiative and investment I mention here today is focused on providing those young men and women with a leg up on postsecondary education and career opportunities.

To ensure we have effective teachers leading that effort in every Idaho classroom, my Executive Budget calls for providing nearly \$42 million in fiscal 2019 for the fourth year of implementing our career-ladder system for educators. Shifting how we fund teacher salaries from years of service and education credits to student outcomes represents a significant ongoing investment in human capital - supporting teachers' professional development while establishing a long-term blueprint for teacher recruitment and retention.

For all of us, literacy is essential to developing the other skills needed to advance successfully through life. Thousands of Idaho children start their educational journey already reading below grade level. That leaves many of them struggling throughout their school years and beyond while requiring educators to employ more costly remedial reading programs.

With your help we implemented an early intervention program two years ago for kindergarten through third-grade students who face severe reading challenges. But that program addressed only those at the very lowest level of reading skill. There are thousands more who are not yet proficient. So I'm asking today for \$6.5 million in fiscal 2019 to expand our literacy intervention efforts. We must provide a timely boost for these children before the focus of their education moves from the fundamental skill of reading to the applied skill of reading to learn.

I also am seeking an additional \$5 million a year for college and career advising. That money is intended to ensure that all districts can implement effective programs for helping students plan for life after high school. Whether for college or technical training, improving student and parent access to information about careers and postsecondary opportunities is an essential step in providing for Idaho's future workforce needs.

So is responsibly putting modern learning tools in every Idaho classroom. My budget recommendation calls for investing an additional \$10 million in school technology starting next year, bringing our total annual investment in technology for students and teachers to \$36 million. That will also require that districts and charter schools have well-developed plans for sustainably integrating technology into their curricula.

An even more fundamental change in our classrooms is Idaho's ongoing shift to mastery-based education. The effort benefitted from an initial investment in 19 incubator schools. Those schools have worked during the past two years to establish a network of support and best practices, and to identify barriers to implementation. By investing another \$1.4 million per year, we can continue developing and implementing our statewide plan by expanding the number of schools participating in the Mastery Education Network.

Ladies and gentlemen, our five-year plan for improving public schools is a watershed achievement for Idaho. With strong and diverse stakeholder involvement, with buy-in from educators, patrons and policy makers - and with your continuing leadership and support - Idaho will keep building a world-class education system.

That includes such local efforts as Bonneville County voters turning Eastern Idaho Technical College into the College of Eastern Idaho, with the help of \$5 million in start-up money from the State. Congratulations to the people of eastern Idaho for creating this great new opportunity for more of our citizens to affordably take their education beyond high school close to home.

As you know, there was a robust debate in Bonneville County and beyond about the costs and benefits associated with creating the College of Eastern Idaho. And that's a good thing. An open process and meaningful public engagement are necessary to crafting sound public policy. That's especially true on issues as complex and controversial as allocating limited resources to our education priorities. The success of our K-12 Task Force for Improving Education bears that out.

So I'd like to thank the 36 members of my Higher Education Task Force who worked during the past year to assess how we can achieve the moonshot goal of ensuring that 60 percent of our young adults have a postsecondary academic degree or professional-technical credential. Their assessment is sobering and their solution is bold. But I believe implementing it is necessary, not only for our students but for Idaho's economy.

The Task Force concluded that we will never achieve the 60-percent goal the way higher education in Idaho is structured today. So its 12 recommendations focus on dramatically changing the way our system works to make it more integrated, consolidated and student-centric.

Therefore, my budget request includes funding for the State Board of Education to hire an Executive Officer to coordinate the work of all our higher education institutions. The Executive Officer also will manage a system-wide consolidation of higher education support operations and the Board's continuing policy functions.

There's no doubt these changes will upend the status quo. They will mean less working from isolated silos and more rowing in the same direction. And they will result in tens of millions of dollars in efficiencies - savings that can be used for scholarships and new initiatives. That includes creating a statewide digital campus to better keep pace with continuing change in what we need our higher education system to deliver.

I want to emphasize that what we're talking about here is not a chancellor system with schools becoming campuses of a single university. I agree with the Task Force finding that such a change would be overly disruptive. But there is no doubt about the advantages and the necessity of adopting an Executive Officer model if we are serious about making and keeping Idaho economically competitive.

Here's a staggering metric: The Task Force found that State income tax collections in Idaho will increase by \$500 million a year - with no change in population - when the state reaches our 60-percent achievement goal, compared with today's 42 percent.

This is not a reflection on our State Board of Education members or the leadership of our institutions. The system itself is slow to adapt and too good at perpetuating the status

quo. It simply is not equipped or empowered to make the big management changes needed to achieve our 60-percent goal. Without these changes, we very likely will make no more progress toward that goal in the next ten years than we have in the past seven.

We still must better define the scope of work required to achieve the consolidation we need. As a first step, I'm seeking your support for the Task Force recommendation that we implement a statewide degree audit and data analytics system. That will enable all our postsecondary institutions to identify students early on who need additional support or guidance, and then track their progress toward degree completion anywhere in our system.

To address access and affordability, the Task Force recommended and I am requesting an additional \$5 million for the Opportunity Scholarship program, which is helping students like Boise's Holland Godby. It's enabled her to go to college full-time and work part-time without going deep into student loan debt. Holland, thanks for being with us today.

Holland is using her scholarship to attend Boise State University in hopes of entering the high-demand field of physical therapy. She was one of more than 1,500 Idaho students who received an Opportunity Scholarship for their first year of college. But that was less than half of the more than 3,300 Idaho students who applied and were eligible but got no assistance. We can and should do more.

My Executive Budget also calls for dedicating a portion of that \$5 million to providing Adult Completion Scholarships. That's not a program for subsidizing dropouts. It's about creating the workforce that Idaho employers need. It's about closing our skills gap by bringing students with some college credits back to one of our certificate, associate's or bachelor's degree programs to finish what they started. And it's about preserving the value of investments already made in partially completed studies.

Folks, the Adult Completion Scholarship program is like finding money! So let's get it done.

Creating a homegrown pipeline of educated, trained workers also was the mission of my industry-driven Workforce Development Task Force. My budget reflects the Task Force recommendations that we invest in expanding capacity at our postsecondary technical schools, in providing additional incentive funding for high school career-technical programs, and in expanding CTE offerings to the seventh and eighth grades. I'm also calling for development of more online CTE classes, and increased support for our six regional Workforce Training Centers.

In the meantime, I have implemented Task Force recommendations aimed at ensuring employers have a more meaningful role in making our statewide workforce training efforts more responsive and adaptive to industry's increasingly technical needs. I will introduce legislation this session codifying changes to the structure and authority of the Workforce Development Council and how it invests in one of the most crucial elements of Idaho's continuing economic growth. I appreciate the enhanced level of public-private partnership that this process has brought about, and I look forward to that collaboration paying dividends for years to come.

In the same vein, we have a responsibility to act quickly during this legislative session to ensure that Idaho employers don't pay for last year's failure to enact unemployment tax relief. I once again am proposing a bill to roll back a rate increase that

took effect on January 1 as a result of inaction in 2017. It will cost the Department of Labor roughly \$75,000 to process the legally required tax notices once the change is made. However, that's a relatively small price compared with the \$115 million in higher-than-necessary taxes that Idaho businesses will pay over the next three years if we don't make the simple but necessary change.

As I said at the end of the 2017 legislative session, unemployment tax relief is job one for 2018.

A 2017 tax debate also led to the Idaho Supreme Court ruling last summer that we must change the way we do the people's business to ensure public transparency and protect the integrity of our political process. So contrary to traditional practices, all legislation now must be presented to the governor before the Legislature adjourns sine die. I welcome the new requirement and look forward to working even more productively with you on our shared priorities.

Those priorities include adding to the more than \$1.2 billion in tax relief we have provided Idaho citizens over the past decade. But that must be accomplished while meeting our constitutional and statutory obligations, sustainably advancing our education and other policy priorities, and ensuring that our State tax laws remain fair, stable and competitive.

It's true that our tax burden in Idaho is relatively light compared with other states. But our income levels also remain comparatively low, and beneath our own expectations.

Yet in terms of growth, it's important to note that personal income in Idaho is up about 40 percent since 2008 while General Fund revenue has increased less than 25 percent. So despite some selective arguments to the contrary, our economy clearly is growing faster than our State government.

However, we must never forget that it's the people's money. So I will gladly join you in reducing individual and corporate income tax rates with an eye toward stimulating more economic growth. But that must be accomplished while keeping our fiscal house in order and our investments for the future on track. To make that possible, I will be proposing a plan to enable Idaho's substantial conformance with the new federal tax code without putting our State revenues or Idaho taxpayers at risk.

Of course, it's well known that predictability is an important part of sound tax policy. But when it comes to healthcare, the federal government seems to be going the extra mile to ensure that Idaho and other states have no certainty at all about what the future holds. At the same time, I have come to you repeatedly with proposals for making healthcare in Idaho more accessible and coverage more affordable with or without having a federal plan in place.

So in my last legislative session as your Governor, I am making one final attempt. No longer should this body use my agreement not to act alone on Obamacare issues as a way to stop progress that will benefit Idaho citizens. We can no longer wait for Congress. This issue is too pressing, and it's in our hands.

This session I will be advancing for your consideration the Idaho Health Care Plan - a proposal about which many of you have been hearing for months now. Simply put, it would stabilize Idaho's healthcare insurance market and give more working Idaho families the ability to purchase affordable coverage.

The Idaho Health Care Plan gives us the opportunity to be both conservative and compassionate. It will enable those with the most costly, medically complex conditions to move their

coverage to Medicaid during the course of their illness. That in turn will enable insurance companies to reduce their premium rates for the majority of people who remain in the individual marketplace.

This is not expanding Medicaid. This is providing Idaho's working families who have modest incomes a more affordable way to get the coverage they need. And it's a matter of fairness for Idaho citizens who actually get less help with coverage under the so-called Affordable Care Act than non-citizens legally residing here.

The Idaho plan will require \$17.4 million from the General Fund and another \$11.4 million from the Millennium Fund. But the result will be lower rates for many more working Idahoans, leaving them better able to pay for life's other essential needs.

As I said before, healthcare affordability and accessibility are among the central public policy challenges of our time. In Idaho, those challenges involve a chronic shortage of physicians and other healthcare professionals, particularly in the more rural parts of our state. That's why I'm so excited about this year's opening of the Idaho College of Osteopathic Medicine - Idaho's first medical school. Classes begin in August on the Meridian campus of ICOM, which is working with Idaho State University and other stakeholders to address our last-in-the-nation ranking for the number of primary care physicians per capita.

ICOM also is committed to helping bring more residency opportunities to Idaho for physicians in training. In addition, my budget recommends funding for 11 new residencies at Eastern Idaho Regional Medical Center in Idaho Falls and Bingham Memorial Hospital in Blackfoot. That will complement our own efforts since 2013 to fund more medical school seats for Idaho students. We now have 40 seats dedicated to Idaho medical students through the regional WWAMI consortium - twice as many as when I assumed this office.

Having healthcare professionals nearby is one of the factors that can determine a community's success in developing its local economy by attracting and growing businesses that provide good-paying jobs. The services that our communities need increasingly include cost-effective ways of coping with acute substance abuse and mental health issues.

Thank you for supporting creation of behavioral health crisis centers through community partnerships in Coeur d'Alene, Idaho Falls, Twin Falls and most recently Boise. My Executive Budget request calls for continuing to build on the successful effort to cut back on the more costly use of emergency rooms and jail cells when our people face those life-shattering challenges. I'm asking for \$2.6 million in fiscal 2019 to stand up three more crisis centers in the Lewiston, Nampa-Caldwell and Pocatello areas.

This initiative is an example of Idahoans taking care of our own; not waiting for Washington, D.C. to prescribe or mandate a solution to our challenges. That's a strategy borne of necessity and hard experience. But in 2017 we saw a renaissance of responsiveness and regulatory relief from our national government. It has been especially refreshing to see the Trump administration's willingness to seek our input - to really listen and embrace the value of state perspectives on issues that affect us most directly.

As we all know, the whole concept of federalism spent years on the shelf. But now, what we here in Idaho say and how we collaborate and develop our own solutions matters again, maybe more than ever. It's a new day on issues from protecting

sage-grouse to siting major electrical transmission lines and enjoying traditional uses of our public lands.

Of course there are still challenges. Obstructionists in Congress and the undue influence of a carryover proscribe-and-punish mentality in some federal agencies are still slowing progress. But we're having fewer "Mother may I" moments with our federal partners, and one of the results is better, more active management of our resources, and communities that are becoming better protected from catastrophic wildfires.

Two programs in particular stand out. First, let me update you on our rangeland fire protection associations. Over the past few years, the Bureau of Land Management and U.S. Fish and Wildlife Service have worked with our State Department of Lands to train and equip 330 southern Idaho farmers, ranchers and their employees as members of nine RFPAs. They now are providing initial attack capability and expert local protection on more than 9 million acres of Idaho rangeland - protection from wildfires that threaten sage-grouse habitat and the forage that our ranching and farming families need to stay in business.

Another example of our improving relationship with the feds is the degree to which federal Good Neighbor Authority has taken root in our timber communities. It's an innovative way to more quickly implement on-the-ground land and watershed improvements on Forest Service acreage.

Investments from the forest industry, the State and the feds so far have resulted in ten Good Neighbor Authority projects in Idaho. In the next few years, about 10,000 acres will be treated to improve forest health by carefully harvesting 65 million board feet of timber, providing \$13 million in program income.

The Department of Lands has sold and overseen the harvest of 6 million board feet of timber from fire salvage and forest thinning projects in the past year alone - generating more than \$1.8 million in revenue. The efficiency and effectiveness of this work is so apparent that federal agencies are eager to line up more Good Neighbor Authority projects with help from the State. That's why I'm asking for spending authority for eight new positions at the Department of Lands as we expand this program that's working for Idaho.

Perhaps the most memorable part of last year was one that most of us would just as soon forget. You can call it "snowpocalypse" or just a great water year. Either way, the winter of 2017 was one for the record books. It disrupted lives, endangered travelers and did many millions of dollars in damage to property and infrastructure throughout Idaho.

Thank you for providing \$52 million in emergency assistance to help our communities address the most serious and immediate problems. We had some snags with disaster assessment teams being called away for one of the worst hurricane seasons on record. But we are getting relief out as quickly as possible, and we're working with cities, counties and highway districts to minimize the impact of delays in federal disaster funding.

As I said, it was a big year for water, whether it was falling from the sky or being recharged into Idaho's largest underground reservoir. Runoff from last year's snowpack on top of saturated soils required careful, coordinated management of dams and reservoirs. The effort successfully reduced flooding and ensured that dam structures were secure. Meanwhile it provided a full allocation of water in the Boise River and Snake River reservoirs and plenty of carryover for use in 2018.

Just as importantly, for the first time since the 1950s we put more water back into the Eastern Snake Plain Aquifer than we pumped out in 2017. Water levels in the Lake Erie-sized aquifer had been dropping at an average rate of 215,000 acre-feet per year for 60 years.

But last year the Idaho Water Resource Board worked with private canal companies to recharge 317,000 acre-feet of water. A landmark settlement agreement between surface water users and ground water users resulted in a net gain of another 200,000 acre-feet. Along with the wet weather, the result was a 660,000-acre-feet increase in water storage in the aquifer.

Without our work together on these issues it would have been impossible to realize these historic advances in managing and protecting our most precious and fragile natural resource.

About the only things we value more than water in Idaho are our families and our privacy.

Everything we're doing in education, workforce training, health and public safety is about strengthening and protecting Idaho's children and families. Now let's talk for a moment about securing our personal data.

From a technology standpoint, the world has been remade several times over since I became Governor. We have learned through hard experience that information is a vulnerable asset. And we are far better prepared now to ensure the responsible management, control and protection of private information.

Former Air Force cybersecurity expert Jeff Weak is now on board as Idaho's first director of Information Security. Under his leadership, State agencies have adopted rigorous national cybersecurity standards. Critical internet security controls have been put in place, and a comprehensive cybersecurity training program now is mandatory for every State employee. In short, we're doing all we can within our existing management structure to defend our State resources, and more importantly to keep our citizens' personal information safe from hackers, criminals or worse.

The next step is improving the structure of that oversight. I am recommending a thorough assessment and centralization of scattered and disjointed information resources in the coming months. The goal is standardizing and optimizing cyber capabilities throughout State government. The proposed changes are aimed at making Idaho a model for hardening our defenses while enhancing our ability connect with citizens through social media and other online tools.

Idaho is well situated to be a global leader in this field. Just consider our investment and partnership in the Idaho National Laboratory's Cybercore Integration Center. Or the INL's cybersecurity training outreach to Idaho businesses. Consider the thriving cybersecurity degree programs at our universities and the Idaho National Guard's cyber operations squadron. So we are reaching a critical mass of infrastructure. All that's needed is our continuing commitment for Idaho to remain on the vanguard of this evolving discipline.

On a related note, no report on our progress over the past decade would be complete without highlighting the growing partnership between the State of Idaho and the Idaho National Lab. We are light years beyond the kind of legal and political disputes that dogged our relationship for many years. Today the INL is much more than a remote nuclear engineering outpost on the eastern Idaho desert. Our connections now include

my Leadership in Nuclear Energy or LINE Commission, our Strategic Energy Alliance, and the Center for Advanced Energy Studies with its cutting-edge Smart Grid research. And let's not forget the INL's growing collaboration with our universities, as well as the Department of Energy's STEM education efforts at Idaho schools.

And there are more great things to come from the INL and the Battelle Energy Alliance, which just won a new five-year management contract that will ensure welcome stability in lab operations. Coming soon is the next stage in developing small modular reactor technology that could be the future of nuclear energy.

Now, from thinking globally to acting locally, allow me to update you on the success of a program with the goal of helping Idaho's at-risk youth develop such skills as critical thinking, teamwork and accountability.

The Idaho Youth ChalleNGe Academy so far has provided structure and a second chance for 648 graduates from 41 counties. Many of those cadets were struggling in school before they got to Pierce. A number were having trouble at home, or with the law. Well, through last year those citizens in training had earned over 9,000 high school credits, and more than 130 of them had earned their GED or high school diploma.

What's more, Youth ChalleNGe cadets have contributed more than 34,000 community service hours. They have improved forest trails, visited seniors at the local assisted living center, and volunteered at the State veterans home in Lewiston. I can tell you, the feeling of energy, renewed hope and endless possibilities that you get just being around the cadets is refreshing, invigorating, and contagious.

This program isn't the biggest around. It doesn't have all the bells and whistles. It's purposely located away from many of the distractions of modern life. But let me give you two quick examples of the results that the Youth ChalleNGe Academy is producing.

Dylan Hoopes of Lewiston was in trouble in school and at home. He'd even had some brushes with the law. As his mother Angela put it, he had "a 1.6 GPA and a chip on his shoulder."

All that changed at the Academy. Dylan embraced the training, buckled down, adopted a goal-oriented attitude, pursued leadership opportunities and earned his high school diploma with a 3.7 GPA.

His mom summed it up this way: "I am confident that because of his experience at the IDYCA he has found the confidence he needed to overcome life's obstacles and obtain the blessings that good citizenship has to offer him." Now Dylan is 20 and a full-time student at Lewis-Clark State College. He's working part-time and will receive his associate's degree in automotive mechanics this spring.

Dylan, congratulations, and thanks for being here today.

Daniel Smith of Nampa summed up his situation before entering the program this way: "I was overweight, under-confident and wasn't doing too well in school." The good news was that he recognized the need to start making better life choices, and the Idaho Youth ChalleNGe Academy was there to help. Friends who had been through the Academy told Daniel about the positive changes it had brought to their lives - changes emphasizing respect, excellence, persistence, integrity and leadership.

Now Daniel joins them in considering it one of the best decisions he's ever made. He got his high school diploma, joined the military and was selected for the elite United States Air Force Honor Guard. Daniel was part of the inauguration ceremony for President Trump and most recently was in the Macy's Thanksgiving Day Parade in New York City. He credits the Youth ChalleNGe program and the mentorship it provided for helping him get where he is today - which I'm pleased to say is here with us!

Airman First Class Smith, welcome to Idaho's Capitol and thank you for your service.

Dylan and Daniel are just two examples of how the Youth ChalleNGe Academy is improving lives, restoring families and creating the chance for real progress for the next generation of productive, contributing citizens. Some of you have visited Pierce to see the program for yourselves. I encourage anyone who questions its value to spend some time with these young people. I'm confident you will be as impressed as I was.

My friends, I say again: Idaho is stronger and more economically diverse than ever. Our unemployment rate is near a record low. Wages are on the rise. Whole industry sectors are emerging and growing, stretching our taxpayer resources to keep up with workforce demands. But we are sustainably and responsibly investing in K-through-Career education and training without raising taxes.

We will never mortgage our future by throwing money at business attraction like some other states. But with your support, we now have targeted, performance-based incentives that work. They add to an economic development portfolio that includes inexpensive renewable power, a great work ethic and among the most stable, business-friendly tax and regulatory climates in the country.

I call that real progress, and may it long endure. *Esto perpetua.*

You know, it's really too bad that the word "progress" has been so thoroughly high-jacked in today's political lexicon. The Republican-led Progressive movement of the early 20th century called for a more populist but still limited relationship between government and business. But since the Great Depression "progress" has become synonymous with bigger and more intrusive government - the "nanny state."

It's true that despite our best efforts and firmest resolve, government gets bigger. That's a function of a growing population, rising public expectations, more complex social realities, and a changing dynamic between our public and private sectors. But we all know that making government bigger often makes fulfilling its most necessary and proper functions less focused and less effective. More importantly, making government bigger without also making it better can be a barrier to real progress for our citizens - for individual Idahoans.

Now we all know that progress isn't linear. It doesn't go from point A to point B uninterrupted. It zigzags and swerves and dips. At times in human history it's trailed off altogether. But progress always comes back. It shakes off ignorance and political extremes. It overcomes natural calamities and human failings to return, time and again throughout the ages.

Progress makes a comeback when people start believing again - believing in their own abilities; believing that they can make a difference; and believing that government alone is not, never has been and never will be the answer. Progress makes a

comeback when people start taking personal responsibility for moving it forward as best they can.

That's where we are in Idaho: Preparing our State government - and everyone and everything it touches - for the future. Once again during this legislative session, we will make choices that will echo down through the generations and play a role in shaping the destinies of our families and our descendants.

Because of the work we have done over more than a decade, we have never been readier for the challenges and opportunities ahead. The commonsense conservative policies advanced by this body - and by us together - have been essential to Idaho's progress toward better enabling our citizens to become the architects of their own destiny rather than surrendering to the siren song of entitlement.

Yet just as progress isn't linear, it also isn't singular. Eventually there will be another Great Recession, or worse. Disasters will beset us. At some point we may once again struggle to keep our heads above water.

That's why, to be truly meaningful and impactful, progress can't be a one-time thing. It must overcome setbacks and resistance. It must be more than good intentions and a high-profile start followed by inattention and eventually abandonment. There has to be a baton to pass. There must be a fire to stoke.

There has to be a clear understanding that what we do today will help our children and their children keep advancing the frontiers of freedom ... slowly but surely ... Because that enlightened freedom is where progress will be found for the people who rely on us to act in their best interest without upending their lives.

Ladies and gentlemen, progress takes commitment. It takes political and sometimes personal courage. It requires us to see the big picture and take the long view in crafting public policy. And we have only ourselves to blame when we reap the whirlwind of apathy or inattention. Responsible citizenship - let alone leadership - requires us to regularly refresh the tree of liberty with the values of vigilance, prudence and common sense.

You see, well-informed and conscientious reluctance to change is not the truest enemy of progress. The truest enemy of progress is misguided, reflexive opposition to change.

Our Founders knew that more than 200 years ago. In 1816, Thomas Jefferson was 40 years beyond his days as a young revolutionary writing the Declaration of Independence. With his years as president behind him, Jefferson was asked how best to adapt our fledgling national government to rapid social and economic changes.

He wrote: "I am certainly not an advocate for frequent and untried changes in laws and constitutions. But I know also that laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times."

That is not to dismiss or defame the timeless virtues that should populate our character or the undying truths that must light our path forward. Rather it is to remind us that our responsibility is not only to those who voted for us or only to our constituents, but also to "keep pace with the times" and the path of human progress.

We have constitutional, legal and social responsibilities to the people of Idaho. Those include preparing them for productive citizenship with accessible educational opportunities, safe communities and equal protection of the law. I believe the plan of action recommended in my Executive Budget and in the policies that will be presented to you this session move us closer to truly fulfilling that responsibility.

We must not waste the opportunity that relative prosperity now affords us to invest in the future. We must strive to be the kind of leaders who go beyond rhetoric, because sustaining what we have set in motion will require more than lip service.

As Teddy Roosevelt said in urging action over ideology in public life, "Our words must be judged by our deeds; and in striving for a lofty ideal we must use practical methods; and if we cannot attain all at one leap, we must advance towards it step by step, reasonably content so long as we do actually make some progress in the right direction."

My friends, we have made progress in the right direction over the past 11 years. Whether we continue on that course depends on our commitment to investing in an even better future for the people we serve. It depends on the value we place on joining with individuals, communities and our corporate citizens in overcoming hidebound opposition to a legitimate role for State government in pursuing our common interests.

I've come a long way from the brash young revolutionary who served in this chamber and ran for governor with big ideas but precious little perspective.

With the benefit of experience earned through the patience and confidence of Idaho voters, today I have a more nuanced view of the proper role of government. I have always understood its limitations and its flaws. But now I also know its possibilities, when responsibly led, for helping individual citizens realize their full potential. None of us can afford to dismiss the latter because we are hamstrung by the former.

Most of you know that Thomas Jefferson and Ronald Reagan are my political models. They were not roped and tied by ideology when pragmatism was the best path to progress. They led. We must do the same.

In conclusion, let me just say that the years I have had the opportunity to be your Governor have provided among the most precious and rewarding experiences of my life. Working with and for each of you - my fellow citizens - has been the honor of my lifetime, and the best job I ever had.

I appreciate more than I can express the chance to share this arena with you, and to join you in making significant and lasting progress for every member of the Idaho Family.

Thank you. God bless your work here, and may God continue to bless the State of Idaho and the United States of America.

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

On motion by 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.

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 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 2:40 p.m. until the hour of 11:15 a.m., Tuesday, January 9, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**SECOND LEGISLATIVE DAY  
TUESDAY, JANUARY 9, 2018**

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Josie 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 8, 2018, 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 Eighth Order of Business.

### Messages from the Governor

January 8, 2018

Jennifer Novak  
Secretary of the Senate  
Idaho State Senate

Dear Madam Secretary:

As required by Section 57-1601, *Idaho Code*, I am transmitting the following report of the Governor's Emergency Fund for fiscal years 2017 and 2018.

**Balance as of July 1, 2016**                      **\$83,744.48**

No activity in fiscal year 2017

**Balance as of June 30, 2017**                      **\$83,744.48**

No activity year-to-date in fiscal year 2018

**Balance as of December 31, 2017**                      **\$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.

Senator Siddoway was recorded present at this order of business.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Charles Kemper of Idaho Falls, Idaho, was re-appointed as a member of the Aeronautics Advisory Board to serve a term commencing January 31, 2018, and expiring January 31, 2023.

This appointment is 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.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Michael Gibson of Nampa, Idaho, was re-appointed to the Commission for the Blind and Visually Impaired to serve a term commencing July 1, 2017, and expiring July 1, 2020.

This appointment is 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 Health and Welfare Committee.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Jeffrey Anderson of Boise, Idaho, was re-appointed as the Director of the State Liquor Division to serve a term commencing January 5, 2018, and serves at the pleasure of the Governor.

This appointment is 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 State Affairs Committee.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Russ Barron of Emmett, Idaho, was appointed as the Director of the Idaho Department of Health and Welfare to serve a term commencing July 1, 2017, and serves at the pleasure of the Governor.

This appointment is 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 Health and Welfare Committee.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Brigadier General Michael J. Garshak of Meridian, Idaho, was appointed as the Adjutant General of the State of Idaho Military Division to serve a term commencing November 1, 2017, and serves at the pleasure of the Governor.

This appointment is 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 State Affairs Committee.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Melinda Smyser of Parma, Idaho, was appointed as the Director of the Department of Labor to serve a term commencing October 23, 2017, and serves at the pleasure of the Governor.

This appointment is 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 Commerce and Human Resources Committee.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Col. Kedrick Wills of Meridian, Idaho, was appointed as the Director of the Idaho State Police to serve a term commencing July 3, 2017 and serves at the pleasure of the Governor.

This appointment is 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 Judiciary and Rules Committee.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11:15 a.m., Wednesday, January 10, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

**SENATE JOURNAL**  
OF THE  
**IDAHO LEGISLATURE**

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**THIRD LEGISLATIVE DAY**  
**WEDNESDAY, JANUARY 10, 2018**

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Shelby Hale, Page.

The Senate advanced to the Third Order of Business.

**Reading and Correction of the Journal**

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 9, 2018, 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 Fourth Order of Business.

**Reading of Communications**

January 10, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Senate

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,

Lawrence Denney  
Secretary of State

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

**Messages from the Governor**

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dr. David Hill of Boise, Idaho was re-appointed to the State Board of Education to serve a term commencing July 1, 2017 and expiring July 1, 2022.

This appointment is 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 Education Committee.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Randolph Hill of Eagle, Idaho was re-appointed to the Idaho Energy Resources Authority to serve a term commencing June 30, 2017, and expiring June 30, 2022.

This appointment is 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 State Affairs Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jim Yost of Meridian, Idaho was re-appointed to the Northwest Power and Conservation Council to serve a term commencing January 15, 2018, and expiring January 15, 2021.

This appointment is 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 Resources and Environment Committee.

December 28, 2017

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Bobbi-Jo Meuleman of Boise, Idaho was appointed as the Director of the Department of Commerce to serve a term commencing January 1, 2018, and serves at the pleasure of the Governor.

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 Commerce and Human Resources Committee.

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

Motions and Resolutions

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

- Assistant to the Majority Leader ..... Lizzie Kukla
Assistant to the Asst. Maj. Leader ..... Sharon Pennington
Assistant to the Majority Caucus Chairman ... Peggy Moyer
Secretary to the Secretary of the Senate ... Annaliese Collins
Journal Clerk ..... Jason Barnes
Assistant Clerk ..... Aaren Carline
Sergeant at Arms ..... Sarah Jane McDonald
Assistant Sergeant at Arms ..... Jerry Csutoras
Doorkeeper ..... Al Henderson

Committee Secretaries:

- Agricultural Affairs ..... Carol Deis
Commerce and Human Resources ..... Linda Kambeitz
Education ..... LeAnn Mohr
Finance ..... Amberlee Honsaker
Health and Welfare ..... Rachel Goodman
Judiciary and Rules ..... Anna Wroblewski-Jones
Local Government and Taxation ..... Jennifer Carr
Resources and Environment ..... Juanita Budell
State Affairs ..... Twyla Melton
Transportation ..... Gaye Bennett

Majority Staff Assistants:

- Majority Staff Assistant ..... Lauren Camara
Majority Staff Assistant ..... Carol Cornwall
Majority Staff Assistant ..... Samuel Griffin

- Majority Staff Assistant ..... Diane James
Majority Staff Assistant ..... Katy Miller

Minority Staff:

- Minority Chief of Staff ..... Caitlin Lister
Minority Staff Assistant ..... Joshua Hayes-Fugal
Minority Staff Assistant ..... Matt Kopydlowski
Minority Staff Assistant ..... Prascilla Upadhaya

Pages:

- Josie Bush, Boise
Shelby Hale, Caldwell
Abigail Hunter, Coeur d' Alene
Heidi Kofoed, Eagle
Alexa Larsen, Eagle
Lyndi Loveland, St. Anthony
Porter McPherson, Eagle
Araoluwa Omotowa, Idaho Falls
Christine Peterson, Eagle
Jack Sherlock, Shoshone

The question being, Shall the motion prevail?

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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 34.

NAYS--None.

Absent and excused--Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared the attaches duly elected to their respective positions.

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

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

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

- Patrick ..... Jordan
Bayer
Guthrie
Thayn
Harris
Foreman

## COMMERCE AND HUMAN RESOURCES (9)

Patrick, Chairman  
Guthrie, Vice Chairman

Martin  
Lakey  
Thayn  
Souza  
Potts

Ward-Engelking  
Burgoyne

## RESOURCES AND ENVIRONMENT (9)

Bair, Chairman  
Siddoway, Vice Chairman

Brackett  
Heider  
Vick  
Bayer  
Johnson

Stennett  
Jordan

## EDUCATION (9)

Mortimer, Chairman  
Thayn, Vice Chairman

Winder  
Nonini  
Den Hartog  
Guthrie  
Crabtree

Buckner-Webb  
Ward-Engelking

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

Hill  
Winder  
Lodge  
Vick  
Anthon

Stennett  
Buckner-Webb

## FINANCE (10)

Keough, Chairman  
Martin, Vice Chairman

Bair  
Mortimer  
Souza  
Lee  
Agenbroad  
Crabtree

Ward-Engelking  
Nye

TRANSPORTATION (9)  
Brackett, Chairman  
Nonini, Vice Chairman

Keough  
Winder  
Hagedorn  
Den Hartog  
Lodge  
Harris

Buckner-Webb

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 11:41 a.m. until the hour of 11:15 a.m., Thursday, January 11, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

## JUDICIARY AND RULES (9)

Lodge, Chairman  
Lee, Vice Chairman

Hagedorn  
Lakey  
Anthon  
Foreman  
Potts

Burgoyne  
Nye

## LOCAL GOVERNMENT AND TAXATION (9)

Johnson, Chairman  
Bayer, Vice Chairman

Hill  
Siddoway  
Rice  
Vick  
Patrick

Burgoyne  
Nye

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

December 27, 2017

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

**FOURTH LEGISLATIVE DAY  
THURSDAY, JANUARY 11, 2018**

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Abigail Hunter, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 10, 2018, 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 Eighth Order of Business.

### Messages from the Governor

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jerry Edgington of Boise, Idaho was re-appointed to the Idaho Health Insurance Exchange Board - Your Health Idaho to serve a term commencing April 10, 2017 and expiring April 10, 2021.

This appointment is 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 Commerce and Human Resources Committee.

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Hyatt Erstad of Boise, Idaho was re-appointed to the Idaho Health Insurance Exchange Board - Your Health Idaho to serve a term commencing April 10, 2017 and expiring April 10, 2021.

This appointment is 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 Commerce and Human Resources Committee.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Margaret Henbest of Boise, Idaho was re-appointed to the Idaho Health Insurance Exchange Board - Your Health Idaho to serve a term commencing April 10, 2017 and expiring April 10, 2021.

This appointment is 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 Commerce and Human Resources Committee.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dr. John Livingston of Boise, Idaho was re-appointed to the Idaho Health Insurance Exchange Board - Your Health Idaho to serve a term commencing April 10, 2017 and expiring April 10, 2021.

This appointment is 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 Commerce and Human Resources Committee.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kevin Settles of Boise, Idaho was re-appointed to the Idaho Health Insurance Exchange Board - Your Health Idaho to serve a term commencing April 10, 2017 and expiring April 10, 2021.

This appointment is 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 Commerce and Human Resources Committee.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Tom Shores of Boise, Idaho was re-appointed to the Idaho Health Insurance Exchange Board - Your Health Idaho to serve a term commencing April 10, 2017 and expiring April 10, 2021.

This appointment is 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 Commerce and Human Resources Committee.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Fernando Veloz of Meridian, Idaho was re-appointed to the Idaho Health Insurance Exchange Board - Your Health Idaho to serve a term commencing April 10, 2017 and expiring April 10, 2021.

This appointment is 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 Commerce and Human Resources Committee.

December 27, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Stephen Weeg of Pocatello, Idaho was re-appointed to the Idaho Health Insurance Exchange Board - Your Health Idaho to serve a term commencing April 10, 2017 and expiring April 10, 2021.

This appointment is 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 Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

January 10, 2018

Dear Mr. President:

I transmit herewith enrolled [HCR 30](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed enrolled [HCR 30](#) 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 1207

#### BY AGRICULTURAL AFFAIRS COMMITTEE

##### AN ACT

RELATING TO THE SEED INDEMNITY FUND LAW; AMENDING SECTION 22-5103, IDAHO CODE, TO REQUIRE THAT CERTAIN AUDITED OR REVIEWED FINANCIAL STATEMENTS BE PROVIDED WITH ANNUAL LICENSE RENEWALS, TO PROVIDE CERTAIN NET WORTH AND BOND REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 22-5117, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE MAY DENY THE ISSUANCE OF A LICENSE OR RENEWAL BASED ON SPECIFIED CRITERIA



AND AFTER A PUBLIC HEARING AND TO PROVIDE FOR JUDICIAL REVIEW OF FINAL DETERMINATIONS.

[S 1207](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 11:27 a.m. until the hour of 11:15 a.m., Friday, January 12, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**FIFTH LEGISLATIVE DAY  
FRIDAY, JANUARY 12, 2018**

Senate Chamber

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

Roll call showed all members present except President Pro Tempore Hill and Senator Patrick, absent and formally excused by the Chair; and Senators Crabtree, Den Hartog, and Rice, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Heidi Kofoed, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 11, 2018, 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

January 12, 2018

The JUDICIARY AND RULES Committee reports that [S 1207](#) has been correctly printed.

LODGE, Chairman

[S 1207](#) was referred to the Agricultural Affairs Committee.

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

### Messages from the Governor

Senators Den Hartog, Crabtree, and Rice were recorded present at this order of business.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Irving Littman of Boise, Idaho was appointed to the Idaho Endowment Fund Investment Board to serve a term commencing June 7, 2017 and expiring April 11, 2021.

This appointment is 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 State Affairs Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Richelle Sugiyama of Boise, Idaho was re-appointed to the Idaho Endowment Fund Investment Board to serve a term commencing April 11, 2017 and expiring April 11, 2021.

This appointment is 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 State Affairs Committee.

December 28, 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 appointed to the Idaho Endowment Fund Investment Board to serve a term commencing November 16, 2017 and expiring April 1, 2020.

This appointment is 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 State Affairs Committee.

December 28, 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 appointed to the Treasurer's Investment Advisory Board to serve a term commencing November 16, 2017 and expiring July 1, 2020.

This appointment is 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 State Affairs Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Michael Elliot of Eagle, Idaho was appointed to the Idaho Energy Resources Authority to serve a term commencing June 7, 2017 and expiring July 1, 2021.

This appointment is 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 State Affairs Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Brad Corkill of Cataldo, Idaho was re-appointed to the Idaho Fish and Game Commission to serve a term commencing July 1, 2017 and expiring June 30, 2021.

This appointment is 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 Resources and Environment Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Karen Vauk of Boise, Idaho was re-appointed to the Idaho Health Insurance Exchange Board - Your Health Idaho to serve a term commencing April 10, 2017 and expiring April 10, 2021.

This appointment is 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 Commerce and Human Resources Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Katie Brodie of Hayden Lake, Idaho was appointed to the Idaho Commission on Human Rights to serve a term commencing September 6, 2017 and expiring July 1, 2020.

This appointment is 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 State Affairs Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jim Kempton of Albion, Idaho was re-appointed to the Idaho Transportation Board to

serve a term commencing January 31, 2018 and expiring January 31, 2024.

This appointment is 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.

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 11:25 a.m. until the hour of 11:15 a.m., Monday, January 15, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

December 28, 2017

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**EIGHTH LEGISLATIVE DAY  
MONDAY, JANUARY 15, 2018**

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Alexa Larsen, 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, 2018, 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 Eighth Order of Business.

### Messages from the Governor

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Arron White of Meridian, Idaho was appointed to the Idaho Industrial Commission to serve a term commencing January 15, 2018 and expiring January 13, 2023.

This appointment is 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 Commerce and Human Resources Committee.

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mark Holubar of Idaho Falls, Idaho was re-appointed to the Idaho Personnel Commission to serve a term commencing July 1, 2017 and expiring July 1, 2023.

This appointment is 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 Commerce and Human Resources Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Amy Manning of Pocatello, Idaho was appointed to the Idaho Personnel Commission to serve a term commencing September 26, 2017 and expiring July 1, 2023.

This appointment is 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 Commerce and Human Resources Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that J. Michael Brassey of Boise, Idaho was re-appointed to the Idaho Personnel Commission to serve a term commencing July 1, 2017 and expiring July 1, 2023.

This appointment is 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 Commerce and Human Resources Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Darrell Bolz of Caldwell, Idaho was re-appointed to the State Public Defense Commission to serve a term commencing July 1, 2017 and expiring July 1, 2020.

This appointment is 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 Judiciary and Rules Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Elizabeth Chavez of Lewiston, Idaho was re-appointed to the Idaho Judicial Council to serve a term commencing July 1, 2017 and expiring July 1, 2023.

This appointment is 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 Judiciary and Rules Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Marc Brinkmeyer of Coeur d' Alene, Idaho was re-appointed to the Lake Pend Oreille Basin Commission to serve a term commencing July 24, 2017 and expiring July 24, 2020.

This appointment is 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 Resources and Environment Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that R. Doug Eastwood of Post Falls, Idaho was appointed to the Parks and Recreation Board to serve a term commencing July 24, 2017 and expiring July 1, 2022.

This appointment is 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 Resources and Environment Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that L. Daniel Cravens of Blackfoot, Idaho was re-appointed to the Idaho Commission on Human Rights to serve a term commencing July 1, 2017 and expiring July 1, 2020.

This appointment is 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 State Affairs Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Melville Fisher II of Garden City, Idaho was re-appointed to the Idaho Lottery

Commission to serve a term commencing January 1, 2018 and expiring January 1, 2023.

This appointment is 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 State Affairs Committee.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:34 a.m. until the hour of 11:15 a.m., Tuesday, January 16, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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NINTH LEGISLATIVE DAY  
TUESDAY, JANUARY 16, 2018

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Lyndi Loveland, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 15, 2018, 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 125

#### BY JUDICIARY AND RULES COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE AMENDMENT OF JOINT RULE 4 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 amend Joint Rule 4 of the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Joint Rule 4 of the Senate and the House of Representatives shall be amended to read as follows:

#### JOINT RULE 4

Enrolling and Engrossing. – After a bill has shall have passed both houses, it shall be enrolled by the enrolling clerk of the house from which it originated not later than 48 hours after the time of passage. All bills, memorials, and resolutions shall be engrossed only in the house in which they originated.

#### SCR 126

#### BY EDUCATION COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING AND HONORING LEWIS-CLARK STATE COLLEGE FOR ITS HISTORICAL ROOTS, EDUCATIONAL ACCOMPLISHMENTS PAST AND PRESENT AND LIFELONG LEARNING OPPORTUNITIES FOR THE STUDENTS OF TODAY AND TOMORROW.

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

WHEREAS, Lewis-Clark State College, established in 1893, is the second-oldest public higher education institution in Idaho and has been wholly committed to and has exceptionally served its students, community, region and the State of Idaho for one hundred twenty-five years; and

WHEREAS, as Idaho's most affordable four-year public institution with seventy-six percent of its student body composed of first-generation students, Lewis-Clark State College has played, and continues to play, a key role in making college a possibility for all; and

WHEREAS, the dedication, caring nature and excellence of its faculty, staff, alumni and supporters make the educational experience and results at Lewis-Clark State College unique, second to none and a perfect complement to Idaho's higher education system; and

WHEREAS, the college boasts excellent programs in both academic and technical fields, including an expanding Career and Technical Education program that is poised to provide increased support to Idaho's industry and workforce needs; and

WHEREAS, having seen its enrollment increase by twenty percent over the past ten years and with three straight years of record numbers of graduates, Lewis-Clark State College is one of Idaho's growing institutions and one with great potential and ambition for future accomplishments and service; and

WHEREAS, Lewis-Clark State College is ranked as the top college in the United States for serving nontraditional students by Best College Reviews and is consistently ranked as one of the five best regional public colleges in the West by U.S. News and World Report.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize and honor Lewis-Clark State College for its historical roots, educational accomplishments past and present and lifelong learning opportunities for the students of today and tomorrow.

[SCR 125](#) and [SCR 126](#) 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.

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



**Messages from the Governor**

January 15, 2018

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.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Catherine Roemer of Jerome, Idaho was appointed to the State Soil and Water Conservation Commission to serve a term commencing June 26, 2017 and expiring July 1, 2020.

This appointment is 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 Agricultural Affairs Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that H. Norman Wright of American Falls, Idaho was re-appointed to the State Soil and Water Conservation Commission to serve a term commencing July 1, 2017 and expiring July 1, 2022.

This appointment is 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 Agricultural Affairs Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Park Price of Idaho Falls, Idaho was appointed to the Public Employee Retirement System of Idaho Board to serve a term commencing July 21, 2017 and expiring July 1, 2022.

This appointment is 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 Commerce and Human Resources Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dr. Karen Neill of Pocatello, Idaho was appointed to the Commission on Pardons and Parole to serve a term commencing June 1, 2017 and expiring January 1, 2020.

This appointment is 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 Judiciary and Rules Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Cortney Dennis of Emmett, Idaho was re-appointed to the Commission on Pardons and Parole to serve a term commencing January 1, 2018 and expiring January 1, 2021.

This appointment is 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 Judiciary and Rules Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Eric Fredericksen of Meridian, Idaho was re-appointed to the State Public Defense Commission to serve a term commencing July 1, 2017 and expiring July 1, 2020.

This appointment is 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 Judiciary and Rules Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Paige Nolte of Moscow, Idaho was appointed to the State Public Defense Commission to serve a term commencing July 1, 2017 and expiring July 1, 2020.

This appointment is 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 Judiciary and Rules Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jean Fisher of Boise, Idaho was re-appointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2018 and expiring January 1, 2021.

This appointment is 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 Judiciary and Rules Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that William Crawford of Caldwell, Idaho was re-appointed to the Sexual Offender Management Board to serve a term commencing January 1, 2018 and expiring January 1, 2021.

This appointment is 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 Judiciary and Rules Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Melissa Hultberg of Boise, Idaho was appointed to the Sexual Offender Management Board to serve a term commencing January 1, 2018 and expiring January 1, 2021.

This appointment is 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 Judiciary and Rules Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Moira Lynch of Boise, Idaho was re-appointed to the Sexual Offender Management Board to serve a term commencing January 1, 2018 and expiring January 1, 2021.

This appointment is 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 Judiciary and Rules Committee.

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

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

**S 1208**

**BY JUDICIARY AND RULES COMMITTEE**

**AN ACT**

RELATING TO AGRICULTURAL LABOR; AMENDING SECTION 20-413A, IDAHO CODE, TO PROVIDE FOR THE USE OF INMATE LABOR IN THE PRODUCTION, HARVESTING AND PROCESSING OF AGRICULTURAL PRODUCTS, TO REVISE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

[S 1208](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:28 a.m. until the hour of 11:15 a.m., Wednesday, January 17, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**TENTH LEGISLATIVE DAY**  
**WEDNESDAY, JANUARY 17, 2018**

Senate Chamber

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

Roll call showed all members present except Senators Nye and Stennett, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Porter McPherson, 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, 2018, 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

January 17, 2018

The JUDICIARY AND RULES Committee reports that [SCR 125](#), [SCR 126](#), and [S 1208](#) have been correctly printed.

LODGE, Chairman

[SCR 125](#) and [SCR 126](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1208](#) was referred to the Judiciary and Rules Committee.

January 11, 2018

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:

Michael Gibson to the Commission for the Blind and Visually Impaired, term to expire July 1, 2020.

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.

Senator Nye was recorded present at this order of business.

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

### Messages from the Governor

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kenneth Nuhn of Moscow, Idaho was appointed to the Board of Tax Appeals to serve a term commencing August 23, 2017 and expiring June 30, 2020.

This appointment is 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 Local Government and Taxation Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Janet Trujillo of Idaho Falls, Idaho was appointed to the State Tax Commission to serve a term commencing December 6, 2017 and expiring December 6, 2023.

This appointment is 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 Local Government and Taxation Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dr. John Rusche of Lewiston, Idaho was appointed to the Idaho Water Resource Board to serve a term commencing August 31, 2017 and expiring January 1, 2019.

This appointment is 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 Resources and Environment Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dr. Renee Breedlovestrout of Moscow, Idaho was appointed to the Oil and Gas Conservation Commission to serve a term commencing July 1, 2017 and expiring July 1, 2019.

This appointment is 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 Resources and Environment Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that James Classen of Boise, Idaho was appointed to the Oil and Gas Conservation Commission to serve a term commencing July 1, 2017 and expiring July 1, 2021.

This appointment is 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 Resources and Environment Committee.

December 28, 2017

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Marc Shigeta of New Plymouth, Idaho was appointed to the Oil and Gas Conservation

Commission to serve a term commencing July 1, 2017 and expiring July 1, 2021.

This appointment is 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 Resources and Environment Committee.

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

#### Messages from the House

January 16, 2018

Dear Mr. President:

I transmit herewith [H 335](#), which has passed the House.

MAULIN, Chief Clerk

[H 335](#) was filed for first reading.

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

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

##### S 1209

#### BY COMMERCE AND HUMAN RESOURCES COMMITTEE

##### AN ACT

RELATING TO THE IDAHO PETROLEUM CLEAN WATER TRUST FUND; AMENDING SECTION 41-4904, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE BOARD OF TRUSTEES.

##### S 1210

#### BY EDUCATION COMMITTEE

##### AN ACT

RELATING TO HIGHER EDUCATION; AMENDING SECTION 33-107B, IDAHO CODE, TO REVISE PROVISIONS REGARDING RETIREMENT PROGRAMS FOR COMMUNITY COLLEGES; REPEALING SECTIONS 33-2208 THROUGH 33-2210, IDAHO CODE, RELATING TO EASTERN IDAHO TECHNICAL COLLEGE; AMENDING SECTION 33-2211, IDAHO CODE, TO REMOVE A REFERENCE TO EASTERN IDAHO TECHNICAL COLLEGE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 33-2212, IDAHO CODE, RELATING TO AN ADVISORY COUNCIL FOR EASTERN IDAHO TECHNICAL COLLEGE; AMENDING SECTION 33-3726, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE HIGHER EDUCATION STABILIZATION FUND; AMENDING SECTION 67-5302, IDAHO CODE, TO REMOVE A REFERENCE TO EASTERN IDAHO TECHNICAL COLLEGE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-9203, IDAHO CODE, TO REMOVE A REFERENCE TO EASTERN IDAHO TECHNICAL COLLEGE AND TO MAKE TECHNICAL CORRECTIONS.

**S 1211**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1252, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PROFESSIONAL STANDARDS COMMISSION; AMENDING SECTION 33-1253, IDAHO CODE, TO REVISE TERMINOLOGY; AND AMENDING SECTION 33-1254, IDAHO CODE, TO PROVIDE FOR ADOPTION OF A CODE OF ETHICS, TO PROVIDE RULEMAKING AUTHORITY AND TO MAKE TECHNICAL CORRECTIONS.

**S 1212**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2202, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REVISE A DEFINITION.

[S 1209](#), [S 1210](#), [S 1211](#), and [S 1212](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 335](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 11:30 a.m. until the hour of 11:15 a.m., Thursday, January 18, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

**ELEVENTH LEGISLATIVE DAY  
THURSDAY, JANUARY 18, 2018**

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Araoluwa Omotowa, 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, 2018 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

January 18, 2018

The JUDICIARY AND RULES Committee reports that [S 1209](#), [S 1210](#), [S 1211](#), and [S 1212](#) have been correctly printed.

LODGE, Chairman

[S 1209](#) was referred to the Commerce and Human Resources Committee.

[S 1210](#), [S 1211](#), and [S 1212](#) were referred to the Education Committee.

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

### Messages from the Governor

January 10, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that David Jeppesen of Eagle, Idaho was appointed to the Idaho Health Insurance Exchange Board - Your Health Idaho to serve a term commencing August 15, 2017 and expiring April 10, 2021.

This appointment is 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 Commerce and Human Resources Committee.

January 10, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Janice Fulkerson of Meridian, Idaho was re-appointed to the Idaho Health Insurance Exchange Board - Your Health Idaho to serve a term commencing April 10, 2017 and expiring April 10, 2021.

This appointment is 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 Commerce and Human Resources Committee.

January 10, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Nicole Fitzgerald of Boise, Idaho was appointed as the Administrator of the Office of Drug Policy to serve a term commencing December 20, 2017 and serves at the pleasure of the Governor.

This appointment is 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 Judiciary and Rules Committee.

January 10, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Shellee Daniels of Malad City, Idaho was re-appointed to the State Public Defense Commission to serve a term commencing July 1, 2017 and expiring July 1, 2020.

This appointment is 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 Judiciary and Rules Committee.

January 10, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Lisa Bostaph of Boise, Idaho, was re-appointed to the Commission on Pardons and Parole to serve a term commencing January 1, 2018 and expiring January 1, 2021.

This appointment is 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 Judiciary and Rules Committee.

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

#### **Motions and Resolutions**

The President Pro Tempore announced that [SCR 125](#) was before the Senate for final consideration.

Moved by Senator Lodge, seconded by Senator Burgoyne, that [SCR 125](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [SCR 125](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 126](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Johnson, seconded by Senator Nonini, [SCR 126](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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

On motion by Senator Agenbroad, seconded by Senator Jordan, the Gubernatorial appointment of Michael Gibson as a member of the Commission for the Blind and Visually Impaired 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 1213 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO THE ENDOWMENT FUND INVESTMENT BOARD; AMENDING SECTION 57-719, IDAHO CODE, TO REVISE COMPENSATION PROVISIONS REGARDING BOARD MEMBERS.

##### **S 1214 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO STATE VETERANS CEMETERIES; AMENDING SECTION 54-1144, IDAHO CODE, TO REVISE LANGUAGE REGARDING STATE VETERANS CEMETERIES; AMENDING SECTION 65-108, IDAHO CODE, TO REVISE LANGUAGE REGARDING STATE VETERANS CEMETERIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 65-202, IDAHO CODE, TO REVISE LANGUAGE REGARDING STATE VETERANS CEMETERIES; AND AMENDING SECTION 65-204, IDAHO CODE, TO REVISE LANGUAGE REGARDING STATE VETERANS CEMETERIES.

##### **S 1215 BY LOCAL GOVERNMENT AND TAXATION COMMITTEE**

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 1216**  
**BY LOCAL GOVERNMENT AND TAXATION**  
**COMMITTEE**

AN ACT

RELATING TO COMPENSATION OF FIRE PROTECTION DISTRICT COMMISSIONERS; AMENDING SECTION 31-1421, IDAHO CODE, TO REVISE THE MAXIMUM AMOUNT OF COMPENSATION FOR PERFORMING FIRE DISTRICT BUSINESS BY FIRE PROTECTION DISTRICT COMMISSIONERS, TO PROVIDE FOR SPECIAL COMPENSATION UPON A DECLARATION OF EMERGENCY OR DISASTER WITHIN THE FIRE PROTECTION DISTRICT AND TO MAKE TECHNICAL CORRECTIONS.

**S 1217**

**BY RESOURCES AND ENVIRONMENT COMMITTEE**

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-301, IDAHO CODE, TO AUTHORIZE THE DIRECTOR OF THE IDAHO DEPARTMENT OF FISH AND GAME TO COLLECT CERTAIN CREDIT CARD FEES.

[S 1213](#), [S 1214](#), [S 1215](#), [S 1216](#), and [S 1217](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:39 a.m. until the hour of 11 a.m., Friday, January 19, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**TWELFTH LEGISLATIVE DAY**  
**FRIDAY, JANUARY 19, 2018**

Senate Chamber

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

Roll call showed all members present except Senator Stennett, absent and formally excused by the Chair; and Senators Bair, Bayer, and Johnson, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Christine Peterson, 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, 2018, 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

January 19, 2018

The JUDICIARY AND RULES Committee reports that [S 1213](#), [S 1214](#), [S 1215](#), [S 1216](#), and [S 1217](#) have been correctly printed.

LODGE, Chairman

[S 1213](#) and [S 1214](#) were referred to the State Affairs Committee.

[S 1215](#) and [S 1216](#) were referred to the Local Government and Taxation Committee.

[S 1217](#) was referred to the Resources and Environment Committee.

January 18, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 335](#) with the recommendation that it do pass.

JOHNSON, Chairman

[H 335](#) was filed for second reading.

January 18, 2018

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:

Charles Kemper to the Aeronautics Advisory 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.

Senator Bair was recorded present at this order of business.

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

### Messages from the Governor

January 10, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Robert Barowsky of Fruitland, Idaho, was appointed as a member of the Idaho Outfitters and Guides Licensing Board to serve a term commencing May 31, 2017, and expiring May 31, 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 10, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that George McQuiston Jr. of Challis, Idaho was re-appointed to the Idaho Outfitters and Guides Licensing Board to serve a term commencing April 20, 2017 and expiring April 20, 2020.

This appointment is 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 Resources and Environment Committee.

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

January 10, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

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 10, 2018

Dear Mr. President:

I have the honor to inform you that Kevin Dickey of Emmett, Idaho was appointed to the Oil and Gas Conservation Commission to serve a term commencing July 1, 2017 and expiring July 1, 2020.

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

I have the honor to inform you that Sheila Olsen of Idaho Falls, Idaho was re-appointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 2017 and expiring July 1, 2020.

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

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

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

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

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

January 10, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

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

The Gubernatorial appointment was referred to the State Affairs Committee.

Dear Mr. President:

I have the honor to inform you that Valisa Say of Idaho Falls, Idaho was appointed to the Bingo-Raffle Advisory Board to serve a term commencing January 7, 2018 and expiring January 7, 2021.

Senator Johnson 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.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

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

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

**S 1218  
BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

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

RELATING TO ENVIRONMENTAL QUALITY; AMENDING SECTION 25-4011, IDAHO CODE, TO REVISE FACTORS TO BE CONSIDERED WHEN THE DIRECTOR OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE IS DECIDING WHETHER TO DESIGNATE A POULTRY ANIMAL FEEDING OPERATION; AMENDING SECTION 25-4012, IDAHO CODE, TO PROVIDE THAT SPECIFIED LAW SHALL NOT AFFECT THE AUTHORITY OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ADMINISTER AND ENFORCE AN IDAHO NPDES PROGRAM FOR POULTRY OPERATIONS AND DOES NOT ALTER THE REQUIREMENTS, LIABILITIES AND AUTHORITIES WITH RESPECT TO OR ESTABLISHED BY AN IDAHO NPDES PROGRAM, TO PROVIDE THAT THE DIRECTORS OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE IDAHO STATE DEPARTMENT OF AGRICULTURE ARE AUTHORIZED TO ESTABLISH CERTAIN AGREEMENTS, TO AUTHORIZE THE DIRECTOR OF THE IDAHO STATE DEPARTMENT

The Gubernatorial appointment was referred to the State Affairs Committee.

January 10, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Timothy Anderson of Pocatello, Idaho was re-appointed to the State Building Authority to serve a term commencing January 1, 2018 and expiring January 1, 2023.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

OF AGRICULTURE TO EXERCISE CERTAIN OTHER AUTHORITIES DELEGATED BY THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL CONSULT WITH THE DIRECTOR OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE BEFORE CERTIFYING DISCHARGES FROM POULTRY OPERATIONS; AMENDING CHAPTER 40, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-4015, IDAHO CODE, TO DECLARE POLICY AND STATE LEGISLATIVE INTENT; AMENDING SECTION 39-175B, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL NOT REQUIRE CERTAIN PERMITS FOR ACTIVITIES AND SOURCES NOT REQUIRED TO HAVE PERMITS BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; AMENDING SECTION 39-175C, IDAHO CODE, TO PROVIDE FOR THE IDAHO POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM, TO LIMIT AUTHORITY REGARDING THE ISSUANCE OF PERMITS, TO CLARIFY AN EXCLUSION, TO REVISE RULEMAKING PROVISIONS, AND TO REVISE PROVISIONS REGARDING MEMORANDUMS OF AGREEMENT TO MAINTAIN APPROVAL TO OPERATE AN IDAHO POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM; AMENDING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-175F, IDAHO CODE, TO PROVIDE FOR THE IDAHO POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM FUND; AND DECLARING AN EMERGENCY.

**S 1219**

**BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE**

AN ACT

RELATING TO HEALTH INSURANCE; AMENDING SECTION 41-4102, IDAHO CODE, TO PROVIDE A DEFINITION; AMENDING SECTION 41-4104, IDAHO CODE, TO PROVIDE AN EXCEPTION; AND AMENDING SECTION 41-4110, IDAHO CODE, TO PROVIDE FOR A CERTAIN WAIVER AND TO MAKE A TECHNICAL CORRECTION.

**S 1220**

**BY LOCAL GOVERNMENT AND TAXATION  
COMMITTEE**

AN ACT

RELATING TO SALES TAX; AMENDING SECTION 63-3638, IDAHO CODE, TO CLARIFY THE DISTRIBUTION PROCESS OF SALES TAX REVENUE AND TO MAKE TECHNICAL CORRECTIONS.

**S 1221**

**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO HIGHER EDUCATION; AMENDING SECTION 33-2102, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 33-2205, IDAHO CODE, TO PROVIDE THAT CERTAIN POSTSECONDARY CREDITS SHALL TRANSFER AT FULL CREDIT VALUE TO IDAHO PUBLIC COLLEGES AND UNIVERSITIES; AND AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3728, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING TRANSFER OF CREDITS.

**S 1222**

**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO CAREER EDUCATION; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1634, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A QUALITY FUNDING MECHANISM FOR CERTAIN PROGRAMS AND INCENTIVE FUNDING FOR WORKFORCE READINESS; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1634, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A QUALITY FUNDING MECHANISM FOR CERTAIN PROGRAMS AND INCENTIVE FUNDING FOR WORKFORCE READINESS; PROVIDING A SUNSET DATE; AND PROVIDING AN EFFECTIVE DATE.

**S 1223**

**BY BUCKNER-WEBB**

AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1852, IDAHO CODE, TO DEFINE A TERM, TO PROHIBIT CERTAIN DISCRIMINATION AND TO PROVIDE FOR ENFORCEMENT.

**S 1224**

**BY JORDAN**

AN ACT

RELATING TO MEDICAID; AMENDING SECTION 56-262, IDAHO CODE, TO REVISE A CODE REFERENCE; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-267, IDAHO CODE, TO PROVIDE THAT THE STATE SHALL AMEND ITS STATE PLAN TO EXPAND MEDICAID ELIGIBILITY TO CERTAIN PERSONS AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE IS REQUIRED AND AUTHORIZED TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION; AND DECLARING AN EMERGENCY.

[S 1218](#), [S 1219](#), [S 1220](#), [S 1221](#), [S 1222](#), [S 1223](#), and [S 1224](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 11:13 a.m. until the hour of 11:15 a.m., Monday, January 22, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

**FIFTEENTH LEGISLATIVE DAY  
MONDAY, JANUARY 22, 2018**

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 Montie Ralstin.

The Pledge of Allegiance was led by Jack Sherlock, 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, 2018 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

January 22, 2018

The JUDICIARY AND RULES Committee reports that [S 1218](#), [S 1219](#), [S 1220](#), [S 1221](#), [S 1222](#), [S 1223](#), and [S 1224](#) have been correctly printed.

LODGE, Chairman

[S 1218](#) was referred to the Agricultural Affairs Committee.

[S 1219](#) was referred to the Commerce and Human Resources Committee.

[S 1220](#) was referred to the Local Government and Taxation Committee.

[S 1221](#) and [S 1222](#) were referred to the Education Committee.

[S 1223](#) was referred to the Commerce and Human Resources Committee.

[S 1224](#) was referred to the Health and Welfare Committee.

January 19, 2018

The JUDICIARY AND RULES Committee reports out [S 1208](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1208](#) was filed for second reading.

January 22, 2018

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

Jeffrey Anderson as the Director of the State Liquor Division, term to continue at the pleasure of the Governor.

Katie Brodie to the Idaho Commission on Human Rights, term to expire July 1, 2020.

Michael J. Garshak as the Adjutant General of the Idaho Military Division, term to continue at the pleasure of the Governor.

Randolph Hill to the Idaho Energy Resources Authority, term to expire June 30, 2022.

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

### Motions and Resolutions

The President announced that the Transportation Committee report relative to the Gubernatorial appointment of Charles Kemper 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 appointment of Charles Kemper 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 Winder, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[H 335](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:22 a.m. until the hour of 11:15 a.m., Tuesday, January 23, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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SIXTEENTH LEGISLATIVE DAY  
TUESDAY, JANUARY 23, 2018

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Josie 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 22, 2018 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

January 22, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [S 1217](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1217](#) was filed for second reading.

January 23, 2018

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:

Kedrick Wills as the Director of the Idaho State Police, term to continue at the pleasure of the Governor.

LODGE, Chairman

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

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

### Motions and Resolutions

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

On motion by Senator Hagedorn, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Jeffrey Anderson as the Director of the State Liquor Division was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Katie Brodie retained its place on the calendar for Wednesday, January 24, 2018.

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

On motion by Senator Winder, seconded by Senator Stennett, the Gubernatorial appointment of Michael J. Garshak as the Adjutant General of the Idaho Military Division was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 appointment of Randolph Hill was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Burgoyne, the Gubernatorial appointment of Randolph Hill as a member of the Idaho Energy Resources Authority was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for 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 Twelfth Order of Business.

### Second Reading of Bills

[S 1208](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

[H 335](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 President declared [H 335](#) passed, title was approved, and the bill ordered returned to the House.

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

#### **Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:42 a.m. until the hour of 11 a.m., Wednesday, January 24, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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SEVENTEENTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 24, 2018

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Shelby Hale, 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, 2018 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.

President Little assumed the Chair.

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

### Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, President Little appointed a committee consisting of Senator Lee, Chairman, and Senators Foreman and Nye 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.

Thank you for inviting me to report on the state of the Idaho judiciary. It is an honor to be invited into this historic chamber to do so.

I would like to start by thanking you for the support you have shown the judiciary over the last year. The Idaho courts remain dedicated to the core constitutional mission of providing Idahoans access to fair processes with timely and impartial resolution of cases. With your commitment and support, the judiciary was able to achieve many of its goals to those ends.

Since I spoke to you last, your willingness to provide resources in support of those Idahoans under guardianship and conservatorship protections is providing concrete results. The Census Bureau estimates indicate that the number of Idaho residents over the age of 65 grew by 30% from 2010 to 2016.

This aging of Idaho's population is reflected in the increase in the number of guardianship and conservatorship petitions filed in Idaho courts with an increase in petitions of 6% from fiscal year 2016 to 2017 alone.

Your Idaho judiciary has been preparing for this trend by strengthening protections for vulnerable populations. Guardians and conservators are required to submit annual reports to Idaho's courts on the status of wards and the actions taken throughout the year. Last year you supported the courts' efforts to develop an effective, state-wide program to ensure both that these reports are filed and that they are meaningfully reviewed. We now have a dedicated Guardianship and Conservatorship Monitor in every judicial district in Idaho. These monitors act as a point of contact for parties and members of the public to answer questions for Idahoans navigating the legal system, provide a professional review of the reports, identify cases in which reports have not been filed, and follow up on any concerns. With your on-going help, the Idaho courts will continue to support the well-being, safety, and proper asset management for Idaho's most vulnerable people.

Perhaps the largest initiative the Idaho courts have undertaken this year is the continued work towards statewide implementation of iCourt and the Odyssey system throughout the state. As we enter the fifth year of the implementation, I thank you for your continued commitment to this project. In 2017 the Court restructured the timing of parts of the project delaying the go-live efforts in some counties. This gave us time to consider lessons learned in prior implementations, to address on-going impacts on Twin Falls and Ada counties, and to refine our strategies for the efforts of taking multiple counties on-line. In the end, we improved the systems in place in live counties and still brought an additional 12 counties online. We now have Odyssey operating in all of the Fourth Judicial District, all of the Fifth Judicial district, as well as Owyhee and Canyon counties. Preparations are now taking place to bring the final thirty counties onto Odyssey in 2018. This has not been an easy transition, yet I am happy to report that with each go-live event the implementation has been smoother, fewer issues have arisen, and where issues have come up we have been able to address them efficiently and effectively.

I would be remiss if I reported on the iCourt project, but did not recognize the importance of our counties and district court personnel in doing so. The Idaho courts always work in partnership with the counties to plan, fund, maintain, and run our state court system. Just as the state has committed resources necessary for the implementation of iCourt, so too have our counties. They have answered the need for personnel who work tirelessly on preparations such as configuration of each county's system, conversion of existing files and data, and the necessary training of court personnel. I'm going to tell you about just two of Idaho's county clerks. They represent hundreds of the dedicated county clerks who work hand-in-hand/side-by-side with our judges every day. Ms. Raena Bull is an outstanding member of Canyon County's district court personnel and is here with us today. Ms. Bull has been involved with the iCourt project from the beginning. She has capably served on the Court Technology Committee since its inception in 2014. She consistently provides important insight into the needs of clerks who will use the system daily. In addition, Ms. Bull led the implementation of Odyssey in Canyon County, one of the busiest county courts in our state. For over a year, Ms. Bull organized every step of the transition from the scanning of paper files, to review of data, to training for court personnel and judges. She even went above and beyond by overseeing the creation of a training lab in the county so that

her coworkers could get hands on experience to prepare for the change. Ms. Bull showed leadership and creativity in her work and in the end she ensured that Canyon County was successful in its transition. For all of this hard work would you please stand so we can thank you!

Remarkably, Idaho's counties have also volunteered to support each other in this transition. We have learned one of the most important resources district court personnel have is each other. Twin Falls County clerks selflessly came to the courthouse and helped the Ada County clerks learn and navigate the system in those early and critical days. Court clerks with expertise and an understanding of how Odyssey works is an invaluable asset. This is a process of paying it forward. Clerks who have worked in the system reached out to new counties and helped support fellow clerks continued in October when twelve additional counties went live. Deputy court clerks from both Twin Falls and Ada counties went to these courthouses in the first wave of multiple counties around the state and helped manage a fundamental change to how the courts do business. This level of support was not expected or anticipated, but it is truly, truly appreciated. One of the Ada County deputy court clerks who has played an integral role in supporting her fellow clerks is here with us today, Ms. Margaret Molchan. Ms. Molchan has been a knowledgeable voice when others have had questions, she has provided honest and important feedback to improve the system and business process for all of the state, and she has worked exceptionally hard to help ensure that this project is successful for all courts of our state. I would ask her to stand so we can thank her.

However, as Odyssey goes live in our counties, the courts are also identifying difficult issues and local practices which must change to comport with the laws of the State of Idaho. Prior legislatures have determined that a person convicted of a crime is responsible for paying restitution to crime victims, as well as certain fines and fees. The fines and fees are used, in turn, to fund various programs throughout the state. Almost 100% of offenders are not able to pay the total amount owed in a single payment. Rather, offenders enter into payment agreements with the courts and make monthly payments on their obligations. The courts are then responsible for distributing those payments to the various entities owed. I touched on this issue in the 2013 State of the Judiciary address.

The authority to impose and collect the fines and fees appears throughout the Idaho Code, but there is no clear statement regarding how partial payments should be distributed. Although five code sections indicate some level of priority for particular charges, the priority for most of the other 23 possible charges is not set by statute. Rather, for those charges without a set priority, the Supreme Court has had to use its discretion to determine how the remaining distributions would be prioritized.

The lack of clarity for distribution of partial payments has played out in various ways in Idaho's courts. As a result, counties have utilized inconsistent practices in distributing these funds, including bypassing the priority of payments entirely for some moneys collected. However, as counties implement Odyssey, the system distributes payments in a consistent way and in conformance with the priorities established by the legislature and the Court. Although this consistency is long overdue, it has not been a seamless transition. As a result, some counties are experiencing a temporary but distinct decline in funding for critical public safety services. Most apparent is a precipitous decline in funding for misdemeanor probation supervision services and county problem solving court funds.

County misdemeanor probation programs and problem solving courts each provide critical services to the people of Idaho. These programs ensure accountability and support for offenders including adherence to counseling, drug and alcohol testing, and financial obligation requirements. It is through the work of these programs that offenders are supervised and, hopefully, rehabilitated, all to the end of achieving a safer Idaho. Plainly stated, this is a public safety issue.

Idaho's courts depend daily upon the services provided by misdemeanor probation and problem solving courts. The charges assessed to offenders that pay for these programs have not been assigned a priority by the Idaho legislature. The Courts recognize that because these fees are set by the Idaho legislature, these are policy questions for the Idaho legislature. Therefore, this session the courts are asking the legislature to provide clear guidance on the appropriate priorities for the distribution of payments. We will be introducing legislation that would have all financial obligations collected by the courts listed in a single statute, by priority of distribution, to which judges, clerks, legislators and most important – citizens can easily refer. In addition, this legislation seeks to ensure the viability of critical supervision programs by ensuring they are given sufficient priority to sustain the current systems. I ask that you consider this legislation carefully as well as the importance of adequately funding these critical programs.

As I have stated before, Odyssey is the most transformational project since court reorganization in the 1970s. The changes made will affect us for decades to come. Obviously, there is more work to do.

The court system in Idaho, with the support of our counties, continues to provide remarkable service to Idahoans. This has been made possible by the help we have received from the legislature and Governor, and we are grateful to you. We are also committed to improving those services into the future and ask for your help in making that possible. This is never possible without a civil and mutually beneficial relationship with your court system.

Speaking of transformation, as I have previously noted in the State of the Judiciary speeches in 2013, 14 and 15, Idaho's demographic of the judiciary is remaking its face in a very short time. It reached its zenith in 2017. We obviously have a new Administrative Director. We have two new Supreme Court justices; I last year introduced Justice Robyn Brody, but would now like to introduce our newest Supreme Court Justice, Richard Bevan. Also seated in the gallery is Judge Jessica Lorello, our newest Court of Appeals judge. Could you both please stand. As you know, Justice Warren Jones retired in December and we wish him nothing but the best in his retirement. Interviews for his position have been scheduled for March 12 and 13 of this year.

This transformation is also taking place in our trial courts. Nine district judges and eight magistrate judges retired or will retire in 2016-17 or the near future. Recently we received very sad news that Magistrate Judge William Harrigfeld and District Judge Randy Stoker of Twin Falls passed away during their tenure on the bench.

As concerns the transformation with district judges and appellate judges, I would like to take a personal point of privilege to thank Governor Otter for his thoughtful and serious approach to appointing the most qualified appellate and district judges. In my 37 years of being a judge in Idaho, I can applaud Governors

Andrus, Batt, Evans and Kempthorne and now Otter for taking very seriously the issue of appointment of the best and brightest lawyers as judges to the district courts and appellate courts. Governor Otter must be proud of his legacy in appointing 41 district judges, 3 Supreme Court justices, and 4 Court of Appeals judges during his 12 years as Governor. Thank you, Governor Otter for your thoughtful consideration in these endeavors.

In addition, the Court looks with trepidation to the future concerning the impact of the fiscal changes in the federal government as well as continued financial pressures on our cities and counties. These pressures will be exacerbated by Idaho's extraordinary growth in the last few years. We welcome our new Idaho citizens, but we must realize there will be impacts on our cities, counties, state agencies and the judiciary which must be faced. As I travel throughout the state, prosecutors, public defenders and judges have talked about near crippling increases in criminal cases – some fueled by drug involvement, but not all. Most comment on the increase in violence also. We as a judiciary will keep you apprised of this change in the future and hope you continue to value a strong judiciary for public safety and timely resolution of all cases.

As our population increases our future will become more complex as a result of those increases and unforeseen developments. With this change, we look to our Constitution – the bedrock of our State.

Article 1, section 18 provides: "Courts of justice shall be open to every person, and a speedy remedy afforded for every injury of person, property or character, and right and justice shall be administered without sale, denial, delay or prejudice."

Another impact of the increased population that is sure to come is a challenge of access to the courts for all Idahoans and especially moderate and low income families. In addition to the Court's attempts to meet this challenge through our nationally recognized court assistance offices, our guardian monitors, and the Civil Justice Reform initiative, Idaho Legal Aid has been very helpful in making sure low income citizens are represented in a very few limited areas. However, because of funding and federal government restrictions, this is not your father's legal aid. I would like to ask the opponents of any state funding for Idaho Legal Aid to start a thoughtful dialogue with the organization. Learn about their mission and minimal request. Idaho is only one of three states in the nation who give no support to this entity.

Lastly, I would like to address what we are seeing with Idaho's courthouses. In some places, our state courthouses are barely, if at all, meeting the needs of the counties, the judiciary, and other entities which share them. Access to justice, in its most basic form, means physical access to our courts. In some courthouses, in the absence of even a simple elevator, witnesses with physical challenges must be carried up stairs by bailiffs or judges, just to be able to testify. In addition, high population increases certainly mean new needs for judges, but we don't even have room to house them.

It is cavalier to say if the citizens want adequate facilities they will vote for them. Our state has one of the most restrictive constitutional provision regarding new public buildings. Our counties can't afford the large outlay for courthouses. There are severe restrictions on county budgets, especially in light of more explosive growth.

In view of our concerns, the Court has previously engaged an expert from the National Center for State Courts to talk to counties about the unique architectural requirements of courthouses. Last year the Court hired an expert in disability

access issues, who has provided regional trainings for county leaders and counseled those counties that sought his expertise. This year we are seeking additional funding to support additional work with Idaho's counties that wish to ensure physical access for their citizens.

In light of what we have learned, in 2018, I hope to gather interested parties from state and local government, Building Fund personnel, entrepreneurs, and other experts in the field to review county needs for the judiciary and start a conversation on how can we tackle the looming courthouse issues. We will keep this body informed of our progress on these issues in the future.

In summary, the State of the Judiciary is in large part a function of the cooperation of the Legislative and Executive branches, as well as our county partners. Although an independent co-equal branch of government, we rise or fall based upon cooperation. We hope that cooperation continues so I can report a robust judiciary in 2019.

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

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

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

#### Reports of Standing Committees

January 23, 2018

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:

Jim Kempton to the Idaho Transportation Board, term to expire January 31, 2024.

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.

January 24, 2018

The STATE AFFAIRS Committee reports out [S 1214](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[S 1214](#) was filed for second reading.

January 24, 2018

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:

Gavin Gee to the Idaho Endowment Fund Investment Board, term to expire April 1, 2020.

Gavin Gee to the Treasurer's Investment Advisory Board, term to expire July 1, 2020.

Richelle Sugiyama to the Idaho Endowment Fund Investment Board, term to expire April 11, 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 Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

#### **Messages from the House**

January 23, 2018

Dear Mr. President:

I transmit herewith [H 378](#), which has passed the House.

MAULIN, Chief Clerk

[H 378](#) was filed for first reading.

January 23, 2018

Dear Mr. President:

I return herewith [SCR 126](#), which has passed the House.

MAULIN, Chief Clerk

[SCR 126](#) was referred to the Judiciary and Rules Committee for enrolling.

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

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

##### **S 1225**

#### **BY JUDICIARY AND RULES COMMITTEE**

##### **AN ACT**

RELATING TO CIVIL ACTIONS; AMENDING SECTION 10-1111, IDAHO CODE, TO PROVIDE FOR ORDERS RENEWING JUDGMENT, TO PROVIDE FOR LIENS THAT ARE CONTINUED, TO PROVIDE FOR HOW ENTRY OF AN ORDER RENEWING JUDGMENT AFFECTS A CERTAIN DATE, THE PRIORITY OF COLLECTION AND THE TIME LIMITATION AND TO CLARIFY A PROVISION REGARDING THE MANNER OF ENFORCEMENT OF THE ORIGINAL JUDGMENT.

##### **S 1226**

#### **BY COMMERCE AND HUMAN RESOURCES COMMITTEE**

##### **AN ACT**

RELATING TO THE DEPARTMENT OF COMMERCE; AMENDING SECTION 67-4711, IDAHO CODE, TO REVISE DEFINITIONS.

##### **S 1227**

#### **BY HEALTH AND WELFARE COMMITTEE**

##### **AN ACT**

RELATING TO IMMUNIZATIONS; AMENDING SECTION 39-1118, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXEMPTIONS; AND AMENDING SECTION 39-4802, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXEMPTIONS.

##### **S 1228**

#### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 34-303, IDAHO CODE, TO REVISE THE MINIMUM AGE FOR A STUDENT TO BE APPOINTED TO AN ELECTION BOARD AND TO MAKE TECHNICAL CORRECTIONS.

##### **S 1229**

#### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 34-1013, IDAHO CODE, TO PROVIDE FOR THE SUBMISSION AND APPROVAL OF AN EARLY VOTING PLAN BY THE SECRETARY OF STATE, TO REQUIRE APPROVAL OF PLAN MODIFICATIONS, TO REQUIRE NOTIFICATION OF THE INTENT TO USE AN EARLY VOTING PROCESS AND TO MAKE TECHNICAL CORRECTIONS.

[S 1225](#), [S 1226](#), [S 1227](#), [S 1228](#), and [S 1229](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 378](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

[S 1217](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### **Third Reading of Bills**

[S 1208](#) 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 Keough 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, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Keough. Total - 1.

Total - 35.

Whereupon the President declared [S 1208](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator 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 11:55 a.m. until the hour of 11:15 a.m., Thursday, January 25, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**EIGHTEENTH LEGISLATIVE DAY**  
**THURSDAY, JANUARY 25, 2018**

Senate Chamber

At the request of the President Pro Tempore, Acting President Winder called the Senate to order at 11:15 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Abigail Hunter, 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, 2018 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 Vick, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

January 25, 2018

The JUDICIARY AND RULES Committee reports that [S 1225](#), [S 1226](#), [S 1227](#), [S 1228](#), and [S 1229](#) have been correctly printed.

LODGE, Chairman

[S 1225](#) was referred to the Judiciary and Rules Committee.

[S 1226](#) was referred to the Commerce and Human Resources Committee.

[S 1227](#) was referred to the Health and Welfare Committee.

[S 1228](#) and [S 1229](#) were referred to the State Affairs Committee.

January 25, 2018

The JUDICIARY AND RULES Committee reports that [SCR 126](#) has been correctly enrolled.

LODGE, Chairman

The Acting President announced that Enrolled [SCR 126](#) had been signed by the President Pro Tempore and ordered it transmitted to the House for the signature of the Speaker.

January 24, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1220](#) with the recommendation that it do pass.

JOHNSON, Chairman

[S 1220](#) was filed for second reading.

January 24, 2018

The EDUCATION Committee reports out [S 1210](#) and [S 1222](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1210](#) and [S 1222](#) were filed for second reading.

January 24, 2018

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

Jim Yost to the Northwest Power and Conservation Council, term to expire January 15, 2021.

BAIR, Chairman

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

January 24, 2018

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:

Russ Barron as the Director of the Idaho Department of Health and Welfare, term to continue at the pleasure of the Governor.

HEIDER, Chairman

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

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

### Messages from the Governor

January 24, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Linda Hatzenbuehler of Pocatello, Idaho was appointed to the State Board of Health and Welfare to serve a term commencing January 16, 2018 and expiring January 7, 2019.

This appointment is 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 Health and Welfare Committee.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

January 24, 2018

Dear Mr. President:

I transmit herewith [H 355](#), which has passed the House.

MAULIN, Chief Clerk

[H 355](#) was filed for first reading.

January 25, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 335](#) for the signature of the President.

MAULIN, Chief Clerk

The Acting President announced that Enrolled [H 335](#) had been signed by the President Pro Tempore and ordered it returned to the House.

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 Gubernatorial appointment of Katie Brodie 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 Vick, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Katie Brodie as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

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

On motion by Senator Lodge, seconded by Senator Burgoyne, the Gubernatorial appointment of Kedrick Wills as the Director of the Idaho State Police was confirmed by voice vote.

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

On request by Senator Vick, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Jim Kempton retained its place on the calendar for Tuesday, January 30, 2018.

On request by Senator Vick, granted by unanimous consent, the committee reports of the Gubernatorial appointment confirmations of Gavin Gee retained their place on the calendar for Friday, January 26, 2018.

The Acting President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Richelle Sugiyama 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 Richelle Sugiyama as a member of the Idaho Endowment Fund Investment 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 Senate advanced to the Eleventh Order of Business.

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

##### S 1230

#### BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

##### AN ACT

RELATING TO PROPERTY TAXES; AMENDING SECTION 63-1002, IDAHO CODE, TO CLARIFY THAT PAYMENT OF CERTAIN DELINQUENT PROPERTY TAXES SHALL ONLY BE PAID AND ACCEPTED UPON THE OLDEST DELINQUENCY IN THE COUNTY RECORDS.

##### S 1231

#### BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

##### AN ACT

RELATING TO PROPERTY TAXES; AMENDING SECTION 63-903, IDAHO CODE, TO PROVIDE FOR THE ASSESSMENT OF LATE CHARGES AND INTEREST ON DELINQUENT PROPERTY TAX PAYMENTS FOR PROPERTY ON THE SUBSEQUENT OR MISSED PROPERTY ROLL AND TO MAKE TECHNICAL CORRECTIONS.

##### S 1232

#### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO THE STATE PENITENTIARY; AMENDING SECTION 20-104, IDAHO CODE, TO REVISE A PROVISION REGARDING CONSENT TO THE TRANSFER OR EXCHANGE OF FOREIGN OFFENDERS.

##### S 1233

#### BY EDUCATION COMMITTEE

##### AN ACT

RELATING TO SCIENCE, TECHNOLOGY, ENGINEERING AND MATH EDUCATION; AMENDING SECTION 67-823, IDAHO CODE, TO PROVIDE FOR THE STEM ACTION CENTER ADVISORY BOARD, TO REVISE THE TERMS

OF CERTAIN MEMBERS OF THE BOARD, TO PROVIDE FOR STAGGERED TERMS, TO REVISE THE DUTIES OF THE STEM ACTION CENTER, TO REMOVE A PROVISION REGARDING CERTAIN DUTIES OF THE STEM ACTION CENTER, TO REMOVE A CERTAIN POWER OF THE STEM ACTION CENTER, TO PROVIDE THAT THE ADMINISTRATOR SHALL REPORT THE PROGRESS OF THE STEM ACTION CENTER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-824, IDAHO CODE, TO PROVIDE FOR THE STEM ACTION CENTER ADVISORY BOARD; AND AMENDING SECTION 67-825, IDAHO CODE, TO PROVIDE FOR THE STEM ACTION CENTER ADVISORY BOARD.

[S 1230](#), [S 1231](#), [S 1232](#), and [S 1233](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 355](#), 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 1214](#), 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 1217](#) 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Foreman. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1217](#) passed, title was approved, and the bill ordered transmitted to the House.

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

#### **Miscellaneous Business**

On motion by Senator Vick, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:46 a.m. until the hour of 11 a.m., Friday, January 26, 2018.

WINDER, Acting President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

**NINETEENTH LEGISLATIVE DAY  
FRIDAY, JANUARY 26, 2018**

Senate Chamber

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

Roll call showed all members present except President Pro Tempore Hill and Senators Brackett, Burgoyne, and Foreman, absent and formally excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Alexa Larsen, 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, 2018 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

January 26, 2018

The JUDICIARY AND RULES Committee reports that [S 1230](#), [S 1231](#), [S 1232](#), and [S 1233](#) have been correctly printed.

LODGE, Chairman

[S 1230](#) and [S 1231](#) were referred to the Local Government and Taxation Committee.

[S 1232](#) was referred to the Judiciary and Rules Committee.

[S 1233](#) was referred to the Education Committee.

January 25, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1209](#) with the recommendation that it do pass.

PATRICK, Chairman

[S 1209](#) was filed for second reading.

January 25, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1215](#) and [S 1216](#) with the recommendation that they do pass.

JOHNSON, Chairman

[S 1215](#) and [S 1216](#) were filed for second reading.

January 26, 2018

The STATE AFFAIRS Committee reports out [S 1213](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[S 1213](#) 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

January 24, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Brent Baker of Athol, Idaho was re-appointed to the Lake Pend Oreille Basin Commission to serve a term commencing July 24, 2017 and expiring July 24, 2020.

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 Resources and Environment Committee.

The Senate advanced to the Ninth Order of Business.

### Messages from the House

January 26, 2018

Dear Mr. President:

I return herewith Enrolled [SCR 126](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 126](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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

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

**S 1234**

**BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE**

**AN ACT**

RELATING TO THE IDAHO STATE TAX COMMISSION;  
AMENDING CHAPTER 1, TITLE 63, IDAHO CODE, BY THE  
ADDITION OF A NEW SECTION 63-103A, IDAHO CODE,  
TO PROVIDE THAT THE IDAHO STATE TAX COMMISSION  
SHALL REQUIRE A CRIMINAL BACKGROUND CHECK  
FOR EMPLOYEES, EMPLOYMENT APPLICANTS,  
CONTRACTORS AND SUBCONTRACTORS WHO WOULD  
HAVE ACCESS TO FEDERAL TAX INFORMATION.

**S 1235**

**BY HEALTH AND WELFARE COMMITTEE**

**AN ACT**

RELATING TO NURSES; AMENDING SECTION 54-1403,  
IDAHO CODE, TO REVISE PROVISIONS REGARDING  
THE BOARD OF NURSING.

[S 1234](#) and [S 1235](#) 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 1220](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

[S 1210](#) and [S 1222](#), by Education Committee, were read the second time at length and filed for third reading.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:19 a.m. until the hour of 11:15 a.m., Monday, January 29, 2018.

KEOUGH, Acting President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

—————  
**TWENTY-SECOND LEGISLATIVE DAY  
MONDAY, JANUARY 29, 2018**

Senate Chamber

At the request of the President Pro Tempore, Acting President Keough called the Senate to order at 11:15 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Heidi Kofoed, 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, 2018 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 127

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND HONORING THE IDAHO COMMUNITY FOUNDATION ON ITS THIRTIETH ANNIVERSARY FOR ITS OUTSTANDING CHARITABLE AND PHILANTHROPIC ENDEAVORS AND SERVICES TO THE PEOPLE OF IDAHO.

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

WHEREAS, the Idaho Community Foundation (ICF) was created in 1988 for the purpose of collecting, investing and granting funds for charitable and philanthropic purposes; and

WHEREAS, since its creation, ICF has provided more than \$104 million in nonprofit grants, scholarships and community improvements; and

WHEREAS, most contributions to ICF have directly benefited Idaho and Idahoans; and

WHEREAS, ICF has more than 500 charitable funds to support the philanthropic interests of its donors, including education, conservation, health and the arts; and

WHEREAS, ICF has three offices statewide, in Boise, Coeur d'Alene and Idaho Falls; and

WHEREAS, all of ICF's thirty board members and sixteen staffers are proud to call Idaho home; and

WHEREAS, ICF is celebrating its thirtieth anniversary in 2018; and

WHEREAS, ICF has provided outstanding and continuing support to Idaho organizations, families and students.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we honor and recognize the Idaho Community Foundation for its outstanding charitable and philanthropic endeavors.

BE IT FURTHER RESOLVED that we congratulate ICF on the event of its thirtieth anniversary and wish it continued success.

BE IT FURTHER RESOLVED that we thank ICF for its tremendous service to the people of Idaho.

[SCR 127](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

January 29, 2018

The JUDICIARY AND RULES Committee reports that [S 1234](#) and [S 1235](#) have been correctly printed.

LODGE, Chairman

[S 1234](#) was referred to the Commerce and Human Resources Committee.

[S 1235](#) was referred to the Health and Welfare Committee.

January 29, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 126](#) was delivered to the Office of the Secretary of State at 1:25 p.m., January 26, 2018.

LODGE, Chairman

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

January 29, 2018

The STATE AFFAIRS Committee reports out [H 378](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[H 378](#) 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

January 26, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Rich Wills of Glenns Ferry, Idaho was appointed to the Commission on Pardons and Parole to serve a term commencing June 1, 2017 and expiring January 1, 2020.

This appointment is 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 Judiciary and Rules Committee.

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

#### **Motions and Resolutions**

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

On motion by Senator Winder, seconded by Senator Stennett, the Gubernatorial appointment of Gavin Gee as a member of the Idaho Endowment Fund Investment 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 appointment confirmation for the President's signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

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

On motion by Senator Winder, seconded by Senator Stennett, the Gubernatorial appointment of Gavin Gee as a member of the Treasurer's Investment Advisory 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 appointment confirmation for the President's signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Acting President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Jim Yost was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Bair, the Gubernatorial appointment of Jim Yost as a member of the Northwest Power and Conservation Council was confirmed by voice vote.

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

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

On motion by Senator Heider, seconded by Senator Jordan, the Gubernatorial appointment of Russ Barron as the Director of the Idaho Department of Health and Welfare was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

##### **S 1236 BY FINANCE COMMITTEE AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2018; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2018 FOR ORGANIC INSPECTORS; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2018; AND DECLARING AN EMERGENCY.

##### **S 1237 BY FINANCE COMMITTEE AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2018; PROVIDING AN APPROPRIATION AND A TRANSFER OF FUNDS TO THE PEST CONTROL DEFICIENCY FUND; AND DECLARING AN EMERGENCY.

##### **S 1238 BY JUDICIARY AND RULES COMMITTEE AN ACT**

RELATING TO PRETRIAL RELEASE; AMENDING CHAPTER 29, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2904A, IDAHO CODE, TO AUTHORIZE A COURT TO DETERMINE WHETHER A PRETRIAL SUPERVISION PROGRAM IS APPROPRIATE IN CERTAIN INSTANCES; AND AMENDING CHAPTER 32, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3201I, IDAHO CODE, TO PROVIDE FOR A PRETRIAL SUPERVISION FEE, TO PROVIDE REQUIREMENTS AND CONDITIONS FOR A PRETRIAL SUPERVISION FEE, TO PROVIDE FOR CERTAIN ADDITIONAL FEES AND TO PROVIDE AN EXEMPTION.

##### **S 1239 BY JUDICIARY AND RULES COMMITTEE AN ACT**

RELATING TO JUVENILE CORRECTIONS; AMENDING SECTION 20-520, IDAHO CODE, TO REMOVE A PROVISION REGARDING COURT REVIEW OF A CERTAIN REPORT AND TO REMOVE REFERENCE TO DETENTION IN A JAIL FACILITY.

##### **S 1240 BY JUDICIARY AND RULES COMMITTEE AN ACT**

RELATING TO THE JUVENILE CORRECTIONS ACT; AMENDING SECTION 20-533, IDAHO CODE, TO PROVIDE

THAT NOTICE SHALL BE GIVEN TO CERTAIN PARTIES UPON ACTUAL RELEASE OF A JUVENILE OFFENDER.

**S 1241**  
**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO CRIMINAL PROCEDURE; AMENDING CHAPTER 25, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2525, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS ARE ELIGIBLE FOR A REFUND FROM THE COURT, TO PROVIDE PROCEDURES FOR A REFUND AND TO PROVIDE THAT VICTIMS SHALL NOT HAVE TO REPAY RESTITUTION; AND AMENDING CHAPTER 25, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2526, IDAHO CODE, TO PROVIDE FOR THE IDAHO VACATED CONVICTION FUND, TO PROVIDE THAT A FUND BALANCE MAY CARRY OVER AND TO PROVIDE RULEMAKING AUTHORITY.

**S 1242**  
**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO JUVENILE CORRECTIONS; AMENDING SECTION 20-532A, IDAHO CODE, TO PROVIDE A REFERENCE TO DESCRIBE AN ESCAPED JUVENILE OFFENDER AND TO MAKE A TECHNICAL CORRECTION.

**S 1243**  
**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 1236](#), [S 1237](#), [S 1238](#), [S 1239](#), [S 1240](#), [S 1241](#), [S 1242](#), and [S 1243](#) 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 1209](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1215](#) and [S 1216](#), by Local Government and Taxation Committee, were read the second time at length and filed for third reading.

[S 1213](#), 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 advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

[S 1214](#) 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, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS--None.

Absent and excused--Hill, Lakey. Total - 2.

Total - 35.

Whereupon the Acting President declared [S 1214](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1220](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS--None.

Absent and excused--Hill, Lakey. Total - 2.

Total - 35.

Whereupon the Acting President declared [S 1220](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1210](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1222](#) 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS--None.

Absent and excused--Hill, Lakey. Total - 2.

Total - 35.

Whereupon the Acting President declared [S 1222](#) passed, title was approved, and the bill ordered transmitted to the House.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:02 p.m. until the hour of 11 a.m., Tuesday, January 30, 2018.

KEOUGH, Acting President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**TWENTY-THIRD LEGISLATIVE DAY**  
**TUESDAY, JANUARY 30, 2018**

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Lyndi Loveland, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 29, 2018 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

January 30, 2018

The JUDICIARY AND RULES Committee reports that [SCR 127](#), [S 1236](#), [S 1237](#), [S 1238](#), [S 1239](#), [S 1240](#), [S 1241](#), [S 1242](#), and [S 1243](#) have been correctly printed.

LODGE, Chairman

[SCR 127](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1236](#) and [S 1237](#) were referred to the Finance Committee.

[S 1238](#), [S 1239](#), [S 1240](#), [S 1241](#), and [S 1242](#) were referred to the Judiciary and Rules Committee.

[S 1243](#) was referred to the State Affairs Committee.

January 30, 2018

The FINANCE Committee reports out [S 1236](#) and [S 1237](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1236](#) and [S 1237](#) were filed for second reading.

Senator Keough was recorded present at this order of business.

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

### Messages from the Governor

January 26, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Shane Gehring of Nampa, Idaho was re-appointed to the Bingo-Raffle Advisory Board to serve a term commencing January 7, 2018 and expiring January 7, 2021.

This appointment is 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 29, 2018

Dear Mr. President:

I transmit herewith [H 374](#), [H 357](#), [H 358](#), [H 359](#), [H 360](#), [H 352](#), [H 353](#), [H 354](#), [H 381](#), [H 382](#), [H 383](#), [H 384](#), [H 390](#), [H 391](#), and [H 392](#), which have passed the House.

MAULIN, Chief Clerk

[H 374](#), [H 357](#), [H 358](#), [H 359](#), [H 360](#), [H 352](#), [H 353](#), [H 354](#), [H 381](#), [H 382](#), [H 383](#), [H 384](#), [H 390](#), [H 391](#), and [H 392](#) were filed for first reading.

Senator Ward-Engelking 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 1244**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO LEGAL IMMUNITY; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-345, IDAHO CODE, TO PROVIDE IMMUNITY FROM CIVIL LIABILITY FOR A PERSON RENDERING CERTAIN AID TO A PET IN A MOTOR VEHICLE AND TO DEFINE A TERM; AMENDING CHAPTER 70, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7045, IDAHO CODE, TO PROVIDE IMMUNITY FROM PROSECUTION FOR A PERSON RENDERING CERTAIN

AID TO A PET IN A MOTOR VEHICLE AND TO DEFINE A TERM; AND DECLARING AN EMERGENCY.

**S 1245**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO LEGAL IMMUNITY; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-344, IDAHO CODE, TO PROVIDE IMMUNITY FROM CIVIL LIABILITY FOR PERSONS RENDERING CERTAIN AID TO A PERSON IN A MOTOR VEHICLE; AMENDING CHAPTER 70, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7044, IDAHO CODE, TO PROVIDE IMMUNITY FROM PROSECUTION FOR PERSONS RENDERING CERTAIN AID TO A PERSON IN A MOTOR VEHICLE; AND DECLARING AN EMERGENCY.

**S 1246**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO CORRECTIONAL FACILITIES; AMENDING SECTION 20-237B, IDAHO CODE, TO PROVIDE THAT PRIVATIZED MEDICAL PROVIDERS SHALL MAKE CERTAIN PAYMENTS, TO PROVIDE FOR INPATIENT AND OUTPATIENT HOSPITALIZATIONS AND EMERGENCY SERVICES AND TO REVISE A DEFINITION; AND DECLARING AN EMERGENCY.

**S 1247**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO THE PEACE OFFICER STANDARDS AND TRAINING COUNCIL; AMENDING SECTION 19-5102, IDAHO CODE, TO REVISE THE MEMBERSHIP OF THE COUNCIL.

**S 1248**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

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

**S 1249**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO HIGHER EDUCATION; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3728, IDAHO CODE, TO REQUIRE PUBLIC INSTITUTIONS OF HIGHER EDUCATION TO NOTIFY STUDENTS OF THE OPTION TO REGISTER AS AN ORGAN DONOR.

**S 1250**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO STATE OFFICERS AND EMPLOYEES; AMENDING SECTION 59-1608, IDAHO CODE, TO REQUIRE ANNUAL NOTICE OF LEAVE OFFERED FOR ORGAN DONATION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-5343, IDAHO CODE, TO REQUIRE ANNUAL NOTICE OF LEAVE OFFERED FOR ORGAN DONATION AND TO MAKE A TECHNICAL CORRECTION.

[S 1244](#), [S 1245](#), [S 1246](#), [S 1247](#), [S 1248](#), [S 1249](#), and [S 1250](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 374](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 357](#), [H 358](#), [H 359](#), and [H 360](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 352](#), [H 353](#), and [H 354](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 381](#), [H 382](#), [H 383](#), [H 384](#), [H 390](#), [H 391](#), and [H 392](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

Senator Siddoway was recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 378](#), 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 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 11:17 a.m. until the hour of 11 a.m., Wednesday, January 31, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**TWENTY-FOURTH LEGISLATIVE DAY**  
**WEDNESDAY, JANUARY 31, 2018**

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Porter McPherson, 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, 2018 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

January 31, 2018

The JUDICIARY AND RULES Committee reports that [S 1244](#), [S 1245](#), [S 1246](#), [S 1247](#), [S 1248](#), [S 1249](#), and [S 1250](#) have been correctly printed.

LODGE, Chairman

[S 1244](#), [S 1245](#), [S 1246](#), and [S 1247](#) were referred to the Judiciary and Rules Committee.

[S 1248](#), [S 1249](#), and [S 1250](#) were referred to the Health and Welfare Committee.

January 30, 2018

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:

L. Daniel Cravens to the Idaho Commission on Human Rights, term to expire July 1, 2020.

Melville Fisher II to the Idaho Lottery Commission, term to expire January 1, 2023.

Michael Elliot to the Idaho Energy Resources Authority, term to expire July 1, 2021.

Timothy Anderson to the State Building Authority, term to expire January 19, 2018.

Valisa Say to the Bingo-Raffle Advisory Board, term to expire January 7, 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.

January 30, 2018

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:

Kenneth Nuhn to the Board of Tax Appeals, term to expire June 30, 2020.

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 31, 2018

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

Dr. David Hill to the State Board of Education, term to expire January 1, 2022.

MORTIMER, Chairman

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

Senator Stennett was recorded present at this order of business.

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

### Messages from the Governor

January 30, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Janet Moyle of Idaho Falls, Idaho was appointed to the State Tax Commission to serve a term commencing December 6, 2017 and expiring April 1, 2023.

This appointment is 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 Local Government and Taxation Committee.

Senator Keough was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

### Messages from the House

January 30, 2018

Dear Mr. President:

I transmit herewith [H 369](#), which has passed the House.

MAULIN, Chief Clerk

[H 369](#) was filed for first reading.

January 30, 2018

Dear Mr. President:

I return herewith [SCR 125](#), which has passed the House.

MAULIN, Chief Clerk

[SCR 125](#) was 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 the Transportation Committee report relative to the Gubernatorial appointment of Jim Kempton was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Den Hartog, the Gubernatorial appointment of Jim Kempton as a member of the Idaho Transportation Board was confirmed by voice vote.

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

The President Pro Tempore announced that [SCR 127](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Nye, seconded by Senator Lodge, [SCR 127](#) 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 1251 BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2018; APPROPRIATING ADDITIONAL MONEYS TO THE INDUSTRIAL COMMISSION FOR THE CRIME VICTIMS COMPENSATION PROGRAM FOR FISCAL YEAR 2018; APPROPRIATING ADDITIONAL MONEYS TO THE INDUSTRIAL COMMISSION FOR THE ADJUDICATION PROGRAM FOR FISCAL YEAR 2018; REDUCING THE APPROPRIATION TO THE INDUSTRIAL COMMISSION FOR THE ADJUDICATION PROGRAM FOR FISCAL YEAR 2018; AND DECLARING AN EMERGENCY.

#### S 1252 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1212, IDAHO CODE, TO REVISE TERMINOLOGY, TO REVISE CERTAIN REQUIREMENTS FOR EXAMINATION AND LICENSURE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-1214, IDAHO CODE, TO REMOVE PROVISIONS REGARDING FAILED EXAMINATIONS.

#### S 1253 BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAX CREDITS; REPEALING SECTION 63-3029J, IDAHO CODE, RELATING TO AN INCENTIVE INCOME TAX INVESTMENT CREDIT.

#### S 1254 BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO WIRELESS TELEPHONE SERVICE; PROVIDING LEGISLATIVE INTENT; AND AMENDING CHAPTER 63, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6318, IDAHO CODE, TO AUTHORIZE A COURT TO ISSUE AN ORDER TO TRANSFER WIRELESS TELEPHONE SERVICE IN CERTAIN INSTANCES, TO PROVIDE REQUIREMENTS FOR AN ORDER, TO PROVIDE FOR SERVICE OF AN ORDER, TO PROVIDE FOR EXCEPTIONS TO EFFECTUATING AN ORDER, TO PROVIDE FOR NOTICE WHEN AN ORDER CANNOT BE EFFECTUATED, TO PROVIDE FOR THE TRANSFER OF CERTAIN RESPONSIBILITIES, TO PROVIDE THAT A COURT MAY APPORTION CERTAIN ASSETS, DEBTS AND PROPERTY AND TO PROVIDE AN EXEMPTION FROM LIABILITY IN CERTAIN INSTANCES.

#### S 1255 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 PROVIDE A PENALTY FOR SELLING, DISTRIBUTING OR OFFERING TOBACCO PRODUCTS OR ELECTRONIC CIGARETTES 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; 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; 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 PROVISIONS REGARDING CERTIFICATION; 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 1251](#), [S 1252](#), [S 1253](#), [S 1254](#), and [S 1255](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 369](#), 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

[S 1236](#) and [S 1237](#), by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### Third Reading of Bills

[S 1210](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1210](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1209](#) 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 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1209](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1215](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1215](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1216](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Hagedorn. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1216](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1213](#) 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 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, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Hagedorn. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1213](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 378](#) 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, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 378](#) passed, title was approved, and the bill ordered returned to the House.

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

#### **Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:53 a.m. until the hour of 10:45 a.m., Thursday, February 1, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

---

**TWENTY-FIFTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 1, 2018**

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Araoluwa Omotowa, 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, 2018 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 1, 2018

The JUDICIARY AND RULES Committee reports that [S 1251](#), [S 1252](#), [S 1253](#), [S 1254](#), and [S 1255](#) have been correctly printed.

LODGE, Chairman

[S 1251](#) was referred to the Finance Committee.

[S 1252](#) was referred to the Commerce and Human Resources Committee.

[S 1253](#) was referred to the Local Government and Taxation Committee.

[S 1254](#) was referred to the Health and Welfare Committee.

[S 1255](#) was referred to the State Affairs Committee.

February 1, 2018

The JUDICIARY AND RULES Committee reports that [SCR 125](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [SCR 125](#) and ordered it transmitted to the House for the signature of the Speaker.

January 31, 2018

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:

Darrell Bolz to the State Public Defense Commission, term to expire July 1, 2020.

Eric Fredericksen to the State Public Defense Commission, term to expire July 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.

January 31, 2018

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

Brad Corkill to the Idaho Fish and Game Commission, term to expire June 30, 2021.

BAIR, 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, 2018

The FINANCE Committee reports out [S 1251](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1251](#) was filed for second reading.

February 1, 2018

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:

Sheila Olsen to the Idaho Commission on Human Rights, 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.

January 31, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 355](#), [H 381](#), [H 382](#), [H 383](#), [H 384](#), and [S 1230](#) with the recommendation that they do pass.

JOHNSON, Chairman

[H 355](#), [H 381](#), [H 382](#), [H 383](#), [H 384](#), and [S 1230](#) were filed for second reading.

January 31, 2018

The EDUCATION Committee reports out [S 1233](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1233](#) was filed for second reading.

February 1, 2018

The AGRICULTURAL AFFAIRS Committee reports out [S 1218](#) with the recommendation that it do pass.

RICE, Chairman

[S 1218](#) was filed for second reading.

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

#### Messages from the House

January 31, 2018

Dear Mr. President:

I transmit herewith [H 339](#), [H 340](#), [H 348](#), [H 349](#), [H 350](#), [H 351](#), [H 343](#), [H 344](#), [H 345](#), [H 346](#), and [H 366](#), which have passed the House.

MAULIN, Chief Clerk

[H 339](#), [H 340](#), [H 348](#), [H 349](#), [H 350](#), [H 351](#), [H 343](#), [H 344](#), [H 345](#), [H 346](#), and [H 366](#) 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 1256

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE REGULATORY BOARDS FOR FISCAL YEAR 2018; APPROPRIATING ADDITIONAL MONEYS TO THE REGULATORY BOARDS FOR FISCAL YEAR 2018; AND DECLARING AN EMERGENCY.

##### S 1257

##### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO PUBLIC DEFENSE; AMENDING SECTION 19-849, IDAHO CODE, TO REVISE THE MEMBERSHIP OF THE STATE PUBLIC DEFENSE COMMISSION.

##### S 1258

##### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO PUBLIC DEFENSE; AMENDING SECTION 19-850, IDAHO CODE, TO PROVIDE THAT A BOARD OF COUNTY COMMISSIONERS MAY APPLY FOR FUNDS FOR EXTRAORDINARY LITIGATION COSTS AND TO MAKE TECHNICAL CORRECTIONS.

##### S 1259

##### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO THE PEACE OFFICERS STANDARDS AND TRAINING FUND; AMENDING SECTION 19-5116, IDAHO CODE, TO PROVIDE CODE REFERENCES AND TO PROVIDE THAT CERTAIN MONEYS SHALL REVERT TO THE GENERAL FUND; AMENDING SECTION 41-406, IDAHO CODE, TO PROVIDE THAT CERTAIN MONEYS SHALL BE DISTRIBUTED TO THE PEACE OFFICERS STANDARDS AND TRAINING FUND; AND DECLARING AN EMERGENCY.

##### S 1260

##### BY RESOURCES AND ENVIRONMENT COMMITTEE

##### AN ACT

RELATING TO THE LAKE PEND OREILLE, PEND OREILLE RIVER, PRIEST LAKE AND PRIEST RIVER COMMISSION; AMENDING SECTION 39-8503, IDAHO CODE, TO REVISE THE AUTHORITY PROVISIONS OF THE COMMISSION AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE AUTHORITY TO DESIGNATE REPRESENTATIVES TO PARTICIPATE IN PROCEEDINGS REGARDING THE COLUMBIA RIVER BASIN; AMENDING SECTION 39-8504, IDAHO CODE, TO PROVIDE THAT MONEYS IN THE LAKE PEND OREILLE, PEND OREILLE RIVER, PRIEST LAKE AND PRIEST RIVER COMMISSION FUND MAY ALSO BE USED TO PROVIDE FOR PARTICIPATION IN PROCEEDINGS REGARDING THE COLUMBIA RIVER BASIN; AND DECLARING AN EMERGENCY.

##### S 1261

##### BY RESOURCES AND ENVIRONMENT COMMITTEE

##### AN ACT

RELATING TO PRIEST LAKE; AMENDING SECTION 70-507, IDAHO CODE, TO PROVIDE THAT THE PRIEST LAKE OUTLET CONTROL STRUCTURE SHALL BE UNDER THE SUPERVISION AND CONTROL OF THE IDAHO WATER RESOURCE BOARD, TO REVISE PROVISIONS RELATING TO THE OPERATION AND MAINTENANCE OF THE STRUCTURE, TO REVISE PROVISIONS REGARDING THE MAINTENANCE AND REGULATION OF THE WATER SURFACE LEVEL OF PRIEST LAKE, AND TO MAKE A TECHNICAL CORRECTION.

##### S 1262

##### BY HEALTH AND WELFARE COMMITTEE

##### AN ACT

RELATING TO THE PATIENT CAREGIVER SUPPORT ACT; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 95, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR DESIGNATION OF A CAREGIVER, TO PROVIDE FOR A CERTAIN NOTIFICATION, TO ESTABLISH PROVISIONS REGARDING AFTERCARE, TO CLARIFY THAT THE PROVISIONS OF THIS CHAPTER SHALL NOT INTERFERE WITH AN EXISTING HEALTH CARE DIRECTIVE, TO PROVIDE LIMITATIONS AND TO CLARIFY THAT CAREGIVERS SHALL NOT BE PAID USING STATE OR FEDERAL FUNDS.

**S 1263**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1228, IDAHO CODE, TO REVISE PROVISIONS REGARDING SEVERANCE ALLOWANCE AT RETIREMENT FOR A PUBLIC SCHOOL EMPLOYEE.

[S 1256](#), [S 1257](#), [S 1258](#), [S 1259](#), [S 1260](#), [S 1261](#), [S 1262](#), and [S 1263](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 339](#) and [H 340](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 348](#), [H 349](#), and [H 350](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 351](#), [H 343](#), [H 344](#), [H 345](#), and [H 346](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 366](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11 a.m. until the hour of 11 a.m., Friday, February 2, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**TWENTY-SIXTH LEGISLATIVE DAY**  
**FRIDAY, FEBRUARY 2, 2018**

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Christine Peterson, 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, 2018 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 128

#### BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING IDAHOANS TO DEVOTE MARCH 1, 2018, THROUGH MARCH 2, 2020, AS A PERIOD OF PREPARATION FOR THE CENTENNIAL OF THE PASSAGE OF THE 19TH AMENDMENT AND TO PLAN COMMEMORATION ACTIVITIES THAT WILL HONOR AND RECOGNIZE WOMEN LEADERS OF THE PAST AND PRESENT, FOSTER WOMEN LEADERS OF THE FUTURE, ADVANCE WOMEN'S LEADERSHIP IN BUSINESS AND POLITICS, AND ENCOURAGE WOMEN TO VOTE.

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

WHEREAS, in 1896, Idaho became the fourth state in the nation to give women the right to vote; and

WHEREAS, in 1898, Idahoans elected Permeal French as the first woman Superintendent of Public Instruction; and Mary Wright, Harriet Noble and Clara Campbell to the Idaho House of Representatives, where they made significant impacts in the areas of education, literacy and social justice; and

WHEREAS, August 18, 2020, marks the centennial passage of the 19th Amendment, granting women the right to vote throughout the United States of America; and

WHEREAS, the period before national suffrage witnessed some of Idaho's most significant historical events that still impact the lives of Idahoans today; and

WHEREAS, it is proper, at the time of the 100th anniversary of the passage of the 19th Amendment, to enshrine the right of women to vote; and

WHEREAS, the centennial of the 19th Amendment is a proper time to honor and recognize women leaders of our past and present who, through their skill, conviction, empathy and determination, have had significant, positive impacts on Idahoans, personally and professionally; and

WHEREAS, it is in the State of Idaho's interest to foster women leaders of the future and advance their leadership in business and politics; and

WHEREAS, celebration of the centennial of the 19th Amendment will help encourage women to exercise their right to vote; and

WHEREAS, Idahoans today are proud of their storied history and demonstrate their continued spirit and perseverance in creating Idaho's and the nation's future.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we encourage Idahoans to devote March 1, 2018, through March 2, 2020, as a period of preparation for the centennial of the passage of the 19th Amendment and to plan commemoration activities that will honor and recognize women leaders of the past and present, foster women leaders of the future, advance women's leadership in business and politics, and encourage women to vote.

#### SP 101

#### BY STATE AFFAIRS COMMITTEE

#### A PROCLAMATION

HONORING AND COMMENDING BART M. DAVIS FOR HIS YEARS OF SERVICE TO THE LEGISLATURE OF THE STATE OF IDAHO AND FOR HIS LEADERSHIP, SOUND JUDGMENT AND INTEGRITY.

We, the members of the Senate of the State of Idaho assembled in the Second Regular Session of the Sixty-fourth Idaho Legislature, honor and commend Bart M. Davis.

WHEREAS, Bart M. Davis, born in 1955 in Rapid City, South Dakota, was raised in Idaho Falls, Idaho, graduating from high school there in 1973; and

WHEREAS, he continued his education at Brigham Young University, earning a Bachelor of Arts degree in English in 1978, and then obtained his Juris Doctorate degree from the University of Idaho in 1980, being admitted to practice law before the United States Supreme Court, the Ninth Circuit Court of Appeals, the United States District Court, District of Idaho and District of Arizona, and the Supreme Court of the State of Idaho; and

WHEREAS, he began his legal career in Idaho Falls and, together with his wife Marion, raised six children, and they are now proud grandparents of 14; and

WHEREAS, Bart M. Davis ran and was elected to the Idaho Senate in 1998, serving as Majority Caucus Chair from 2000 to 2002 and as Senate Majority Leader from 2002 to 2017; and

WHEREAS, he has actively participated in numerous legal and legislative matters, including serving as a Commissioner for the National Conference of Commissioners on Uniform State Laws, acting as past chairman of The Council of State Governments and serving as a member of the Idaho Supreme Court's Guardianship/Conservatorship Committee, and he has



received recognition from entities such as the Idaho Judicial Conference, the Idaho Association of Cities, the Fraternal Order of Police, the Congressional Coalition on Adoption Institute, the Idaho Library Association and the Idaho Republican Party. He has also authored numerous articles for the Idaho Law Review, which serves as the scholarly voice for the University of Idaho College of Law; and

WHEREAS, he was admired on both sides of the aisle for his legal scholarship, sound judgment, sense of fairness and decency; and

WHEREAS, on September 14, 2017, the United States Senate confirmed Bart M. Davis as United States Attorney for the District of Idaho, following his nomination by President Donald Trump; and

WHEREAS, his appointment to the position on September 21, 2017, has been hailed by the members of the Idaho Legislature, Idaho's congressional delegation and the legal community as a whole.

NOW, THEREFORE, BE IT PROCLAIMED by the members of the Senate assembled in the Second Regular Session of the Sixty-fourth Idaho Legislature, that we recognize, honor and commend Bart M. Davis for his years of service to the Legislature of the State of Idaho and for his leadership, sound judgment and integrity.

[SCR 128](#) and [SP 101](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

February 2, 2018

The JUDICIARY AND RULES Committee reports that [S 1256](#), [S 1257](#), [S 1258](#), [S 1259](#), [S 1260](#), [S 1261](#), [S 1262](#), and [S 1263](#) have been correctly printed.

LODGE, Chairman

[S 1256](#) was referred to the Finance Committee.

[S 1257](#), [S 1258](#), and [S 1259](#) were referred to the Judiciary and Rules Committee.

[S 1260](#) and [S 1261](#) were referred to the Resources and Environment Committee.

[S 1262](#) was referred to the Health and Welfare Committee.

[S 1263](#) was referred to the Education Committee.

February 1, 2018

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:

J. Michael Brassey to the Idaho Personnel Commission, term to expire July 1, 2023.

Jerry Edgington to the Idaho Health Insurance Exchange Board, term to expire April 10, 2021.

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.

February 1, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1231](#) with the recommendation that it do pass.

JOHNSON, Chairman

[S 1231](#) was filed for second reading.

February 1, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 390](#), [H 391](#), and [H 392](#) with the recommendation that they do pass, and with the recommendation that they be placed on the Consent Calendar.

JOHNSON, Chairman

[H 390](#), [H 391](#), and [H 392](#) were filed for second reading.

February 2, 2018

The FINANCE Committee reports out [S 1256](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1256](#) 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 1, 2018

Dear Mr. President:

I transmit herewith [H 441](#), [H 442](#), [H 361](#), and [H 375](#), which have passed the House.

MAULIN, Chief Clerk

[H 441](#), [H 442](#), [H 361](#), and [H 375](#) 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 1264

##### BY TRANSPORTATION COMMITTEE

##### AN ACT

RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-458, IDAHO CODE, TO PROVIDE THAT FORMER MILITARY VEHICLES THAT DO NOT MEET FEDERAL MOTOR VEHICLE SAFETY STANDARDS MAY BE REGISTERED UNDER CERTAIN CIRCUMSTANCES AND TO DEFINE TERMS; AMENDING SECTION 49-501, IDAHO CODE, TO REVISE PROVISIONS REGARDING TITLING REQUIREMENTS AND EXEMPTIONS; AND DECLARING AN EMERGENCY.

##### S 1265

##### BY COMMERCE AND HUMAN RESOURCES COMMITTEE

##### AN ACT

RELATING TO FEES FOR A SECURITY FREEZE; AMENDING SECTION 28-52-106, IDAHO CODE, TO PROHIBIT THE CHARGING OF A FEE BY A CONSUMER

CREDIT REPORTING AGENCY FOR A PLACEMENT OF A SECURITY FREEZE DURING A TWELVE MONTH PERIOD AND FOR A TEMPORARY LIFT OF A SECURITY FREEZE DURING A TWELVE MONTH PERIOD AND TO PROVIDE A FEE FOR A SECOND OR SUBSEQUENT PLACEMENT OR LIFT OF A SECURITY FREEZE.

**S 1266**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-512C, IDAHO CODE, TO REMOVE THE REQUIREMENT THAT TWO SEMESTER CREDITS OF MATHEMATICS MUST BE TAKEN IN THE FINAL YEAR OF HIGH SCHOOL AND TO MAKE TECHNICAL CORRECTIONS.

**S 1267**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO STEM EDUCATION; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-523, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A STEM DIPLOMA; AND DECLARING AN EMERGENCY.

[S 1264](#), [S 1265](#), [S 1266](#), and [S 1267](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 441](#) and [H 442](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 361](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 375](#), 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**

On request by Senator Johnson, granted by unanimous consent, [H 383](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1251](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 355](#), [H 381](#), [H 382](#), and [H 384](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[S 1230](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

[S 1233](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1218](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:20 a.m. until the hour of 11 a.m., Monday, February 5, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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TWENTY-NINTH LEGISLATIVE DAY  
MONDAY, FEBRUARY 5, 2018

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Jack Sherlock, 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, 2018 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 5, 2018

The JUDICIARY AND RULES Committee reports that [SCR 128](#), [SP 101](#), [S 1264](#), [S 1265](#), [S 1266](#), and [S 1267](#) have been correctly printed.

LODGE, Chairman

On request by Senator Winder, granted by unanimous consent, [SCR 128](#) was referred to the State Affairs Committee.

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

[S 1264](#) was referred to the Transportation Committee.

[S 1265](#) was referred to the Commerce and Human Resources Committee.

[S 1266](#) and [S 1267](#) were referred to the Education Committee.

February 5, 2018

The FINANCE Committee reports out [H 441](#) and [H 442](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 441](#) and [H 442](#) were filed for second reading.

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

### Messages from the Governor

February 1, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Ken Roberts of Donnelly, Idaho, was appointed to the Multistate Tax Commission to serve a term commencing January 29, 2018 and will serve by virtue of his position.

This appointment is 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 Local Government and Taxation Committee.

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

### Second Reading of Bills

[S 1231](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

[S 1256](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 390](#), [H 391](#), and [H 392](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading, Consent Calendar.

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

### Messages from the House

February 2, 2018

Dear Mr. President:

I return herewith Enrolled [SCR 125](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 125](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

February 2, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 378](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 378](#) and ordered it returned to the House.

Senator Rice was recorded present at this order of business.

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

### Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [H 355](#) was placed before the Senate for consideration at this time.

[H 355](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Souza, Stennett, Thayn, Vick, Winder. Total - 33.

NAYS—None.

Absent and excused—Siddoway, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [H 355](#) passed, title was approved, and the bill ordered returned to the House.

[S 1236](#) 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, Potts, Rice, Souza, Stennett, Thayn, Vick, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Siddoway, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [S 1236](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1237](#) 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Souza, Stennett, Thayn, Vick, Winder. Total - 33.

NAYS—None.

Absent and excused—Siddoway, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [S 1237](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1251](#) 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Souza, Stennett, Thayn, Vick, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Siddoway, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [S 1251](#) passed, title was approved, and the bill ordered transmitted to the House.

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

### Motions and Resolutions

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

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

On motion by Senator Vick, seconded by Senator Jordan, the Gubernatorial appointment of Melville Fisher II as a member of the Idaho Lottery Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for 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 Michael Elliot was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Stennett, the Gubernatorial appointment of Michael Elliot as a member of the Idaho Energy Resources Authority was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for 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 Timothy Anderson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Timothy Anderson 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 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 appointment of Valisa Say was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Potts, seconded by Senator Nye, the Gubernatorial appointment of Valisa Say as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 Local Government and Taxation Committee report relative to the Gubernatorial appointment of Kenneth Nuhn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bayer, seconded by Senator Johnson, the Gubernatorial appointment of Kenneth Nuhn as a member of the Board of Tax Appeals was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 appointment of Dr. David Hill was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nonini, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Dr. David Hill 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.

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

On motion by Senator Lodge, seconded by Senator Burgoyne, the Gubernatorial appointment of Darrell Bolz 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 Judiciary and Rules Committee report relative to the Gubernatorial appointment of Eric Fredericksen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Anthon, seconded by Senator Burgoyne, the Gubernatorial appointment of Eric 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.

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

#### **Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:07 p.m. until the hour of 11 a.m., Tuesday, February 6, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**THIRTIETH LEGISLATIVE DAY**  
**TUESDAY, FEBRUARY 6, 2018**

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Josie 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 5, 2018 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 129

#### BY HEALTH AND WELFARE COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE ADOPTION OF POLICIES THAT BUILD THE CAPACITY OF THE FAMILY TO BE SELF-SUFFICIENT RATHER THAN INCREASE GOVERNMENT PROGRAMS.

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

WHEREAS, families are the most important and basic unit of society; and

WHEREAS, as societies mature, power, responsibility and resources tend to migrate away from families and individuals to institutions, most notably government; and

WHEREAS, as power and resources migrate away from families, families are weakened and harmed; and

WHEREAS, increasing the number of functional, or self-funded, families is important for the long-term economic and social health of the State of Idaho; and

WHEREAS, a functional family provides its own food, clothing, housing, health care, transportation and other social services at no cost to other taxpayers; and

WHEREAS, a family that provides its own social services does so more efficiently than government agencies that provide similar services; and

WHEREAS, the increase in government budgets in the last 100 years is linked to three main budget areas: health care, education, poverty and entitlement programs; and

WHEREAS, these three budget items were responsibilities historically fulfilled by families and other nongovernment organizations; and

WHEREAS, when government provides these services, overhead costs are higher while placing a burden on other taxpayers; and

WHEREAS, government agencies that compete with functional families by providing similar services have a tendency to crowd out the family and undermine family responsibilities; and

WHEREAS, most existing government-funded poverty programs suffer from a fatal flaw of trying to redistribute wealth rather than increasing the productive capacity of the poor and needy. The emphasis of such programs is on equalizing consumption rather than increasing the productive capacity of the poor and needy, so they can become self-sufficient and independent; and

WHEREAS, if there were more functional families in Idaho, state support and spending on health care, education, and poverty and entitlement programs could either stabilize or decrease, with improved outcomes; and

WHEREAS, so far in the history of the State of Idaho, the Legislature has been more successful in funding government poverty programs than in devising ways to reengage and empower the family; and

WHEREAS, families need resources and choices in order to become reempowered; and

WHEREAS, government cannot decree that families become functional; families must make this choice on their own. However, government can set up conditions under which families may choose to accept greater responsibility; and

WHEREAS, the elimination of current programs would cause disruption, fear and chaos. However, it is the desire of the Legislature to increase the number of functional or self-funded families; and

WHEREAS, as the percentage of functional families increases, so does societal stability and strength; and, as the number of functional families decreases, crime, poverty and social problems increase, and the budgets required to address social ills also increase; and

WHEREAS, the Idaho Legislature wishes to facilitate an increase in the number of functional families; and

WHEREAS, three areas of focus where increasing the role, power and influence of the family can have great impact are health care, education, and poverty and entitlement programs.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature encourages health care policies that increase funding available to families, such as funded health savings accounts, so that families may decide how to use the funds to increase access to primary and preventative care.

BE IT FURTHER RESOLVED that the Legislature encourages the adoption of education policies that empower students and parents including but not limited to: mastery-based education that allows students to have more control over what is learned, the speed of learning and the type of learning that takes

place; the growth of career technical education and apprenticeship programs for high school students so that upon leaving high school they have the ability to secure good high-paying jobs; and providing other choice programs in education, both in and outside of traditional public schools, that allow parents to find the education choice that best fits the needs of their child.

BE IT FURTHER RESOLVED that the Legislature urges the Department of Health and Welfare to consider the creation of a pilot program with state funds, so state rules can be followed that will help participants pass through poverty quickly and reach financial independence, and encourages the Department of Health and Welfare to find other ways to build the capacity of the family to self-fund rather than simply increase the size of public programs.

[SCR 129](#) 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 5, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 125](#) was delivered to the Office of the Secretary of State at 2:59 p.m., February 5, 2018.

LODGE, Chairman

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

February 5, 2018

The JUDICIARY AND RULES Committee reports out [S 1246](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1246](#) was filed for second reading.

February 5, 2018

The HEALTH AND WELFARE Committee reports out [S 1254](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1254](#) 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

January 31, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that David Groeschl of Coeur d'Alene, Idaho was appointed to the Oil and Gas Commission to serve a term commencing January 16, 2018 and will serve by virtue of his position.

This appointment is subject to confirmation by the Senate, notice of appointment is hereby given.

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

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

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

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

February 5, 2018

Dear Mr. President:

I transmit herewith [H 379](#), [H 370](#), [H 371](#), [H 372](#), [H 337](#), [H 364](#), [H 387](#), [H 347](#), and [H 393](#), which have passed the House.

MAULIN, Chief Clerk

[H 379](#), [H 370](#), [H 371](#), [H 372](#), [H 337](#), [H 364](#), [H 387](#), [H 347](#), and [H 393](#) were filed for first reading.

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 Brad Corkill was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Vick, seconded by Senator Stennett, the Gubernatorial reappointment of Brad Corkill as a member of the Idaho Fish and Game 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 State Affairs Committee report relative to the Gubernatorial reappointment of Sheila Olsen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

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

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of J. Michael Brassey was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Patrick, the Gubernatorial reappointment of J. Michael Brassey 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 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 Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Jerry Edgington 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 appointment of Jerry Edgington as a member of the Idaho Health Insurance Exchange 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 [SP 101](#) was before the Senate for final consideration. [SP 101](#) was read at length.

The question being, "Shall the proclamation be adopted?"

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Winder. Senators Anthon, Mortimer and Hagedorn supported the request for a roll call vote.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Thayne, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—None.

Absent and excused—Agenbrood, Keough, Lakey, Stennett. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared [SP 101](#) adopted, title was approved, and the proclamation ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

**S 1268**

**BY RESOURCES AND ENVIRONMENT COMMITTEE**  
AN ACT

RELATING TO DRAINAGE DISTRICTS; AMENDING SECTION 42-2913, IDAHO CODE, TO REVISE PROVISIONS REGARDING DRAINAGE COMMISSIONER COMPENSATION; AMENDING SECTION 42-2936, IDAHO CODE, TO PROVIDE FOR ASSESSMENT FOR THE PAYMENT OR RETIREMENT OF ANY BONDS OR WARRANTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-2962, IDAHO CODE, TO PROVIDE FOR ASSESSMENTS FOR THE PAYMENT OF RETIREMENT OF BONDS OR WARRANTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION

42-2979, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SALE OF PERSONAL PROPERTY OF A DRAINAGE DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 29, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-2979A, IDAHO CODE, TO PROVIDE FOR THE TRADE-IN OR EXCHANGE OF PERSONAL PROPERTY OF THE DISTRICT, TO PROVIDE A PROCEDURE AND TO PROVIDE A CONDITION.

**S 1269**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO BATTERY; AMENDING CHAPTER 9, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-924, IDAHO CODE, TO PROVIDE FOR THE CRIME OF SEXUAL BATTERY, TO DEFINE A TERM AND TO PROVIDE A PUNISHMENT; AMENDING CHAPTER 9, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-925, IDAHO CODE, TO PROVIDE FOR THE CRIME OF AGGRAVATED SEXUAL BATTERY AND TO PROVIDE A PUNISHMENT; AND AMENDING SECTION 18-8304, IDAHO CODE, TO PROVIDE THAT THE SEXUAL OFFENDER REGISTRATION NOTIFICATION AND COMMUNITY RIGHT-TO-KNOW ACT SHALL APPLY TO ANY PERSON WHO COMMITS AGGRAVATED SEXUAL BATTERY AND TO MAKE A TECHNICAL CORRECTION.

**S 1270**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO FORCIBLE PENETRATION; AMENDING SECTION 18-6608, IDAHO CODE, TO REVISE THE CONDITIONS FOR COMMITTING THE CRIME OF FORCIBLE PENETRATION BY A FOREIGN OBJECT.

**S 1271**

**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO HEALTH CARE; AMENDING SECTION 39-1392a, IDAHO CODE, TO REVISE A DEFINITION; AND AMENDING SECTION 39-1392e, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXCEPTIONS TO PRIVILEGE AND CONFIDENTIALITY.

**S 1272**

**BY AGRICULTURAL AFFAIRS COMMITTEE**  
AN ACT

RELATING TO POISONOUS PLANTS; AMENDING CHAPTER 1, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-114, IDAHO CODE, TO REQUIRE LABELING ON POISONOUS PLANTS OFFERED FOR SALE, TO PROVIDE LABELING REQUIREMENTS, TO DEFINE A TERM, AND TO PROVIDE FOR PUBLIC OUTREACH AND THE COMPILATION OF A LIST OF POISONOUS PLANTS BY THE DIRECTOR OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE.

[S 1268](#), [S 1269](#), [S 1270](#), [S 1271](#), and [S 1272](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 379](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.



[H 370](#), [H 371](#), and [H 372](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 337](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 364](#) and [H 387](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[H 347](#) and [H 393](#), 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**

[H 441](#) and [H 442](#), by Appropriations Committee, were read the second time at length and filed for third reading.

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

#### **Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Jordan, by voice vote, the Senate adjourned at 12:04 p.m. until the hour of 10:45 a.m., Wednesday, February 7, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**THIRTY-FIRST LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 7, 2018**

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Shelby Hale, 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, 2018 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.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

February 2, 2018

Senator Brent Hill  
President Pro Tem  
Idaho State Senate  
PO Box 83720  
Boise, ID 83720-0081

Dear Senator Hill:

On behalf of the Board of Commissioners of the Idaho State Bar, I am pleased to inform you that the Commission voted to appoint Hon. John T. Mitchell of Coeur d'Alene Idaho, to the Judicial Council. Judge Mitchell is replacing Hon. Thomas J. Ryan of Caldwell, Idaho, whose term expires on June 30, 2019.

Pursuant to Idaho Code Section 1-2101, the replacement requires the consent of the Idaho State Senate.

If you have any questions, or need additional information, please let me know.

Sincerely,  
/s/ Diane K. Minnich  
Executive Director

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

The Idaho Judicial Council appointment was referred to the Judiciary and Rules Committee.

February 2, 2018

Senator Brent Hill  
President Pro Tem  
Idaho State Senate  
PO Box 83720  
Boise, ID 83720-0081

Dear Senator Hill:

On behalf of the Board of Commissioners of the Idaho State Bar, I am pleased to inform you that the Commission voted to appoint R. Bruce Owens of Hayden, Idaho, to the Judicial Council to serve a six-year term, commencing July 1, 2017 and expiring June 30, 2023. Mr. Owens is replacing Joel P. Hazel of Coeur d'Alene Idaho.

Pursuant to Idaho Code Section 1-2101, the replacement requires the consent of the Idaho State Senate.

If you have any questions, or need additional information, please let me know.

Sincerely,  
/s/ Diane K. Minnich  
Executive Director

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

The Idaho Judicial Council appointment was referred to the Judiciary and Rules Committee.

Senator Bair was recorded present at this order of business.

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

### Reports of Standing Committees

February 7, 2018

The JUDICIARY AND RULES Committee reports that [SCR 129](#), [S 1268](#), [S 1269](#), [S 1270](#), [S 1271](#), and [S 1272](#) have been correctly printed.

LODGE, Chairman

[SCR 129](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1268](#) was referred to the Resources and Environment Committee.

[S 1269](#) and [S 1270](#) were referred to the Judiciary and Rules Committee.

[S 1271](#) was referred to the Health and Welfare Committee.

[S 1272](#) was referred to the Agricultural Affairs Committee.

February 6, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1219](#) and [S 1226](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1219](#) and [S 1226](#) were filed for second reading.

February 6, 2018

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:

Arron White to the Idaho Industrial Commission, term to expire January 13, 2023.

Bobbi-Jo Meuleman as the Director of the Department of Commerce, term to continue at the pleasure of the Governor.

Hyatt Erstad to the Idaho Health Insurance Exchange Board, term to expire January 10, 2021.

Melinda Smyser as the Director of the Department of Labor, term to continue at the pleasure of the Governor.

PATRICK, Chairman

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

February 6, 2018

The HEALTH AND WELFARE Committee reports out [H 354](#), [S 1249](#), and [S 1250](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 354](#), [S 1249](#), and [S 1250](#) were filed for second reading.

February 6, 2018

The HEALTH AND WELFARE Committee reports out [S 1248](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, [S 1248](#) was referred to the Fourteenth Order of Business, General Calendar.

Senator Siddoway was recorded present at this order of business.

February 7, 2018

The STATE AFFAIRS Committee reports out [S 1228](#) and [S 1229](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[S 1228](#) and [S 1229](#) were filed for second reading.

February 6, 2018

The EDUCATION Committee reports out [S 1266](#), [S 1263](#), and [S 1212](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1266](#), [S 1263](#), and [S 1212](#) 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 6, 2018

Dear Mr. President:

I transmit herewith [HCR 34](#), [H 467](#), and [H 468](#), which have passed the House.

MAULIN, Chief Clerk

[HCR 34](#), [H 467](#), and [H 468](#) were filed for first reading.

February 6, 2018

Dear Mr. President:

I return herewith [S 1217](#), which has passed the House.

MAULIN, Chief Clerk

[S 1217](#) was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator 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 1273

#### BY COMMERCE AND HUMAN RESOURCES COMMITTEE

##### AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1852, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING COVERAGE OF ANTICANCER MEDICATIONS UNDER HEALTH BENEFIT PLANS.

#### S 1274

#### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 74-101, IDAHO CODE, TO REVISE THE DEFINITION OF "CUSTODIAN"; AMENDING SECTION 74-106, IDAHO CODE, TO PROVIDE THAT BONUSES, SEVERANCE PACKAGES, OTHER COMPENSATION OR VOUCHERED AND UNVOUCHERED EXPENSES FOR WHICH REIMBURSEMENT WAS PAID TO A PUBLIC OFFICIAL ARE NOT EXEMPT FROM DISCLOSURE AND TO PROVIDE THAT SOCIAL SECURITY NUMBERS AND DRIVER'S LICENSE NUMBERS SHALL BE EXEMPT FROM DISCLOSURE; AND AMENDING SECTION 74-119, IDAHO CODE, TO PROVIDE THAT PUBLIC AGENCIES SHALL DESIGNATE ONE PERSON AS CUSTODIAN TO RECEIVE PUBLIC RECORDS REQUESTS AND SHALL PROVIDE AN ALTERNATE CUSTODIAN OR ALTERNATE CUSTODIANS FOR CONTINGENCIES.

[S 1273](#) and [S 1274](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 34](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

[H 467](#) and [H 468](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[S 1246](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1254](#), 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

[H 381](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Jordan, Nonini. Total - 2.

Total - 35.

Whereupon the President declared [H 381](#) passed, title was approved, and the bill ordered returned to the House.

[H 382](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Jordan, Nonini. Total - 2.

Total - 35.

Whereupon the President declared [H 382](#) passed, title was approved, and the bill ordered returned to the House.

[H 384](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Jordan, Nonini. Total - 2.

Total - 35.

Whereupon the President declared [H 384](#) passed, title was approved, and the bill ordered returned to the House.

[S 1230](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Jordan, Nonini. Total - 2.

Total - 35.

Whereupon the President declared [S 1230](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1233](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1218](#) 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Jordan, Nonini. Total - 2.

Total - 35.

Whereupon the President declared [S 1218](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1231](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, 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 1231](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1256](#) 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, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayne, Ward-Engelking, Winder. Total - 31.

NAYS—Den Hartog, Foreman, Vick. Total - 3.

Absent and excused—Nonini. Total - 1.

Total - 35.

Whereupon the President declared [S 1256](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [H 441](#) retained its place on the Third Reading Calendar for one legislative day.

[H 442](#) 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, Den Hartog, Foreman, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Hagedorn, Harris, Potts. Total - 3.

Absent and excused—Nonini. Total - 1.

Total - 35.

Whereupon the President declared [H 442](#) passed, title was approved, and the bill ordered returned to the House.

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

#### **Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:36 a.m. until the hour of 11 a.m., Thursday, February 8, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**THIRTY-SECOND LEGISLATIVE DAY**  
**THURSDAY, FEBRUARY 8, 2018**

Senate Chamber

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

Roll call showed all members present except President Pro Tempore Hill and Senators Bayer, Lodge, Nonini and Stennett, absent and formally excused by the Chair.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Abigail Hunter, 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, 2018 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

#### SJM 103

#### BY RESOURCES AND ENVIRONMENT 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 Second Regular Session of the Sixty-fourth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Antiquities Act was passed by the United States Congress and signed into law by President Theodore Roosevelt on June 8, 1906. The law gives the President of the United States the authority to, by presidential proclamation, create national monuments from federal lands to protect significant natural, cultural or scientific features. The law has been used more than one hundred times since its passage; and

WHEREAS, the Wilderness Act was passed in 1964 and, since that time, the United States Congress has designated nearly 110 million acres of federal wildlands as official wilderness, which has the highest form of protection of any federal wildland; and

WHEREAS, almost sixty-two percent of land in Idaho is federal land; and

WHEREAS, residents of the State of Idaho support multiple use of public land. Current multiple use and private land protection policies governing the management of public land in Idaho have generally served and sustained the interests of Idaho residents; and

WHEREAS, ranching and agriculture play a substantial role in the state's heritage and identity and should be preserved; and

WHEREAS, ranching, agriculture, mining, the forestry industry and recreation are primary economic drivers in the state, with agribusiness and recreation each contributing an estimated \$7.6 billion, the mining industry contributing \$1.3 billion and the forestry industry contributing \$2 billion to the economy annually in recent years, all of which would be substantially impacted by any land management changes; and

WHEREAS, Idaho residents, families and visitors currently enjoy multiple use on federal lands and have generations of family traditions. Changing federal land designations would impact local wildlife management as well as opportunities to hunt and fish; and

WHEREAS, changes in federal land designations or classifications would affect land use by imposing restrictions on development, resource extraction, recreation and land exchanges that would result in diminished economic opportunities and restrictions on access and multiple use; and

WHEREAS, the people of the State of Idaho value abundant water resources and water rights and have concern that new national monument designations or further designation of wilderness by Congress could affect those resources and rights; and

WHEREAS, the Idaho Roadless Rule is Idaho's 2006 plan that provides a framework for use and protection of more than nine million acres of federal public backcountry. The rule is viewed as a nationwide model of collaboration among groups and individuals with diverse interests and concerns; and

WHEREAS, the Roadless Rule specifically prescribes protective management under the wildland recreation theme, and it is feared that utilization of the Antiquities Act for new national monument designations or further designation of wilderness by Congress would overturn the agreement reached in the formulation of the Idaho Roadless Rule, with no effort to reach consensus through coordination as required by federal law; and

WHEREAS, several years ago, advisory votes relating to a suggested new national monument designation and a wilderness designation in Idaho were held in a number of potentially affected counties in central and eastern Idaho, both showing over ninety percent opposition to such designations.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we oppose any new federal national monument designations or further designations of wilderness in the State of Idaho without the approval of the United States Congress and the Idaho Legislature.

BE IT FURTHER RESOLVED that the Idaho congressional delegation is urged to introduce and support legislation to oppose any new federal national monument designations or further designations of wilderness in the State of Idaho without the approval of the United States Congress and the Idaho Legislature.

BE IT FURTHER RESOLVED that any efforts to reach decisions regarding lands and resources of the State of Idaho administered by federal agencies or their designees be made through the lawful coordination process as required by the National Environmental Policy Act, the Federal Land Policy and Management Act, the National Forest Management Act, the 1982 Forest Service Planning Rule and other federal acts requiring coordination, rather than by unilateral administrative processes that exclude the residents of the State 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.

[SJM 103](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

President Little assumed the Chair.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

February 8, 2018

The JUDICIARY AND RULES Committee reports that [S 1273](#) and [S 1274](#) have been correctly printed.

LODGE, Chairman

[S 1273](#) was referred to the Commerce and Human Resources Committee.

[S 1274](#) was referred to the State Affairs Committee.

February 8, 2018

The JUDICIARY AND RULES Committee reports that [S 1217](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1217](#) and ordered it transmitted to the House for the signature of the Speaker.

February 7, 2018

The FINANCE Committee reports out [H 467](#) and [H 468](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 467](#) and [H 468](#) were filed for second reading.

February 7, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [S 1260](#) and [S 1261](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1260](#) and [S 1261](#) were filed for second reading.

February 7, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1253](#) with the recommendation that it do pass.

JOHNSON, Chairman

[S 1253](#) 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 7, 2018

Dear Mr. President:

I transmit herewith [H 405](#), [H 451](#), and [H 463](#), which have passed the House.

MAULIN, Chief Clerk

[H 405](#), [H 451](#), and [H 463](#) were filed for first reading.

February 7, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 355](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 355](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, [SCR 129](#) retained its place on the calendar for Friday, February 9, 2018.

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

On motion by Senator Ward-Engelking, seconded by Senator Lakey, the Gubernatorial appointment of Arron White as a member of the Idaho Industrial Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for 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 Bobbi-Jo Meuleman was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Souza, the Gubernatorial appointment of Bobbi-Jo Meuleman as the Director of the Department of Commerce was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for 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 Hyatt Erstad was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Martin, the gubernatorial appointment of Hyatt Erstad 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.

On request by Senator Winder, granted by unanimous consent, the committee report of the gubernatorial appointment confirmation of Melinda Smyser retained its place on the calendar for Friday, February 9, 2018.

The Senate advanced to the Eleventh Order of Business.

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

**S 1275**

**BY RESOURCES AND ENVIRONMENT COMMITTEE  
AN ACT**

RELATING TO WOLVES; AMENDING SECTION 36-201, IDAHO CODE, TO PROVIDE THAT IT IS THE EXPECTATION OF THE LEGISLATURE THAT WOLF COLLARING WILL BE CONTINUED AS A MANAGEMENT TOOL FOR CERTAIN PACKS.

**S 1276**

**BY RESOURCES AND ENVIRONMENT COMMITTEE  
AN ACT**

RELATING TO THE IDAHO WOLF DEPREDATION CONTROL BOARD; REPEALING SECTION 22-5307, IDAHO CODE, RELATING TO A SUNSET PROVISION; AMENDING SECTION 25-131, IDAHO CODE, TO REMOVE EFFECTIVE DATE PROVISIONS; AMENDING SECTION 25-1145, IDAHO CODE, TO REMOVE EFFECTIVE DATE PROVISIONS; AND AMENDING SECTION 36-125, IDAHO CODE, TO REMOVE EFFECTIVE DATE PROVISIONS.

**S 1277**

**BY JUDICIARY AND RULES COMMITTEE  
AN ACT**

RELATING TO CIVIL ACTIONS; AMENDING SECTION 7-1503, IDAHO CODE, TO REVISE A PROVISION REGARDING CLAIMS FOR DAMAGES; AND AMENDING SECTION 12-120, IDAHO CODE, TO REVISE A PROVISION REGARDING A PLAINTIFF'S CLAIM FOR DAMAGES.

**S 1278**

**BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO EDUCATION; AMENDING SECTION 33-1025, IDAHO CODE, TO REVISE PROVISIONS REGARDING WIRELESS TECHNOLOGY STANDARDS.

**S 1279**

**BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO THE IDAHO OPPORTUNITY SCHOLARSHIP; AMENDING SECTION 33-4303, IDAHO CODE, TO PROVIDE THAT CERTAIN FUNDS MAY BE USED FOR SCHOLARSHIP AWARDS TO ADULT STUDENTS MEETING CERTAIN CRITERIA AND TO MAKE TECHNICAL CORRECTIONS.

**S 1280**

**BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO SCHOOL DISTRICTS; AMENDING SECTION 33-501, IDAHO CODE, TO REVISE PROVISIONS REGARDING SCHOOL DISTRICT BOARDS OF TRUSTEES; AMENDING SECTION 33-503, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ELECTION OF SCHOOL DISTRICT TRUSTEES; AMENDING SECTION 33-505, IDAHO CODE, TO REVISE A CERTAIN DATE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-506, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ORGANIZATION AND GOVERNMENT OF A SCHOOL DISTRICT BOARD OF TRUSTEES; AMENDING SECTION 33-510, IDAHO CODE, TO REVISE A CERTAIN DATE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-801, IDAHO CODE, TO REVISE A REFERENCE TO A MEETING DATE; AND AMENDING SECTION 33-1003, IDAHO CODE, TO REVISE A MEETING DATE.

**S 1281**

**BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO HEALTH BENEFIT PLANS; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1852, IDAHO CODE, TO DEFINE A TERM AND TO PROVIDE FOR AVAILABILITY OF A TWELVE-MONTH SUPPLY OF CONTRACEPTIVES UNDER CERTAIN HEALTH BENEFIT PLANS.

[S 1275](#), [S 1276](#), [S 1277](#), [S 1278](#), [S 1279](#), [S 1280](#), and [S 1281](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 405](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 451](#) and [H 463](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1219](#) and [S 1226](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 354](#), [S 1249](#), and [S 1250](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1266](#), [S 1263](#), and [S 1212](#), by Education Committee, were read the second time at length and filed for third reading.

[S 1228](#) and [S 1229](#), by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

On request by Senator Winder, granted by unanimous consent, [S 1233](#) retained its place on the Third Reading Calendar.



[H 441](#) 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Souza, Stennett, Thayne, Ward-Engelking, Winder. Total - 31.

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

Absent and excused—Nonini. Total - 1.

Total - 35.

Whereupon the President declared [H 441](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [S 1246](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1254](#) 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, 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 - 34.

NAYS—Potts. Total - 1.

Total - 35.

Whereupon the President declared [S 1254](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1233](#) was placed before the Senate for consideration at this time.

[S 1233](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1233](#) 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 11:59 a.m. until the hour of 10:45 a.m., Friday, February 9, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**THIRTY-THIRD LEGISLATIVE DAY**  
**FRIDAY, FEBRUARY 9, 2018**

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Heidi Kofoed, 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, 2018 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.

### SCR 130 BY TRANSPORTATION COMMITTEE

A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THAT THE IDAHO TRANSPORTATION DEPARTMENT INITIATE NEGOTIATED RULEMAKING FOR THE PURPOSE OF CONSOLIDATING ANNUAL PERMITS ISSUED TO CERTAIN COMMERCIAL VEHICLES.

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

WHEREAS, the State of Idaho requires the operators of commercial vehicles to obtain permits for many activities; and

WHEREAS, the Idaho Transportation Department issues approximately 47,000 annual permits each calendar year; and

WHEREAS, the permits are frequently issued for one purpose only; and

WHEREAS, many commercial vehicles are therefore required to obtain several permits from the Idaho Transportation Department; and

WHEREAS, in some cases, a commercial vehicle might need as many as 10 permits in order to operate; and

WHEREAS, the issuance of each permit is a separate administrative task for the Idaho Transportation Department; and

WHEREAS, consolidating permits and streamlining the permitting process could greatly reduce the administrative burden on the Idaho Transportation Department without reducing its power of oversight; and

WHEREAS, fewer permits could also reduce the training burden on law enforcement agencies, whose officers must understand the requirements associated with each permit, and could likewise reduce the opportunities for error in the enforcement process; and

WHEREAS, the Legislature has received requests from stakeholders to consolidate annual permits to the extent possible; and

WHEREAS, the Legislature recognizes that personnel at the Idaho Transportation Department are the subject matter experts on Idaho's permitting process; and

WHEREAS, consolidation of annual permits and streamlining the permitting process would require a cost analysis by the Idaho Transportation Department to identify the fees necessary for a cost-neutral permit program.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature requests that the Idaho Transportation Department initiate negotiated rulemaking for commercial motor vehicle annual permits.

BE IT FURTHER RESOLVED that the scope of the requested rulemaking should involve the consolidation of existing annual permits for vehicles that exceed legal size and weight.

BE IT FURTHER RESOLVED that if, in the negotiated rulemaking process, the Idaho Transportation Department identifies statutory changes necessary to consolidate permits, the Legislature requests that the Department notify the chairman of the Senate Transportation Committee, the chairman of the House Transportation and Defense Committee, and the Legislative Services Office, Division of Research and Legislation, of the necessary changes.

### SCR 131

#### BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING JUNE AS CYTOMEGALOVIRUS AWARENESS MONTH IN IDAHO.

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

WHEREAS, the Centers for Disease Control and Prevention report that one in every 200 children is born with congenital cytomegalovirus (CMV); and

WHEREAS, CMV is the most common congenital infection in the United States and is the most common viral cause of birth defects and developmental disabilities, including deafness, blindness, cerebral palsy, mental and physical disabilities and seizures; and

WHEREAS, pregnant women are one of the highest-risk groups for contracting CMV; and

WHEREAS, most people are not aware when they are infected with CMV; and

WHEREAS, congenital CMV is preventable with simple behavioral interventions while pregnant, such as frequent hand-washing, refraining from kissing young children on the mouth and refraining from sharing food, towels or utensils with young children; and

WHEREAS, CMV infection is more common than the combined metabolic endocrine disorders currently in the core newborn screening panel for the United States; and

WHEREAS, the rate of children born with congenital CMV could be significantly reduced with public education; and

WHEREAS, it is in the public health interest to increase awareness of the risks associated with CMV and the measures necessary to prevent CMV infection.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that June shall be recognized as CMV Awareness Month in Idaho.

[SCR 130](#) and [SCR 131](#) 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 9, 2018

The JUDICIARY AND RULES Committee reports that [SJM 103](#), [S 1275](#), [S 1276](#), [S 1277](#), [S 1278](#), [S 1279](#), [S 1280](#), and [S 1281](#) have been correctly printed.

LODGE, Chairman

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

[S 1275](#) and [S 1276](#) were referred to the Resources and Environment Committee.

[S 1277](#) was referred to the Judiciary and Rules Committee.

[S 1278](#) and [S 1279](#) were referred to the Education Committee.

[S 1280](#) was referred to the State Affairs Committee.

[S 1281](#) was referred to the Commerce and Human Resources Committee.

February 8, 2018

The TRANSPORTATION Committee reports out [H 364](#) with the recommendation that it do pass.

BRACKETT, Chairman

[H 364](#) was filed for second reading.

February 8, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1234](#) with the recommendation that it do pass.

PATRICK, Chairman

[S 1234](#) was filed for second reading.

February 8, 2018

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:

Janice Fulkerson to the Idaho Health Insurance Exchange Board, term to expire April 10, 2021.

Kevin Settles to the Idaho Health Insurance Exchange Board, term to expire April 10, 2021.

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.

February 8, 2018

The HEALTH AND WELFARE Committee reports out [H 352](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 352](#) was filed for second reading.

February 8, 2018

The EDUCATION Committee reports out [S 1267](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1267](#) was referred to the Fourteenth Order of Business, General Calendar.

February 9, 2018

The STATE AFFAIRS Committee reports out [SCR 128](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[SCR 128](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 9, 2018

The STATE AFFAIRS Committee reports out [H 361](#) and [H 379](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 361](#) and [H 379](#) were filed for second reading.

Senator Bayer was recorded present at this order of business.

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

#### Motions and Resolutions

The President Pro Tempore announced that [SCR 129](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Bayer, [SCR 129](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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

On motion by Senator Souza, seconded by Senator Burgoyne, the Gubernatorial appointment of Melinda Smyser as the Director of the Department of Labor 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 1282**

**BY TRANSPORTATION COMMITTEE**

AN ACT

RELATING TO SHERIFFS; AMENDING SECTION 31-830, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 31-4602, IDAHO CODE, TO REVISE TERMINOLOGY; AND AMENDING SECTION 49-443B, IDAHO CODE, TO PROVIDE LICENSE PLATE DESIGNATORS FOR VEHICLES BELONGING TO A SHERIFF'S OFFICE AND CERTAIN OTHER VEHICLES AND TO PROVIDE AN EXEMPTION.

**S 1283**

**BY TRANSPORTATION COMMITTEE**

AN ACT

RELATING TO MOTOR VEHICLES; REPEALING SECTION 49-1401A, IDAHO CODE, RELATING TO TEXTING WHILE DRIVING; AND AMENDING CHAPTER 14, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1401A, IDAHO CODE, TO DEFINE TERMS, TO PROHIBIT PERSONS FROM OPERATING A MOTOR VEHICLE WHILE USING A MOBILE ELECTRONIC DEVICE, TO PROVIDE EXCEPTIONS, TO PROHIBIT PERSONS FROM OPERATING A MOTOR VEHICLE WHILE WEARING EARPHONES, TO PROHIBIT CERTAIN ACTIONS REGARDING SOCIAL NETWORKING SITES, TO PROHIBIT CERTAIN ACTIONS REGARDING PERSONS OPERATING A SCHOOL BUS, TO PROHIBIT CERTAIN ACTIONS REGARDING PERSONS WITH A LEARNER'S PERMIT OR RESTRICTED OR PROVISIONAL LICENSE, TO PROVIDE PENALTIES AND TO PROVIDE THAT LAW ENFORCEMENT OFFICERS MAY TAKE CERTAIN ACTIONS.

**S 1284**

**BY TRANSPORTATION COMMITTEE**

AN ACT

RELATING TO BOOTING OF MOTOR VEHICLES; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 49-103, IDAHO CODE, TO DEFINE THE TERM "BOOT"; AMENDING SECTION 49-117, IDAHO CODE, TO DEFINE THE TERM "PARKING ENFORCEMENT COMPANY"; AMENDING SECTION 49-208, IDAHO CODE, TO PROVIDE APPLICATION TO PRIVATE PROPERTY; AMENDING SECTION 49-1806, IDAHO CODE, TO PROVIDE FOR BOOTING OF UNAUTHORIZED VEHICLES ON PRIVATE PROPERTY; AMENDING CHAPTER 18, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1806A, IDAHO CODE, TO PROVIDE FOR REGULATION OF PARKING ENFORCEMENT COMPANIES BY LOCAL GOVERNMENTS; AMENDING SECTION 49-1812, IDAHO CODE, TO PROVIDE FOR CLAIMING OF BOOTED VEHICLES; AMENDING SECTION 49-104, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-410, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-3022A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY.

**S 1285**

**BY COMMERCE AND HUMAN RESOURCES**

**COMMITTEE**

AN ACT

RELATING TO CREDIT UNIONS; REPEALING SECTION 26-2113, IDAHO CODE, RELATING TO MEETINGS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2113, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING MEMBER VOTING; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2113A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING ANNUAL MEMBERSHIP MEETINGS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2113B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING SPECIAL MEMBERSHIP MEETINGS; REPEALING SECTION 26-2114, IDAHO CODE, RELATING TO OFFICIALS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2114, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE BOARD OF DIRECTORS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2114A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING CERTAIN QUALIFICATIONS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2114B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING FIDUCIARY DUTY; REPEALING SECTION 26-2115, IDAHO CODE, RELATING TO OFFICERS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2115, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING OFFICERS; REPEALING SECTION 26-2116, IDAHO CODE, RELATING TO THE BOARD OF DIRECTORS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2116, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE BOARD OF DIRECTORS; REPEALING SECTION 26-2118, IDAHO CODE, RELATING TO A CREDIT COMMITTEE; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2118, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A CREDIT COMMITTEE; REPEALING SECTION 26-2121, IDAHO CODE, RELATING TO A SUPERVISORY COMMITTEE; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2121, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A SUPERVISORY COMMITTEE; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2121A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE DUTIES OF A SUPERVISORY COMMITTEE; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2121B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING SUSPENSION OF MEMBERS OF THE BOARD OF DIRECTORS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2121C, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING CERTAIN SUSPENSIONS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2121D, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING REMOVAL OF A DIRECTOR OR SUPERVISORY COMMITTEE MEMBER; AND AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2156, IDAHO

CODE, TO ESTABLISH PROVISIONS REGARDING BOND COVERAGE.

**S 1286**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO MOTOR VEHICLES AND FINANCIAL RESPONSIBILITY; AMENDING SECTION 49-117, IDAHO CODE, TO REVISE THE DEFINITION OF "PROOF OF FINANCIAL RESPONSIBILITY"; AND PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR APPLICABILITY.

**S 1287**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO COVENANTS NOT TO COMPETE; AMENDING SECTION 44-2702, IDAHO CODE, TO PROVIDE FOR APPLICABILITY OF DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 44-2704, IDAHO CODE, TO REMOVE CERTAIN PROVISIONS REGARDING REBUTTABLE PRESUMPTIONS.

**S 1288**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO AUTHORIZATION FOR OUT-OF-STATE INSURERS; AMENDING SECTION 41-306, IDAHO CODE, TO PROVIDE EXCEPTIONS TO CERTIFICATE OF AUTHORITY REQUIREMENTS FOR CERTAIN OUT-OF-STATE INSURERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 3, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-306A, IDAHO CODE, TO PROVIDE THAT CERTAIN FOREIGN INSURERS MAY OFFER AND SELL INDIVIDUAL OR GROUP ACCIDENT AND SICKNESS INSURANCE POLICIES IN IDAHO, TO PROVIDE FOR CERTIFICATES OF AUTHORITY, TO PROVIDE REQUIREMENTS FOR FOREIGN INSURERS, TO PROVIDE FOR THE PAYMENT OF TAXES, TO PROVIDE FOR PARTICIPATION IN THE HIGH RISK REINSURANCE POOL, TO PROVIDE FOR RULEMAKING AND TO PROVIDE FOR COMPACTS; AMENDING CHAPTER 5, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-516, IDAHO CODE, TO DEFINE A TERM; AND PROVIDING SEVERABILITY.

**S 1289**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO PHARMACIES; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 65, TITLE 41, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE APPLICABILITY, TO PROVIDE REQUIRED PRACTICES FOR PHARMACY BENEFIT MANAGERS, TO PROVIDE THAT WAIVERS BY COVERED ENTITIES ARE AGAINST PUBLIC POLICY, TO PROVIDE FOR ENFORCEMENT AND TO PROVIDE FOR RULEMAKING AUTHORITY; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1852, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR A MAXIMUM ALLOWABLE COST, TO PROVIDE REQUIREMENTS FOR A PHARMACY

BENEFIT MANAGER, TO PROVIDE FOR APPEALS, TO PROVIDE THE REQUIREMENTS FOR AN APPEAL, TO PROVIDE FOR ADJUSTMENTS IF AN APPEAL IS UPHOLD AND TO PROVIDE AN EXCEPTION; AND PROVIDING SEVERABILITY.

**S 1290**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO FIREFIGHTERS; AMENDING SECTION 44-1812, IDAHO CODE, TO REVISE A DEFINITION, TO PROVIDE FOR THE PAYMENT OF COSTS FOR CERTAIN MEDICAL EXAMINATIONS AND TO MAKE TECHNICAL CORRECTIONS.

**S 1291**  
**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO THE SCHOOL TURNAROUND ACT; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 61, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR THE DESIGNATION OF LOW-PERFORMING SCHOOLS, TO PROVIDE FOR A CERTAIN COMMITTEE, TO ESTABLISH PROVISIONS REGARDING INDEPENDENT SCHOOL TURNAROUND EXPERTS, TO ESTABLISH PROVISIONS REGARDING SCHOOL TURNAROUND PLANS, TO PROVIDE DUTIES FOR THE GOVERNING AUTHORITIES OF CERTAIN SCHOOLS, TO ESTABLISH PROVISIONS REGARDING FAILURE OF LOW-PERFORMING SCHOOLS TO IMPROVE, TO ESTABLISH THE SCHOOL RECOGNITION AND REWARD PROGRAM, TO ESTABLISH THE SCHOOL LEADERSHIP DEVELOPMENT PROGRAM, TO PROVIDE FOR CERTAIN REPORTS, TO ESTABLISH PROVISIONS REGARDING PUBLIC CHARTER SCHOOLS, TO PROVIDE RULEMAKING AUTHORITY, AN APPEALS PROCESS AND DUTIES OF THE STATE DEPARTMENT OF EDUCATION AND TO PROVIDE SEVERABILITY.

**S 1292**  
**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO THE ADVANCED OPPORTUNITIES SCHOLARSHIP; AMENDING SECTION 33-4601, IDAHO CODE, TO REVISE DEFINITIONS; AND AMENDING SECTION 33-4602, IDAHO CODE, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR COURSES AND CREDITS THAT QUALIFY FOR THE ADVANCED OPPORTUNITIES SCHOLARSHIP, TO PROVIDE THAT A STUDENT MUST APPLY FOR THE SCHOLARSHIP WITHIN TWO YEARS OF GRADUATION FROM A PUBLIC SCHOOL, TO CLARIFY THE REIMBURSEMENT TO BE PAID BY THE STATE DEPARTMENT OF EDUCATION AND TO MAKE TECHNICAL CORRECTIONS.

**S 1293**  
**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-514, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AND AMENDING CHAPTER 4, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-514B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING LIMITED CONTRACTS FOR CERTAIN EMPLOYEES.

**S 1294**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO TAXATION; AMENDING SECTION 63-2506, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CIGARETTE TAX; AND AMENDING SECTION 63-2552A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TOBACCO TAX.

**S 1295**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1002G, IDAHO CODE, TO REVISE PROVISIONS REGARDING FUNDING FOR CAREER TECHNICAL SCHOOLS.

**S 1296**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO PERSONS WITH DISABILITIES; AMENDING SECTION 56-701A, IDAHO CODE, TO REVISE DEFINITIONS; AND AMENDING THE HEADING FOR CHAPTER 7, TITLE 56, IDAHO CODE.

**S 1297**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO REVISE A PROVISION REGARDING WHO MAY CARRY A CONCEALED WEAPON AND TO MAKE TECHNICAL CORRECTIONS.

[S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), [S 1288](#), [S 1289](#), [S 1290](#), [S 1291](#), [S 1292](#), [S 1293](#), [S 1294](#), [S 1295](#), [S 1296](#), and [S 1297](#) 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 467](#) and [H 468](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1260](#) and [S 1261](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[S 1253](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

[S 1246](#) 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, Martin, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1246](#) 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 11:34 a.m. until the hour of 11 a.m., Monday, February 12, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**THIRTY-SIXTH LEGISLATIVE DAY  
MONDAY, FEBRUARY 12, 2018**

Senate Chamber

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

Roll call showed all members present except Senators Bayer, Johnson, and Lakey, absent and formally excused by the Chair; and Senator Guthrie, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Alexa Larsen, 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, 2018 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 104

#### BY JUDICIARY AND RULES COMMITTEE

#### A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 6, ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO THE RIGHT TO BAIL; TO PROVIDE FOR DENIAL OF BAIL IN CERTAIN CIRCUMSTANCES; 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 104 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 12, 2018

The JUDICIARY AND RULES Committee reports that SCR 130, SCR 131, S 1282, S 1283, S 1284, S 1285, S 1286, S 1287, S 1288, S 1289, S 1290, S 1291, S 1292, S 1293, S 1294, S 1295, S 1296, and S 1297 have been correctly printed.

LODGE, Chairman

SCR 130 and SCR 131 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1282, S 1283, and S 1284 were referred to the Transportation Committee.

S 1285, S 1286, S 1287, S 1288, S 1289, and S 1290 were referred to the Commerce and Human Resources Committee.

S 1291, S 1292, S 1293, S 1294, and S 1295 were referred to the Education Committee.

S 1296 was referred to the Health and Welfare Committee.

S 1297 was referred to the State Affairs Committee.

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

### Messages from the House

Senator Guthrie was recorded present at this order of business.

February 9, 2018

Dear Mr. President:

I transmit herewith H 462, H 365, H 416, H 336, H 409, H 411, H 403, and H 404, which have passed the House.

MAULIN, Chief Clerk

H 462, H 365, H 416, H 336, H 409, H 411, H 403, and H 404 were filed for first reading.

February 9, 2018

Dear Mr. President:

I transmit herewith Enrolled H 381, H 382, H 384, H 442, and H 441 for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled H 381, H 382, H 384, H 442, and H 441 and ordered them returned to the House.

February 9, 2018

Dear Mr. President:

I return herewith Enrolled S 1217, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1217](#) 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 Winder granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Lincoln Day Service.

The Lincoln Day Program was presented to the members of the Senate with Co-chairman Senator Crabtree providing opening remarks.

"Patriotic Medley" was performed by AHCS, Idaho Falls, ID. Remarks were provided by Co-chairman Senator Potts, and the Senate Pages offered their favorite Lincoln quotes. "Stars and Stripes Forever" was performed by AHCS, Idaho Falls, ID.

Closing remarks were provided by Co-chairman Senator Crabtree. He extended gratitude to all who helped with the program and the Lincoln Day Service was dissolved.

The Senate advanced to the Eleventh Order of Business.

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

##### S 1298

#### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO CRIMINAL HISTORY RECORDS; AMENDING SECTION 67-3001, IDAHO CODE, TO DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-3002, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-3005, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING CHAPTER 30, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3008A, IDAHO CODE, TO PROVIDE FOR FINGERPRINT-BASED CRIMINAL BACKGROUND CHECKS OF CERTAIN APPLICANTS AND LICENSEES, TO PROVIDE FOR THE RETENTION AND DESTRUCTION OF CERTAIN FINGERPRINTS AND TO PROVIDE RIGHTS FOR CERTAIN FINGERPRINTED INDIVIDUALS.

##### S 1299

#### 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 1300

#### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO PRETRIAL RELEASE; AMENDING CHAPTER 29, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2904A, IDAHO CODE, TO AUTHORIZE A COURT TO DETERMINE WHETHER A PRETRIAL SUPERVISION PROGRAM IS APPROPRIATE IN CERTAIN INSTANCES; AND AMENDING CHAPTER 32, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3201I, IDAHO CODE, TO PROVIDE FOR A PRETRIAL SUPERVISION FEE, TO PROVIDE REQUIREMENTS AND CONDITIONS FOR A PRETRIAL SUPERVISION FEE, TO PROVIDE FOR CERTAIN ADDITIONAL FEES AND TO PROVIDE AN EXEMPTION.

[S 1298](#), [S 1299](#), and [S 1300](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 462](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 365](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 416](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 336](#) and [H 409](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 411](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 403](#) and [H 404](#), 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 364](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1234](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 352](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 361](#) and [H 379](#), by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### Third Reading of Bills

[S 1219](#) 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Bayer, Johnson, Lakey. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1219](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1226](#) 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Bayer, Johnson, Lakey. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1226](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 354](#) 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Bayer, Johnson, Lakey. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 354](#) passed, title was approved, and the bill ordered returned to the House.

[S 1249](#) 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Guthrie, Harris, Heider, Hill, Lee, Lodge, Martin, Nonini, Nye, Patrick, Souza, Stennett, Vick, Ward-Engelking. Total - 21.

NAYS—Bair, Den Hartog, Hagedorn, Keough, Mortimer, Potts, Rice, Siddoway, Thayn, Winder. Total - 10.

Absent and excused—Bayer, Johnson, Jordan, Lakey. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared [S 1249](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1250](#) 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Guthrie, Harris, Heider, Hill, Lee, Lodge, Martin, Nonini, Nye, Patrick, Souza, Stennett, Ward-Engelking. Total - 19.

NAYS—Bair, Den Hartog, Foreman, Hagedorn, Keough, Mortimer, Potts, Rice, Siddoway, Thayn, Vick, Winder. Total - 12.

Absent and excused—Bayer, Johnson, Jordan, Lakey. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared [S 1250](#) passed, title was approved, and the bill ordered transmitted to the House.

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

#### **Petitions, Resolutions, and Memorials**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:01 p.m. until the hour of 4:30 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 Johnson, absent and formally excused by the Chair; and Senators Bair and Patrick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

#### **SCR 132 BY RESOURCES AND ENVIRONMENT COMMITTEE**

A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING THE 50TH ANNIVERSARY OF THE WILD AND SCENIC RIVERS ACT AND CELEBRATING THE CONTRIBUTIONS THAT IDAHOANS HAVE MADE TO PROTECT AND APPRECIATE RIVERS AND STREAMS IN IDAHO AND ACROSS THE NATION, STATING THAT AS LAND MANAGEMENT AGENCIES CONSIDER CHANGES TO FUTURE WILD AND SCENIC RIVER DESIGNATIONS,

THOSE CHANGES SHOULD BE CONSIDERED ONLY THROUGH A TRANSPARENT PROCESS THAT INCLUDES INPUT FROM IDAHOANS, INCLUDING THOSE MOST IMPACTED BY ANY NEW DESIGNATIONS, AND STATING THAT THE FEDERAL LAND MANAGEMENT AGENCIES WITH RESPONSIBILITY OVER IDAHO'S WILD AND SCENIC RIVERS DIRECT ADEQUATE FINANCIAL RESOURCES AND EXPERTISE TO ENSURE THE ONGOING PROTECTION, MANAGEMENT, UTILIZATION AND ENJOYMENT OF DESIGNATED WILD AND SCENIC RIVERS IN IDAHO.

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

WHEREAS, the United States Congress approved the Wild and Scenic Rivers Act (WSRA) on October 2, 1968, to preserve certain rivers that possess outstandingly remarkable scenic, recreational or other similar values in free-flowing condition and to protect such rivers for the benefit and enjoyment of present and future generations; and

WHEREAS, Idaho's former United States Senator Frank Church served as the author, sponsor and floor manager for the bill in the U.S. Senate; and

WHEREAS, Idaho's former United States Representatives George Hansen and James McClure cosponsored the House version of the bill; and

WHEREAS, the Middle Fork Clearwater, Selway, Lochsa, and Middle Fork Salmon Rivers were designated as "original" Wild and Scenic Rivers upon passage of the Wild and Scenic Rivers Act; and

WHEREAS, the Saint Joe, Salmon, Snake and Rapid Rivers were added to the network of Wild and Scenic Rivers with the support of the Idaho congressional delegation under various acts passed by the United States Congress in the 1970s and 1980s; and

WHEREAS, the Bruneau, West Fork Bruneau, Jarbidge, Owyhee, North Fork Owyhee and South Fork Owyhee Rivers, along with Battle, Big Jacks, Cottonwood, Deep, Dickshooter, Duncan, Little Jacks, Red Canyon, Sheep and Wickahoney Creeks, were designated as Wild and Scenic Rivers pursuant to the Omnibus Public Lands Management Act of 2009, by and through the recommendation of the collaborative Owyhee Public Lands Initiative and with the support and leadership of Idaho's U.S. Senator Michael Crapo; and

WHEREAS, Idaho has 891 miles of rivers and streams designated under the Wild and Scenic Rivers Act, which represents less than 1% of the state's 107,651 miles of rivers; and

WHEREAS, the protections established by Congress have permitted millions of Americans to enjoy the natural beauty of our nation's rivers and have resulted in additional visitation and tourism that contributes significantly to Idaho's economy; and

WHEREAS, Idaho's river outfitters and guides rely upon the free-flowing nature of Idaho's Wild and Scenic Rivers and contribute significantly toward the economy of rural communities across Idaho; and

WHEREAS, Idaho's Wild and Scenic Rivers provide important habitat for steelhead, salmon and trout, which are important for recreational and tribal fisheries alike; and

WHEREAS, the State of Idaho and its citizens recognize the importance of the protection of streams and watercourses for the enjoyment, use and benefit of all people and recognize that clean water in the streams of Idaho is in the public interest; and

WHEREAS, the State of Idaho explicitly recognizes, retains and exercises its appropriate authority over management of navigable riverbeds, adjacent roadways and commercial corridors; and

WHEREAS, the State of Idaho encourages the federal government to work with state partners and stakeholders to resolve potential disputes associated with the management of Wild and Scenic Rivers in a transparent and collaborative manner; and

WHEREAS, the State of Idaho, the United States of America, and other interested parties have signed stipulated agreements regarding objections to in-stream federally reserved water rights claimed pursuant to the federal Wild and Scenic Rivers Act; and

WHEREAS, these stipulated agreements are referred to as the Wild and Scenic Agreement, which quantifies the federally reserved in-stream water rights on specific Wild and Scenic Rivers in Idaho; and

WHEREAS, in addition to quantifying the Wild and Scenic Water Rights, the Wild and Scenic Agreement subordinated the Salmon River's Wild and Scenic Water Right to certain existing and future water uses and required detailed administration of existing and new water rights to ensure water use conforms to all elements of the water rights; and

WHEREAS, the Snake River Basin Adjudication court approved and adopted the agreement as a court order, and thus finally settled and resolved the instream flow claims.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the State of Idaho recognizes the 50th Anniversary of the Wild and Scenic Rivers Act and celebrates the contributions that Idahoans have made to protect and appreciate rivers and streams in Idaho, and across the nation.

BE IT FURTHER RESOLVED that as land management agencies consider changes to future Wild and Scenic River designations, those changes should be considered only through a transparent process that includes input from Idahoans, including those most impacted by any new designations.

BE IT FURTHER RESOLVED that the federal land management agencies with responsibility over Idaho's Wild and Scenic Rivers direct adequate financial resources and expertise to ensure the ongoing protection, management, utilization and enjoyment of designated Wild and Scenic Rivers in Idaho.

### SCR 133

#### BY RESOURCES AND ENVIRONMENT COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF FISH AND GAME RELATING TO RULES GOVERNING LICENSING.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Fish and Game relating to Rules Governing Licensing are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 13.01.04, Rules Governing Licensing, Section 901., Subsection 01., adopted as a pending rule under Docket Number

13-0104-1701, only, be, and the same is hereby rejected and declared null, void and of no force and effect.

**SCR 134**

**BY TRANSPORTATION 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 REGISTRATION AND OPERATING FEES FOR COMMERCIAL VEHICLES AND FARM VEHICLES WEIGHING OVER 60,000 POUNDS.

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

WHEREAS, in Senate Concurrent Resolution 116, adopted in 2017, the Legislature authorized the Legislative Council to appoint a committee to undertake and complete a study of the imposition of an annual registration fee and a quarterly weight-distance operating fee on commercial vehicles and farm vehicles weighing over 60,000 pounds; and

WHEREAS, the Commercial Vehicle Annual Registration Fee Committee met five times between August 2017 and January 2018 to study the issue and take stakeholder testimony; and

WHEREAS, it was the consensus of the committee that further study of the issue was necessary before recommendations could be made to the Legislature; and

WHEREAS, it was likewise the consensus of the committee that the committee's study may benefit from the assistance of a consultant or consultants with expertise relevant to the committee's study; and

WHEREAS, the committee issued a request for information on October 16, 2017, to familiarize the committee with the specific services that a consultant could provide.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second 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 registration and operating fees for commercial vehicles and farm vehicles weighing over 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 the committee, with the prior approval of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, be authorized to retain the services of a consultant or consultants with expertise relevant to the study of the imposition of registration and operating fees for heavy vehicles and who can advise and assist the committee in developing recommendations for 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 First Regular Session of the Sixty-fifth Idaho Legislature.

**SCR 135**

**BY HEALTH AND WELFARE COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE IDAHO DEPARTMENT OF HEALTH AND WELFARE TO CONDUCT TOWN HALL MEETINGS THROUGHOUT THE STATE TO COLLECT FEEDBACK ON HOW TO RETAIN AND RECRUIT VOLUNTEER EMERGENCY MEDICAL SERVICES PROVIDERS.

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

WHEREAS, Idaho is predominantly a rural state that relies heavily on volunteers for the provision of emergency medical services (EMS); and

WHEREAS, the existence of competent volunteer EMS providers throughout Idaho is vital to the well-being of all those who live in or visit Idaho; and

WHEREAS, the requirements placed on volunteer EMS providers must provide an assurance of public safety while not being onerous to the point that volunteer participation is discouraged; and

WHEREAS, in 2012, at the request of the Legislature, the Idaho Department of Health and Welfare conducted a series of outreach town hall meetings throughout the state that provided feedback and suggestions for improvement in the programs, policies, plans and procedures that support and regulate emergency medical services in Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature encourages the Idaho Department of Health and Welfare to conduct follow-up town hall meetings throughout Idaho to collect firsthand feedback on the progress that has been made in the years since the initial outreach town hall meetings.

BE IT FURTHER RESOLVED that the Department should schedule the town hall meetings in the evening hours to enable maximum participation by concerned stakeholders and should hold the town hall meetings in locations that will enable concerned stakeholders to attend without having to drive farther than 50 miles whenever possible.

BE IT FURTHER RESOLVED that the Department should facilitate the town hall meetings in such a manner as to gather as much feedback and suggestions for improvement as possible and should consider the feedback received during the town hall meetings as the Department continues to develop the programs, policies, plans and procedures that support and regulate emergency medical services in Idaho.

BE IT FURTHER RESOLVED that members of the Legislature are encouraged to attend town hall meetings in their districts in order to hear the firsthand feedback and to participate in the discussion.

BE IT FURTHER RESOLVED that EMS stakeholders from local communities are encouraged to attend and actively participate in a town hall meeting in their area.

**SJM 104**

**BY TRANSPORTATION 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, THE UNITED STATES DEPARTMENT OF TRANSPORTATION AND THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Sixty-fourth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the 2012 federal transportation bill, MAP-21, mandated electronic logging devices (ELD) in commercial trucks, which were to be finalized by rule in 2015, with an implementation date of December 18, 2017, in trucks of model year 2000 and newer; and

WHEREAS, because of the nature of the commodities hauled and normal industry scheduling uncertainty, livestock and agriculture commodity haulers requested exemption from this mandated transition from handwritten logbooks to the electronic log, and the United States Department of Transportation (USDOT) and the Federal Motor Carrier Safety Administration (FMCSA) originally ignored the request and agriculture commodity haulers; and

WHEREAS, the federal mandate and rule decreases efficiency, increases business expense and does little or nothing to improve safety in this segment of the trucking industry, and USDOT-FMCSA has not considered the special circumstances surrounding the transport of livestock, fish and insects, as these are the most perishable and fragile of all commodities and must be transported in the most efficient, timely and expedient manner as possible, and conformity with the ELD mandate and existing hours of services rule would result in delays off-loading and reloading of livestock and even the addition of a second driver on short hauls; and

WHEREAS, infrastructure for off-loading and holding of livestock do not readily exist and, if it did, extra handling of cargo would result in added stress, weight loss, additional expense and exposure to additional disease and biohazard, with no positive benefit to the animals; and

WHEREAS, heavy machinery service vehicles often drive long distances to reach a job site and remain at the location long enough to exceed the 14-hour service day thereby requiring either an additional driver or an overnight stay near the job site and subsequently decreasing efficiency and increasing business expense; and

WHEREAS, highway safety is also a primary consideration, and livestock transporters were involved in a statistically insignificant number of accidents (0.004%) according to the "Large Truck Crash Causation Study" published by the FMCSA and the National Highway Safety Institute and 0.7% of fatal accidents per the "Trucks Involved in Fatal Accidents Factbook 2005" published by the Transportation Research Institute; and

WHEREAS, mandated ELDs engage when the truck's motor is started. The devices provide the operator no discretion in determining "on-duty" and "off-duty" time. Large, over-the-road commercial truck fleets support the ELD mandate because they are better able to absorb related costs and are subject to well-defined schedules; and

WHEREAS, paper logs allow the driver this determination. Because many livestock and agriculture commodity haulers are small and independently owned businesses, mandatory ELD use will result in increased livestock handling, more downtime, increased expenses, and lower net revenues to producers and trucking firms and small trucking companies forced out of business. The ELD mandate is impractical because USDOT-FMCSA did not consider normal delays that are encountered when dealing with livestock and other agriculture commodities; and

WHEREAS, in September 2017, seven national agriculture commodity organizations and other agriculture-related organizations requested a waiver from the rule, which was

granted and will be in effect until March 18, 2018. Section 132, Exemption from Requirement for Electronic Logging Device, is contained in the FY18 federal Transportation, Housing and Urban Development (THUD) bill funding to implement the ELD mandate in FY18, and this language was signed by all members of Idaho's congressional delegation, and legislation was introduced in 2017 in the United States House of Representatives to make a livestock/agriculture commodity exemption permanent; and

WHEREAS, the federal mandate and rule is difficult to implement, increases cost, lowers efficiency, imposes an unfunded mandate, creates economic and regulatory hardship for small business and does not consider the special needs of certain segments of the trucking industry.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we request a permanent exemption from the USDOT-FMCSA ELD mandate granted by whichever means appropriate for livestock and agriculture commodity transporters.

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, the United States Department of Transportation and the Federal Motor Carrier Safety Administration.

[SCR 132](#), [SCR 133](#), [SCR 134](#), [SCR 135](#), and [SJM 104](#) 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 12, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1217](#) was delivered to the Office of the Governor at 2:25 p.m., February 12, 2018.

LODGE, Chairman

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

February 12, 2018

The STATE AFFAIRS Committee reports out [S 1243](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[S 1243](#) was filed for second reading.

February 12, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [H 369](#) and [S 1268](#) with the recommendation that they do pass.

BAIR, Chairman

[H 369](#) and [S 1268](#) were filed for second reading.

February 12, 2018

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:

Dr. Renee Breedlovestrout to the Oil and Gas Conservation Commission, term to expire July 1, 2019.

James Classen to the Oil and Gas Conservation Commission, term to expire July 1, 2021.

Kevin Dickey to the Oil and Gas Conservation Commission, term to expire July 1, 2020.

Marc Shigeta to the Oil and Gas Conservation Commission, term to expire July 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 12, 2018

The JUDICIARY AND RULES Committee reports out [S 1241](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1241](#) was filed for second reading.

February 12, 2018

The HEALTH AND WELFARE Committee reports out [H 393](#) and [S 1235](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 393](#) and [S 1235](#) were filed for second reading.

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

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

**S 1301  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE OFFICE OF THE INSPECTOR GENERAL; AMENDING TITLE 74, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 6, TITLE 74, IDAHO CODE, TO ESTABLISH THE OFFICE OF THE INSPECTOR GENERAL, TO ESTABLISH THE POWERS AND DUTIES OF THE INSPECTOR GENERAL, TO CLARIFY THE APPLICABILITY OF CERTAIN LAWS, TO EXEMPT THE JUDICIAL BRANCH OF GOVERNMENT FROM THE PROVISIONS OF THIS ACT, TO PROVIDE THAT STATE AGENCIES AND OFFICERS SHALL MAKE CERTAIN REPORTS TO AND COOPERATE WITH THE INSPECTOR GENERAL, TO PROVIDE THAT THE INSPECTOR GENERAL MAY ENTER CERTAIN PREMISES, QUESTION CERTAIN PERSONS AND INSPECT CERTAIN MATERIALS IN INVESTIGATIONS, TO PROVIDE THAT THE INSPECTOR GENERAL AND INVESTIGATORS FOR THE INSPECTOR GENERAL SHALL HAVE CERTAIN AUTHORITY, TO PROVIDE THAT THE INSPECTOR GENERAL AND THE INSPECTOR GENERAL'S SUBORDINATES MAY ISSUE CERTAIN SUBPOENAS OR SEEK CERTAIN SUBPOENAS FROM COURTS, TO PROVIDE THAT THE INSPECTOR GENERAL SHALL MAKE CERTAIN REPORTS AND TO PROVIDE THAT THE PROVISIONS OF THIS CHAPTER SHALL NOT LIMIT THE LEGISLATURE IN REVIEWING THE OPERATIONS OF STATE AGENCIES.

**S 1302  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1852, IDAHO CODE, TO DEFINE A TERM, TO PROHIBIT CERTAIN DISCRIMINATION AND TO PROVIDE FOR ENFORCEMENT.

**S 1303  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-102A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE OFFICE OF THE STATE BOARD OF EDUCATION.

**S 1304  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO THE PUBLIC SCHOOL TRANSPORTATION SUPPORT PROGRAM; AMENDING SECTION 33-1006, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TRANSPORTATION SUPPORT PROGRAM.

**S 1305  
BY RESOURCES AND ENVIRONMENT COMMITTEE  
AN ACT**

RELATING TO STOCKWATER; AMENDING SECTION 42-113, IDAHO CODE, TO PROVIDE THAT FOR RIGHTS TO THE USE OF WATER FOR IN-STREAM OR OUT-OF-STREAM LIVESTOCK PURPOSES ASSOCIATED WITH GRAZING ON FEDERALLY OWNED OR MANAGED LAND ESTABLISHED UNDER THE DIVERSION AND APPLICATION TO BENEFICIAL USE METHOD OF APPROPRIATION, THE WATER RIGHT SHALL BE AN APPURTENANCE TO THE BASE PROPERTY, TO PROVIDE THAT WHEN A FEDERAL GRAZING PERMIT IS TRANSFERRED OR CONVEYED TO A NEW OWNER THE ASSOCIATED STOCKWATER RIGHTS MAY ALSO BE CONVEYED UNDER CERTAIN CONDITIONS AND BECOME APPURTENANT TO THE NEW OWNER'S BASE PROPERTY AND TO MAKE A TECHNICAL CORRECTION.

**S 1306  
BY RESOURCES AND ENVIRONMENT COMMITTEE  
AN ACT**

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6519, IDAHO CODE, TO PROVIDE FOR NOTICE TO IRRIGATION DISTRICTS, CAREY ACT OPERATING COMPANIES, NONPROFIT IRRIGATION ENTITIES, LATERAL DITCH ASSOCIATIONS AND DRAINAGE DISTRICTS THAT HAVE REQUESTED TO RECEIVE NOTICE WHENEVER A COUNTY OR CITY CONSIDERS A PROPOSED SUBDIVISION OR ANY OTHER SITE-SPECIFIC LAND DEVELOPMENT APPLICATION.

**S 1307  
BY JUDICIARY AND RULES COMMITTEE  
AN ACT**

RELATING TO LABOR; AMENDING TITLE 44, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 28, TITLE 44, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE CERTAIN REQUIREMENTS FOR EMPLOYERS AND TO PROVIDE EXEMPTIONS.

**S 1308****BY JUDICIARY AND RULES COMMITTEE**

## AN ACT

RELATING TO PROTECTION OF PUBLIC EMPLOYEES; AMENDING SECTION 6-2105, IDAHO CODE, TO REVISE A PROVISION REGARDING EMPLOYEES WHO BRING A CIVIL ACTION.

**S 1309****BY JUDICIARY AND RULES COMMITTEE**

## AN ACT

RELATING TO FIRE DISTRICTS; AMENDING SECTION 31-1409, IDAHO CODE, TO CLARIFY THAT CERTAIN NOTICE SHALL BE REQUIRED FOR TEMPORARY VACANCY OF A COMMISSIONER, TO REVISE PROVISIONS REGARDING FILLING A VACANCY AND TO PROVIDE A PROCEDURE IF ALL AVAILABLE SEATS ON A FIRE PROTECTION BOARD BECOME VACANT; REPEALING SECTION 31-1418, IDAHO CODE, RELATING TO TEMPORARY INABILITY OF A COMMISSIONER; AND AMENDING SECTION 56-1018B, IDAHO CODE, TO AUTHORIZE THE BUREAU OF EMERGENCY MEDICAL SERVICES TO MAKE GRANTS TO FIRE DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS.

**S 1310****BY HEALTH AND WELFARE COMMITTEE**

## AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES; AMENDING SECTION 56-1016, IDAHO CODE, TO REVISE PROVISIONS REGARDING MINIMUM STANDARDS FOR EMS AGENCIES.

**S 1311****BY HEALTH AND WELFARE COMMITTEE**

## AN ACT

RELATING TO THE DIRECT PRIMARY CARE PILOT PROGRAM; AMENDING CHAPTER 4, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-427, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE DIRECT PRIMARY CARE PILOT PROGRAM; AND PROVIDING A SUNSET DATE.

**S 1312****BY HEALTH AND WELFARE COMMITTEE**

## AN ACT

RELATING TO INDIVIDUALS WITH DISABILITIES; AMENDING SECTION 18-5811, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN CRIMES AGAINST INDIVIDUALS WITH DISABILITIES; AMENDING SECTION 18-5811A, IDAHO CODE, TO REVISE PROVISIONS REGARDING UNLAWFUL USE OF AN ASSISTANCE DEVICE OR A SERVICE DOG; AMENDING SECTION 18-5812, IDAHO CODE, TO REVISE PROVISIONS REGARDING BATTERY TO INDIVIDUALS WITH DISABILITIES AND SERVICE DOGS; AMENDING SECTION 18-5812A, IDAHO CODE, TO REVISE PROVISIONS REGARDING VIOLATION OF THE RIGHT TO BE ACCOMPANIED BY A SERVICE DOG; AMENDING SECTION 18-5812B, IDAHO CODE, TO REVISE PROVISIONS REGARDING VIOLATION OF THE RIGHT TO BE ACCOMPANIED BY A SERVICE DOG-IN-TRAINING; AMENDING THE HEADING FOR CHAPTER 7, TITLE 56, IDAHO CODE; AMENDING SECTION 56-701, IDAHO CODE, TO REVISE PROVISIONS REGARDING STATE POLICY ON INDIVIDUALS WITH

DISABILITIES; AMENDING SECTION 56-701A, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 56-702, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE USE OF PUBLIC PLACES BY INDIVIDUALS WITH DISABILITIES; AMENDING SECTION 56-703, IDAHO CODE, TO REVISE PROVISIONS REGARDING FULL AND EQUAL ACCOMMODATION; AMENDING SECTION 56-704, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RIGHT TO USE A SERVICE DOG; AMENDING SECTION 56-704A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RIGHT TO BE ACCOMPANIED BY A DOG-IN-TRAINING; AMENDING SECTION 56-705, IDAHO CODE, TO REVISE PROVISIONS REGARDING CIVIL LIABILITY; AMENDING SECTION 56-706, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 56-707, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RIGHT TO CERTAIN EMPLOYMENT; AMENDING SECTION 49-109, IDAHO CODE, TO REMOVE A DEFINITION; AND AMENDING SECTION 49-706, IDAHO CODE, TO REVISE PROVISIONS REGARDING RIGHT-OF-WAY FOR CERTAIN PEDESTRIANS.

[S 1301](#), [S 1302](#), [S 1303](#), [S 1304](#), [S 1305](#), [S 1306](#), [S 1307](#), [S 1308](#), [S 1309](#), [S 1310](#), [S 1311](#), and [S 1312](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:11 p.m. until the hour of 11 a.m., Tuesday, February 13, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**THIRTY-SEVENTH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 13, 2018**

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Lyndi Loveland, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 12, 2018, 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 13, 2018

The JUDICIARY AND RULES Committee reports that [SCR 132](#), [SCR 133](#), [SCR 134](#), [SCR 135](#), [SJM 104](#), [SJR 104](#), [S 1298](#), [S 1299](#), [S 1300](#), [S 1301](#), [S 1302](#), [S 1303](#), [S 1304](#), [S 1305](#), [S 1306](#), [S 1307](#), [S 1308](#), [S 1309](#), [S 1310](#), [S 1311](#), and [S 1312](#) have been correctly printed.

LODGE, Chairman

[SCR 132](#), [SCR 133](#), [SCR 134](#), [SCR 135](#), and [SJM 104](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[SJR 104](#) was referred to the State Affairs Committee.

[S 1298](#), [S 1299](#), and [S 1300](#) were referred to the Judiciary and Rules Committee.

[S 1301](#) was referred to the State Affairs Committee.

[S 1302](#) was referred to the Commerce and Human Resources Committee.

[S 1303](#) and [S 1304](#) were referred to the Education Committee.

[S 1305](#) and [S 1306](#) were referred to the Resources and Environment Committee.

[S 1307](#) and [S 1308](#) were referred to the Judiciary and Rules Committee.

[S 1309](#) was referred to the Local Government and Taxation Committee.

[S 1310](#), [S 1311](#), and [S 1312](#) were referred to the Health and Welfare Committee.

February 13, 2018

The JUDICIARY AND RULES Committee reports out [S 1225](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1225](#) was filed for second reading.

Senator Lodge was recorded present at this order of business.

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

### Messages from the House

February 12, 2018

Dear Mr. President:

I transmit herewith [H 475](#), [HCR 39](#), [H 493](#), [H 454](#), [H 400](#), [H 401](#), [H 402](#), [H 449](#), [H 450](#), and [H 465](#), which have passed the House.

MAULIN, Chief Clerk

[H 475](#), [HCR 39](#), [H 493](#), [H 454](#), [H 400](#), [H 401](#), [H 402](#), [H 449](#), [H 450](#), and [H 465](#) were filed for first reading.

February 12, 2018

Dear Mr. President:

I return herewith [S 1236](#), [S 1237](#), and [S 1251](#), which have passed the House.

MAULIN, Chief Clerk

[S 1236](#), [S 1237](#), and [S 1251](#) 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 [SJM 103](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Siddoway, seconded by Senator Keough, [SJM 103](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President Pro Tempore announced that [SCR 128](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Stennett, seconded by Senator Keough, [SCR 128](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 130](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Brackett, seconded by Senator Buckner-Webb, [SCR 130](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 131](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Jordan, [SCR 131](#) was adopted by voice vote, 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**

[H 475](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[HCR 39](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 493](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 454](#), [H 400](#), [H 401](#), and [H 402](#), by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 449](#) and [H 450](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 465](#), by Health and Welfare Committee, was 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**

On request by Senator Lodge, granted by unanimous consent, [S 1241](#) was recommitted to the Judiciary and Rules Committee.

[S 1243](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 369](#) and [S 1268](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[H 393](#) and [S 1235](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

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

#### **General Calendar**

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

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

#### **Report of the Committee of the Whole**

Senator Vick, Chairman of the Committee of the Whole, reported out [H 383](#), [S 1248](#), and [S 1267](#), without recommendation, amended as follows:

#### **SENATE AMENDMENT TO H 383**

##### **AMENDMENT TO SECTION 1**

On page 1 of the printed bill, delete lines 16 and 17, and insert: "tax act, sections 63-3030A, 63-3038, 63-3039, 63-3040, 63-3042, 63-3043, 63-3044, 63-3045, 63-3045A, 63-3045B, 63-3046, 63-3047, 63-3048 through 63-3065,".

##### **AMENDMENT TO SECTION 2**

On page 1, delete lines 36 and 37, and insert: "procedures provided by the Idaho income tax act, sections 63-3038, 63-3039, 63-3040, 63-3042 through 63-3045AB, 63-3047 through 63-3065A, 63-3068,".

##### **CORRECTION TO TITLE**

On page 1, delete lines 3 through 7, and insert: "IDAHO CODE, TO PROVIDE FOR FINAL DECISIONS OF THE COMMISSION; AND AMENDING SECTION 63-2563, IDAHO CODE, TO PROVIDE FOR EXAMINATION OF RETURN AND DETERMINATION OF TAX, TO PROVIDE FOR FINAL DECISIONS OF THE COMMISSION AND TO".

#### **SENATE AMENDMENT TO S 1248**

##### **AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 20, delete "~~Idaho state~~ local dis-"; in line 21, delete "patch" and insert: "Idaho state"; and in line 23, delete "~~Idaho state~~ local dispatch" and insert: "Idaho state".

#### **SENATE AMENDMENT TO S 1267**

##### **AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 12, delete "shall" and insert: "may".

VICK, Chairman

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

[S 1248](#), as amended, and [S 1267](#), 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 383](#), 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 Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:58 a.m. until the hour of 10:45 a.m., Wednesday, February 14, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

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### THIRTY-EIGHTH LEGISLATIVE DAY WEDNESDAY, FEBRUARY 14, 2018

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:45 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Porter McPherson, 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, 2018 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 14, 2018

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 383](#), [S 1248](#), and [S 1267](#) have been correctly printed.

LODGE, Chairman

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

February 14, 2018

The JUDICIARY AND RULES Committee reports that [S 1248](#), as amended, and [S 1267](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1248](#), as amended, and [S 1267](#), as amended, were filed for first reading.

February 13, 2018

The JUDICIARY AND RULES Committee reports that [S 1236](#), [S 1237](#), and [S 1251](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1236](#), [S 1237](#), and [S 1251](#) and ordered them transmitted to the House for the signature of the Speaker.

February 7, 2018

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:

Dr. John Rusche to the Idaho Water Resource Board, term to expire January 1, 2019.

George McQuiston Jr. to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 2020.

Robert Barowsky to the Idaho Outfitters and Guides Licensing Board, term to expire May 31, 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 13, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1252](#) with the recommendation that it do pass.

PATRICK, Chairman

[S 1252](#) was filed for second reading.

February 13, 2018

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:

Stephen Weeg to the Idaho Health Insurance Exchange Board, term to expire April 10, 2021.

Tom Shores to the Idaho Health Insurance Exchange Board, term to expire April 10, 2021.

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.

February 13, 2018

The TRANSPORTATION Committee reports out [H 387](#) and [S 1264](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 387](#) and [S 1264](#) were filed for second reading.

February 13, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 451](#) with the recommendation that it do pass.

JOHNSON, Chairman

[H 451](#) was filed for second reading.

February 13, 2018

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:

Janet Moyle to the State Tax Commission, term to expire April 1, 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 13, 2018

The FINANCE Committee reports out [H 475](#) and [H 493](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 475](#) and [H 493](#) were filed for second reading.

February 13, 2018

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:

Elizabeth Chavez to the Idaho Judicial Council, term to expire July 1, 2023.

LODGE, Chairman

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

February 13, 2018

The EDUCATION Committee reports out [H 366](#) and [S 1221](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 366](#) and [S 1221](#) were filed for second reading.

February 13, 2018

The EDUCATION Committee reports out [HCR 34](#) with the recommendation that it do pass.

MORTIMER, Chairman

[HCR 34](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 13, 2018

The HEALTH AND WELFARE Committee reports out [H 337](#), [H 339](#), [H 340](#), [H 351](#), and [H 353](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 337](#), [H 339](#), [H 340](#), [H 351](#), and [H 353](#) 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

Senator Martin was recorded present at this order of business.

February 13, 2018

Dear Mr. President:

I transmit herewith [H 407](#), [H 452](#), [H 453](#), [H 466](#), [H 476](#), [HCR 33](#), and [HJM 10](#), which have passed the House.

MAULIN, Chief Clerk

[H 407](#), [H 452](#), [H 453](#), [H 466](#), [H 476](#), [HCR 33](#), and [HJM 10](#) were filed for first reading.

February 13, 2018

Dear Mr. President:

I return herewith [SP 101](#), which has passed the House.

MAULIN, Chief Clerk

[SP 101](#) was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

On request by Senator Harris, granted by unanimous consent, [SJM 104](#) was referred to the Transportation Committee.

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

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

[H 383](#), as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

[S 1248](#), as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[S 1267](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[H 407](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 452](#) and [H 453](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 466](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 476](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[HCR 33](#) and [HJM 10](#), by Resources and Conservation Committee, were introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[S 1225](#), 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 1266](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1266](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1263](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—Foreman. Total - 1.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1263](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1212](#) 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, 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 - 29.

NAYS—Bayer, Den Hartog, Foreman, Potts, Vick. Total - 5.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1212](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1228](#) 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—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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1228](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1229](#) 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—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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1229](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 467](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 29.

NAYS—Den Hartog, Foreman, Harris, Potts, Vick. Total - 5.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 467](#) passed, title was approved, and the bill ordered returned to the House.

[H 468](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 468](#) passed, title was approved, and the bill ordered returned to the House.

[S 1260](#) 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—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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1260](#) passed, title was approved, and the bill ordered transmitted to the House.

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

### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:28 p.m. until the hour of 10:45 a.m., Thursday, February 15, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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THIRTY-NINTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 15, 2018

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:45 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Araoluwa Omotowa, 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, 2018 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 136 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND  
RECOGNIZING MARCH 2018 AS NATIONAL SOCIAL  
WORK MONTH.

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

WHEREAS, the social work profession is dedicated to enhancing the well-being of others and meeting the basic needs of all people, especially the most vulnerable in our society; and

WHEREAS, social workers embody this year's Social Work Month theme, "Social Workers: Leaders. Advocates. Champions."; and

WHEREAS, the social work profession is expected to grow faster than average over the next 7 years, with more than 649,000 people expected to be employed nationally as social workers by 2024; and

WHEREAS, there are approximately 5,000 professional social workers in the State of Idaho; and

WHEREAS, social workers are present throughout our society, including the government, schools, universities, social service agencies, communities, the military and in health care and mental health organizations; and

WHEREAS, social workers are the largest group of suppliers of mental health services in the United States, and the U.S. Department of Veterans Affairs is one of the largest employers of social workers holding advanced degrees; and

WHEREAS, social workers are present in times of crisis, helping people overcome issues such as death and grief and helping people and communities recover from natural disasters such as floods and hurricanes; and

WHEREAS, social workers have pushed for decades to ensure rights for all, including women, African Americans, Latinos, people who are disabled, people who are LGBTQ and various ethnic, cultural and religious groups; and

WHEREAS, the social work profession has helped bring about some of the most profound and positive changes in our society over the past century, including voting rights, improved workplace safety, and minimum wage and social safety net programs that help prevent poverty and hunger; and

WHEREAS, social workers continue to engage and bring together individuals, communities, agencies and government to help society solve some of the most pressing issues of the day, including immigration reform, equal rights for all, affordable and high-quality health care and mental health care for all, as well as protecting the environment.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that, in recognition of the numerous contributions made by America's social workers, we proclaim March 2018 as National Social Work Month and call upon all citizens to join the National Association of Social Workers and the Legislature of the State of Idaho in celebration and support of the social work profession.

[SCR 136](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senator Bayer was recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 14, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [H 370](#), [H 371](#), [H 372](#), and [S 1275](#) with the recommendation that they do pass.

BAIR, Chairman

[H 370](#), [H 371](#), [H 372](#), and [S 1275](#) were filed for second reading.

February 14, 2018

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:

Shane Gehring to the Bingo-Raffle Advisory Board, term to expire January 7, 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.

February 14, 2018

The JUDICIARY AND RULES Committee reports out [S 1240](#) and [S 1242](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1240](#) and [S 1242](#) were filed for second reading.

February 14, 2018

The JUDICIARY AND RULES Committee reports out [S 1244](#) and [S 1245](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1244](#) and [S 1245](#) were referred to the Fourteenth Order of Business, General Calendar.

February 14, 2018

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:

Nicole Fitzgerald as the Administrator of the Office of Drug Policy, term to continue at the pleasure of the Governor.

LODGE, Chairman

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

February 14, 2018

The HEALTH AND WELFARE Committee reports out [S 1271](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1271](#) was filed for second reading.

February 15, 2018

The HEALTH AND WELFARE Committee reports out [H 347](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 347](#) was filed for second reading.

February 15, 2018

The EDUCATION Committee reports out [S 1278](#) and [S 1294](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1278](#) and [S 1294](#) 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 14, 2018

Dear Mr. President:

I transmit herewith [H 399](#), [H 431](#), [H 432](#), [H 433](#), [H 434](#), and [H 415](#), which have passed the House.

MAULIN, Chief Clerk

[H 399](#), [H 431](#), [H 432](#), [H 433](#), [H 434](#), and [H 415](#) were filed for first reading.

February 14, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 354](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 354](#) and ordered it returned to the House.

February 14, 2018

Dear Mr. President:

I return herewith [S 1256](#), which has passed the House.

MAULIN, Chief Clerk

[S 1256](#) was referred to the Judiciary and Rules Committee for enrolling.

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

#### Motions and Resolutions

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Janice Fulkerson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Patrick, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Janice Fulkerson as a member of the Idaho Health Insurance Exchange 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 Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Kevin Settles was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Foreman, the Gubernatorial reappointment of Kevin Settles as a member of the Idaho Health Insurance Exchange 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 appointment of Dr. Renee Breedlovestrout 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 appointment of Dr. Renee Breedlovestrout as a member of the Oil and Gas Conservation 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 Resources and Environment Committee report relative to the Gubernatorial appointment of James Classen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Burgoyne, the Gubernatorial appointment of James Classen as a member of the Oil and Gas Conservation 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 Resources and Environment Committee report relative to the Gubernatorial appointment of Kevin Dickey was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Siddoway, seconded by Senator Jordan, the Gubernatorial appointment of Kevin Dickey as a member of the Oil and Gas Conservation 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 Resources and Environment Committee report relative to the Gubernatorial appointment of Marc Shigeta was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Jordan, the Gubernatorial appointment of Marc Shigeta as a member of the Oil and Gas Conservation 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 Resources and Environment Committee report relative to the Gubernatorial appointment of Dr. John Rusche 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 appointment of Dr. John Rusche as a member of the Idaho Water Resource 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 Resources and Environment Committee report relative to the Gubernatorial appointment of George McQuiston Jr. 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 appointment of George McQuiston Jr. 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 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 Resources and Environment Committee report relative to the Gubernatorial appointment of Robert Barowsky was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Siddoway, seconded by Senator Jordan, the Gubernatorial appointment of Robert Barowsky 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 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 Stephen Weeg was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Burgoyne, the Gubernatorial reappointment of Stephen Weeg as a member of the Idaho Health Insurance Exchange 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 Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Tom Shores was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Tom Shores as a member of the Idaho Health Insurance Exchange 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 Local Government and Taxation Committee report relative to the Gubernatorial appointment of Janet Moyle was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Siddoway, seconded by Senator Nye, the Gubernatorial appointment of Janet Moyle as a member of the State Tax 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 Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Elizabeth Chavez was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senators Burgoyne and Lee disclosed a possible conflict of interest under applicable law.

On motion by Senator Nye, seconded by Senator Lakey, the Gubernatorial reappointment of Elizabeth Chavez as a member of the Idaho Judicial Council was confirmed by voice vote.

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

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

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

**S 1313  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO SELF-DEFENSE; AMENDING SECTION 18-4009, IDAHO CODE, TO REVISE PROVISIONS REGARDING JUSTIFIABLE HOMICIDE, TO PROVIDE A CERTAIN PRESUMPTION, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 18-4010, IDAHO CODE, RELATING TO FEAR NOT SUFFICIENT JUSTIFICATION; AMENDING CHAPTER 2, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-201A, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT; AMENDING SECTION 19-202, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE FOR WHAT DEGREE AND EXTENT OF FORCE MAY BE USED AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 19-202A, IDAHO CODE, TO PROVIDE FOR THE DEFENSE OF SELF, OTHERS AND CERTAIN PLACES, TO PROVIDE CERTAIN PRESUMPTIONS AND TO PROVIDE THAT A CERTAIN BURDEN SHALL BE ON THE PROSECUTION IN CERTAIN INSTANCES.

**S 1314  
BY JUDICIARY AND RULES COMMITTEE  
AN ACT**

RELATING TO CRIMINAL HISTORY RECORDS;  
AMENDING SECTION 67-3004, IDAHO CODE, TO

PROVIDE FOR THE EXPUNGEMENT OF FINGERPRINT AND CRIMINAL HISTORY RECORDS IN CERTAIN INSTANCES AND TO PROVIDE THAT A COURT FILE MAY BE SEALED IN CERTAIN INSTANCES.

**S 1313** and **S 1314** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 399**, **H 431**, **H 432**, **H 433**, and **H 434**, by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

**H 415**, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**S 1252**, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

**H 387**, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

**S 1264**, by Transportation Committee, was read the second time at length and filed for third reading.

**H 451**, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

**H 475** and **H 493**, by Appropriations Committee, were read the second time at length and filed for third reading.

**H 366** and **S 1221**, by Education Committee, were read the second time at length and filed for third reading.

**H 337**, **H 339**, **H 340**, **H 351**, and **H 353**, by Health and Welfare Committee, were read the second time at length and filed for third reading.

**H 383**, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

**S 1248**, as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

**S 1267**, as amended, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:02 p.m. until the hour of 10:45 a.m., Friday, February 16, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

**FORTIETH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 16, 2018**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:45 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Christine Peterson, 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, 2018 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 16, 2018

The JUDICIARY AND RULES Committee reports that [SCR 136](#), [S 1313](#), and [S 1314](#) have been correctly printed.

LODGE, Chairman

[SCR 136](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1313](#) was referred to the State Affairs Committee.

[S 1314](#) was referred to the Judiciary and Rules Committee.

February 16, 2018

The JUDICIARY AND RULES Committee reports that [S 1256](#) has been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1256](#) and ordered it transmitted to the House for the signature of the Speaker.

February 15, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 348](#), [H 349](#), and [H 350](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 348](#), [H 349](#), and [H 350](#) were filed for second reading.

February 15, 2018

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:

Dr. John Livingston to the Idaho Health Insurance Exchange Board, term to expire April 10, 2021.

Fernando Veloz to the Idaho Health Insurance Exchange Board, term to expire April 10, 2021.

Karen Vauk to the Idaho Health Insurance Exchange Board, term to expire April 10, 2021.

Mark Holubar to the Idaho Personnel Commission, term to expire July 1, 2023.

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.

February 15, 2018

The EDUCATION Committee reports out [S 1292](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1292](#) was referred to the Fourteenth Order of Business, General Calendar.

February 15, 2018

The HEALTH AND WELFARE Committee reports out [H 336](#), [H 343](#), [H 344](#), [H 345](#), and [H 346](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 336](#), [H 343](#), [H 344](#), [H 345](#), and [H 346](#) were filed for second reading.

February 16, 2018

The STATE AFFAIRS Committee reports out [S 1274](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [S 1274](#) 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**

February 15, 2018

Dear Mr. President:

I transmit herewith [H 386](#), [H 492](#), and [H 513](#), which have passed the House.

MAULIN, Chief Clerk

[H 386](#), [H 492](#), and [H 513](#) were filed for first reading.

February 15, 2018

Dear Mr. President:

I return herewith [S 1210](#) and [S 1222](#), which have passed the House.

MAULIN, Chief Clerk

[S 1210](#) and [S 1222](#) were referred to the Judiciary and Rules Committee for enrolling.

February 15, 2018

Dear Mr. President:

I return herewith Enrolled [S 1236](#), [S 1237](#), and [S 1251](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1236](#), [S 1237](#), and [S 1251](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

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

[H 386](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 492](#) and [H 513](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 370](#), [H 371](#), [H 372](#), and [S 1275](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[S 1240](#) and [S 1242](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1271](#) and [H 347](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1278](#) and [S 1294](#), 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 1261](#) 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, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 Pro Tempore declared [S 1261](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1253](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 Pro Tempore declared [S 1253](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1234](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Potts arose as sponsor of 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 Pro Tempore declared [S 1234](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1243](#) retained its place on the Third Reading Calendar for Monday, February 19, 2018.

[S 1268](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Bair, granted by unanimous consent, the following typographical correction was made to [S 1268](#), pursuant to Senate Rule 9(F):

On Page 1, line 28, beginning with "Assesments entered as tax liens - instalments" "instalments" was changed to "installments."

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 Pro Tempore declared [S 1268](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1235](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 Pro Tempore declared [S 1235](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1225](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 Pro Tempore declared [S 1225](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1252](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Potts arose as sponsor of 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 Pro Tempore declared [S 1252](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:37 a.m. until the hour of 10:30 a.m., Monday, February 19, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**FORTY-THIRD LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 19, 2018**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Lee and Patrick, absent and formally excused by the Chair; and Senator Siddoway, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Tessa Fronk, 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, 2018 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 16, 2018

The JUDICIARY AND RULES Committee reports that [S 1210](#) and [S 1222](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1210](#) and [S 1222](#) and ordered them transmitted to the House for the signature of the Speaker.

February 19, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1236](#), [S 1237](#), and [S 1251](#) were delivered to the Office of the Governor at 3:05 p.m., February 16, 2018.

LODGE, Chairman

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

February 16, 2018

The JUDICIARY AND RULES Committee reports out [S 1257](#) and [S 1258](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1257](#) and [S 1258](#) were filed for second reading.

February 16, 2018

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

Dr. Karen Neill 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 Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

February 16, 2018

Dear Mr. President:

I transmit herewith [H 362](#), [H 363](#), [H 469](#), [H 471](#), [HCR 38](#), and [H 514](#), which have passed the House.

MAULIN, Chief Clerk

[H 362](#), [H 363](#), [H 469](#), [H 471](#), [HCR 38](#), and [H 514](#) were filed for first reading.

February 16, 2018

Dear Mr. President:

I return herewith [S 1215](#) and [S 1216](#), which have passed the House.

MAULIN, Chief Clerk

[S 1215](#) and [S 1216](#) were referred to the Judiciary and Rules Committee for enrolling.

February 16, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 467](#) and [H 468](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 467](#) and [H 468](#) and ordered them returned to the House.

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

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

**S 1315  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE LAVA HOT SPRINGS FOUNDATION FOR FISCAL YEAR 2018; APPROPRIATING ADDITIONAL MONEYS TO THE LAVA HOT SPRINGS FOUNDATION FOR FISCAL YEAR 2018; AND DECLARING AN EMERGENCY.

[S 1315](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 362](#) and [H 363](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 469](#) and [H 471](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[HCR 38](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 514](#), 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 348](#), [H 349](#), [H 350](#), [H 336](#), [H 343](#), [H 344](#), [H 345](#), and [H 346](#), 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**

On request by Senator Winder, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Memorial Service.

**MEMORIAL SERVICE**

The Service was conducted by Memorial Service Committee Co-chairmen Senator Mark Harris and Senator Dan Foreman. The Invocation was delivered by Senator Lakey. "Be Still, My Soul" was performed by Stephanie Whitted. The Service was coordinated by Annaliese Collins, Secretary to the Secretary of the Senate.

**IN THE SENATE  
A SENATE MEMORIAL**

WHEREAS, the late Senator LARREY D. ANDERSON passed on since the close of the First Regular Session of the Sixty-fourth Legislature to wit, July 17th, 2017.

WHEREAS, the late Senator LARREY D. ANDERSON served in the interest of Twin Falls, Jerome, Gooding, Camas, Minidoka, Blaine, Lincoln, and Cassia Counties during the Forty-eighth through the Fiftieth Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second 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 LARREY D. ANDERSON; and

BE IT FURTHER RESOLVED that the Senate of the Second 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 LARREY D. ANDERSON family.

On motion by Senator Heider, seconded by Senator Buckner-Webb, the Memorial to the late Senator Anderson was adopted by voice vote.

**IN THE SENATE  
A SENATE MEMORIAL**

WHEREAS, the late Senator JOHN C. ANDREASON passed on since the close of the First Regular Session of the Sixty-fourth Legislature to wit, October 16th, 2017.

WHEREAS, the late Senator JOHN C. ANDREASON served in the interest of Ada County during the Fortieth and Fifty-third through Sixty-first Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second 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 C. ANDREASON; and

BE IT FURTHER RESOLVED that the Senate of the Second 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 C. ANDREASON family.

On motion by Senator Martin, seconded by Senator Ward-Engelking, the Memorial to the late Senator Andreason was adopted by voice vote.

**IN THE SENATE  
A SENATE MEMORIAL**

WHEREAS, the late Senator and Governor CECIL D. ANDRUS passed on since the close of the First Regular Session of the Sixty-fourth Legislature to wit, August 24th, 2017.

WHEREAS, the late Senator and Governor CECIL D. ANDRUS served in the interest of Nez Perce and Clearwater Counties during the Thirty-sixth through the Thirty-eighth Legislature, and the Fortieth Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second 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 CECIL D. ANDRUS; and

BE IT FURTHER RESOLVED that the Senate of the Second 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 CECIL D. ANDRUS family.

On motion by Senator Stennett, seconded by Senator Winder, the Memorial to the late Senator and Governor Andrus was adopted by voice vote.

**IN THE SENATE  
A SENATE MEMORIAL**

WHEREAS, the late Senator DR. BERT W. MARLEY passed on since the close of the First Regular Session of the Sixty-fourth Legislature to wit, September 27th, 2017.

WHEREAS, the late Senator DR. BERT W. MARLEY served in the interest of Bannock County during the Forty-sixth through the Fiftieth Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second 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 DR. BERT W. MARLEY; and

BE IT FURTHER RESOLVED that the Senate of the Second 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 DR. BERT W. MARLEY family.

On motion by Senator Nye, seconded by Senator Jordan, the Memorial to the late Senator Marley was adopted by voice vote.

**IN THE SENATE  
A SENATE MEMORIAL**

WHEREAS, the late Senator ORVAL H. HANSEN passed on since the close of the First Regular Session of the Sixty-fourth Legislature to wit, November 2nd, 2017.

WHEREAS, the late Senator ORVAL H. HANSEN served in the interest of Bonneville County during the Thirty-ninth Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second 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 ORVAL H. HANSEN; and

BE IT FURTHER RESOLVED that the Senate of the Second 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 ORVAL H. HANSEN family.

On motion by Senator Mortimer, seconded by Senator Jordan, the Memorial to the late Senator Hansen was adopted by voice vote.

**IN THE SENATE  
A SENATE MEMORIAL**

WHEREAS, the late Senator MICHAEL P. MITCHELL passed on since the close of the First Regular Session of the Sixty-fourth Legislature to wit, March 3rd, 2017.

WHEREAS, the late Senator MICHAEL P. MITCHELL served in the interest of Nez Perce County during the Forty-first through the Forty-sixth Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second 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 MICHAEL P. MITCHELL; and

BE IT FURTHER RESOLVED that the Senate of the Second 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 MICHAEL P. MITCHELL family.

On motion by Senator Johnson, seconded by Senator Burgoyne, the Memorial to the late Senator Mitchell was adopted by voice vote.

"Heaven Was Needing a Hero" was performed by Stephanie Whitted. The Benediction was offered by Senator Siddoway and the Memorial Service was dissolved.

President Pro Tempore Hill returned the Chair.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:23 p.m. until the hour of 10:30 a.m., Tuesday, February 20, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**FORTY-FOURTH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 20, 2018**

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Jayden Huston, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 19, 2018 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 20, 2018

The JUDICIARY AND RULES Committee reports that [S 1315](#) has been correctly printed.

LODGE, Chairman

[S 1315](#) was referred to the Finance Committee.

February 19, 2018

The JUDICIARY AND RULES Committee reports that [S 1215](#) and [S 1216](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1215](#) and [S 1216](#) and ordered them transmitted to the House for the signature of the Speaker.

February 19, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [H 476](#), [S 1305](#), and [S 1306](#) with the recommendation that they do pass.

BAIR, Chairman

[H 476](#), [S 1305](#), and [S 1306](#) were filed for second reading.

February 19, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [HCR 33](#) and [HJM 10](#) with the recommendation that they do pass.

BAIR, Chairman

[HCR 33](#) and [HJM 10](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 19, 2018

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

R. Doug Eastwood to the Parks and Recreation Board, term to expire July 1, 2022.

BAIR, 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 19, 2018

The JUDICIARY AND RULES Committee reports out [S 1269](#) and [S 1277](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1269](#) and [S 1277](#) were filed for second reading.

February 19, 2018

The JUDICIARY AND RULES Committee reports out [S 1270](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1270](#) was referred to the Fourteenth Order of Business, General Calendar.

February 19, 2018

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:

Lisa Bostaph to the Commission on Pardons and Parole, term to expire January 1, 2021.

Paige Nolta to the State Public Defense Commission, term to expire July 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 19, 2018

The EDUCATION Committee reports out [S 1293](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1293](#) was filed for second reading.

February 19, 2018

The HEALTH AND WELFARE Committee reports out [S 1310](#) and [S 1311](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1310](#) and [S 1311](#) 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 19, 2018

Dear Mr. President:

I transmit herewith [H 515](#), [H 458](#), [H 459](#), [H 497](#), [H 489](#), [H 490](#), [H 430](#), and [H 446](#), which have passed the House.

MAULIN, Chief Clerk

[H 515](#), [H 458](#), [H 459](#), [H 497](#), [H 489](#), [H 490](#), [H 430](#), and [H 446](#) were filed for first reading.

February 19, 2018

Dear Mr. President:

I return herewith [S 1209](#), which has passed the House.

MAULIN, Chief Clerk

[S 1209](#) was referred to the Judiciary and Rules Committee for enrolling.

February 19, 2018

Dear Mr. President:

I return herewith Enrolled [S 1256](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1256](#) 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 Rice was recorded present at this order of business.

The President announced that [SCR 132](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Johnson, seconded by Senator Stennett, [SCR 132](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 133](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Brackett, seconded by Senator Jordan, [SCR 133](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 134](#) was before the Senate for final consideration.

Moved by Senator Brackett, seconded by Senator Nye, that [SCR 134](#) 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, Potts, Rice, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Siddoway. Total - 1.

Total - 35.

Whereupon the President declared [SCR 134](#) 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 1316

#### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO ATTORNEY'S FEES AND COSTS REGARDING AN ADMINISTRATIVE PROCEEDING; AMENDING SECTION 12-117, IDAHO CODE, TO AUTHORIZE THE ASSESSMENT OF REASONABLE COSTS AND REASONABLE ATTORNEY'S FEES IN FAVOR OF A PREVAILING PARTY IN CERTAIN ADMINISTRATIVE PROCEEDINGS INVOLVING LICENSING AUTHORITIES AND TO PROVIDE A DEFINITION; AMENDING SECTION 36-2113, IDAHO CODE, TO PROVIDE APPLICATION TO OUTFITTERS AND GUIDES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-406, IDAHO CODE, TO PROVIDE APPLICATION TO LICENSEES OF THE ATHLETIC COMMISSION; AMENDING SECTION 54-713, IDAHO CODE, TO PROVIDE APPLICATION TO CHIROPRACTORS; AMENDING SECTION 54-1406A, IDAHO CODE, TO PROVIDE APPLICATION TO MEDICATION ASSISTANTS; AMENDING SECTION 54-1413, IDAHO CODE, TO PROVIDE APPLICATION TO LICENSEES OF THE NURSING BOARD AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1502A, IDAHO CODE, TO PROVIDE APPLICATION TO UNLICENSED OPTOMETRISTS; AMENDING SECTION 54-1512, IDAHO CODE, TO PROVIDE APPLICATION TO LICENSED OPTOMETRISTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1728, IDAHO CODE, TO PROVIDE APPLICATION TO PHARMACISTS; AMENDING SECTION 54-1732, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION



54-1806, IDAHO CODE, TO PROVIDE APPLICATION TO PHYSICIANS AND SURGEONS; AMENDING SECTION 54-1914, IDAHO CODE, TO PROVIDE APPLICATION TO PUBLIC WORKS CONTRACTORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2059, IDAHO CODE, TO PROVIDE APPLICATION TO REAL ESTATE LICENSEES; AMENDING SECTION 54-2118, IDAHO CODE, TO PROVIDE APPLICATION TO VETERINARIANS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2220, IDAHO CODE, TO PROVIDE APPLICATION TO PHYSICAL THERAPISTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2221, IDAHO CODE, TO PROVIDE APPLICATION TO PHYSICAL THERAPISTS; AMENDING SECTION 54-2925, IDAHO CODE, TO PROVIDE APPLICATION TO SPEECH AND HEARING LICENSEES; AMENDING SECTION 54-3113, IDAHO CODE, TO PROVIDE APPLICATION TO CERTIFIED SHORTHAND REPORTERS; AMENDING SECTION 54-3720, IDAHO CODE, TO PROVIDE APPLICATION TO OCCUPATIONAL THERAPISTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-3913, IDAHO CODE, TO PROVIDE APPLICATION TO ATHLETIC TRAINERS; AMENDING SECTION 54-4132, IDAHO CODE, TO PROVIDE APPLICATION TO APPRAISAL MANAGEMENT COMPANIES; AMENDING SECTION 54-5215, IDAHO CODE, TO PROVIDE APPLICATION TO CONTRACTORS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5607, IDAHO CODE, TO PROVIDE APPLICATION TO GENETIC COUNSELORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 55-1811, IDAHO CODE, TO PROVIDE APPLICATION TO REAL ESTATE SUBDIVIDERS; AMENDING SECTION 67-2601A, IDAHO CODE, TO PROVIDE APPLICATION TO LICENSEES UNDER THE JURISDICTION OF THE DIVISION OF BUILDING SAFETY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-2602, IDAHO CODE, TO PROVIDE APPLICATION TO LICENSEES UNDER THE AUTHORITY OF THE OCCUPATIONAL LICENSES BUREAU; AND AMENDING SECTION 67-2609, IDAHO CODE, TO PROVIDE FOR RULEMAKING AUTHORITY PROVIDING APPLICATION TO BOARDS UNDER THE OCCUPATIONAL LICENSES BUREAU AND TO MAKE TECHNICAL CORRECTIONS.

[S 1316](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 515](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 458](#) and [H 459](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 497](#), by Business Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 489](#) and [H 490](#), by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 430](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 446](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[S 1257](#) and [S 1258](#), 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 1243](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Potts, 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 [S 1243](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1264](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1264](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1221](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1221](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1248](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

Whereupon the President declared [S 1248](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1267](#), as amended, 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1267](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1275](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1275](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1240](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1240](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1242](#) 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, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1242](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1271](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1271](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:02 p.m. until the hour of 10 a.m., Wednesday, February 21, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

**FORTY-FIFTH LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 21, 2018**

Senate Chamber

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

Roll call showed all members present except Senators Johnson, Rice, and Thayn, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Brenton Marcucci, 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, 2018 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 21, 2018

The JUDICIARY AND RULES Committee reports that [S 1316](#) has been correctly printed.

LODGE, Chairman

[S 1316](#) was referred to the Judiciary and Rules Committee.

February 20, 2018

The JUDICIARY AND RULES Committee reports that [S 1209](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1209](#) and ordered it transmitted to the House for the signature of the Speaker.

February 20, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1256](#) was delivered to the Office of the Governor at 1:40 p.m., February 20, 2018.

LODGE, Chairman

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

February 20, 2018

The FINANCE Committee reports out [S 1315](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1315](#) was filed for second reading.

Senator Thayn was recorded present at this order of business.

February 20, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 432](#), [H 454](#), [S 1265](#), and [S 1302](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 432](#), [H 454](#), [S 1265](#), and [S 1302](#) were filed for second reading.

February 20, 2018

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:

David Jeppesen to the Idaho Health Insurance Exchange Board, term to expire April 10, 2021.

Park Price to the Public Employee Retirement System of Idaho Board, term to expire July 1, 2022.

PATRICK, Chairman

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

February 20, 2018

The TRANSPORTATION Committee reports out [S 1282](#) and [S 1284](#) with the recommendation that they do pass.

BRACKETT, Chairman

[S 1282](#) and [S 1284](#) were filed for second reading.

February 20, 2018

The TRANSPORTATION Committee reports out [S 1283](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [S 1283](#) was referred to the Fourteenth Order of Business, General Calendar.

February 20, 2018

The HEALTH AND WELFARE Committee reports out [H 409](#) and [H 465](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 409](#) and [H 465](#) were filed for second reading.

February 20, 2018

The EDUCATION Committee reports out [H 365](#) and [S 1295](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 365](#) and [S 1295](#) were filed for second reading.

February 20, 2018

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:

Ken Roberts to the Multistate Tax Commission, term to continue at the pleasure of the Governor.

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 20, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1309](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

JOHNSON, Chairman

There being no objection, [S 1309](#) was referred to the Fourteenth Order of Business, General Calendar.

February 21, 2018

The STATE AFFAIRS Committee reports out [H 403](#), [H 404](#), and [H 416](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 403](#), [H 404](#), and [H 416](#) were filed for second reading.

February 21, 2018

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:

Irving Littman 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.

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

#### Messages from the Governor

February 20, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1236](#), [S 1237](#), and [S 1251](#)

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 20, 2018

Dear Mr. President:

I transmit herewith [H 388](#), [H 543](#), [H 472](#), [H 559](#), [H 561](#), and [H 419](#), which have passed the House.

MAULIN, Chief Clerk

[H 388](#), [H 543](#), [H 472](#), [H 559](#), [H 561](#), and [H 419](#) were filed for first reading.

February 20, 2018

Dear Mr. President:

I return herewith Enrolled [S 1210](#) and [S 1222](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1210](#) and [S 1222](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that [SCR 135](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Brackett, seconded by Senator Stennett, [SCR 135](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 34](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Keough, seconded by Senator Ward-Engelking, [HCR 34](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [SCR 136](#) 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 136](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 33](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Siddoway, seconded by Senator Jordan, [HCR 33](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

At this time Senator Winder arose on a point of personal privilege to announce that two distinguished visitors had arrived, and the President appointed Senators Souza, Crabtree, and Jordan to escort United States Senators Crapo and Risch, into the Senate Chamber where they addressed the members of the Senate.

The President thanked United States Senators Crapo and Risch for their remarks and Senators Souza, Crabtree, and Jordan escorted the Senators from the Chamber, and the Committee was discharged.

Senator Rice 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 1317**

**BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE MILITARY DIVISION FOR FISCAL YEAR 2018; APPROPRIATING ADDITIONAL MONEYS TO THE MILITARY DIVISION FOR FISCAL YEAR 2018; AND DECLARING AN EMERGENCY.

**S 1318**

**BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO CODIFIER'S CORRECTIONS; AMENDING SECTION 21-142, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 21-148, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1002, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 33-1004B, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 2, CHAPTER 352, LAWS OF 2016, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1513, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-105, IDAHO CODE, TO REMOVE REFERENCE TO CERTAIN IDAHO CODE SECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-113, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-909, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-6004, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 41-3434, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-316, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 47-328, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE AND TO MAKE CODIFIER'S CORRECTIONS; AMENDING SECTION 47-330, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 47-331, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 116, LAWS OF 2017, TO REDESIGNATE THE SECTION; AMENDING SECTION 47-331, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 68,

LAWS OF 2017, TO REDESIGNATE THE SECTION; AMENDING SECTION 50-703, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE, TO REMOVE OBSOLETE LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1704, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS; AMENDING SECTION 54-1733E, IDAHO CODE, AS ENACTED BY SECTION 2, CHAPTER 23, LAWS OF 2017, TO REDESIGNATE THE SECTION; AMENDING SECTION 67-1412, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-4129B, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 67-6621, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 72-1347B, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 74-107, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 74-206, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

**S 1319**

**BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO PROHIBITED PRACTICES OF COLLECTION AGENCIES; AMENDING SECTION 26-2229A, IDAHO CODE, TO PROVIDE THAT A COLLECTION AGENCY LICENSEE OR COLLECTION AGENCY OR ITS AGENT MAY COLLECT INTEREST OR INCIDENTAL FEES, CHARGES OR EXPENSES IF THEY ARE EXPRESSLY AUTHORIZED BY THE AGREEMENT CREATING THE DEBT AND TO MAKE TECHNICAL CORRECTIONS.

[S 1317](#), [S 1318](#), and [S 1319](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 388](#) and [H 543](#), by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[H 472](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 559](#) and [H 561](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 419](#), 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 476](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[S 1305](#) and [S 1306](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[S 1269](#) and [S 1277](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1293](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1310](#) and [S 1311](#), 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 1278](#) 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, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 1278](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1294](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1294](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1257](#) 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, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1257](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1258](#) 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, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1258](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:31 p.m. until the hour of 10 a.m., Thursday, February 22, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

**FORTY-SIXTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 22, 2018**

Senate Chamber

At the request of the President Pro Tempore, Acting President Hagedorn called the Senate to order at 10 a.m.

Roll call showed all members present except President Pro Tempore Hill and Senators Anthon and Stennett, absent and formally excused by the Chair; and Senator Lodge, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Micah Mensing, 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, 2018 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 137

#### BY JUDICIARY AND RULES COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE IDAHO STATE POLICE RELATING TO RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho State Police relating to Rules of the Idaho Peace Officer Standards and Training Council are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 11.11.01, Rules of the Idaho Peace Officer Standards

and Training Council, Section 201., Subsection 01.d., adopted as a pending rule under Docket Number 11-1101-1701, only, be, and the same is hereby rejected and declared null, void and of no force and effect.

[SCR 137](#) 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, 2018

The JUDICIARY AND RULES Committee reports that [S 1317](#), [S 1318](#), and [S 1319](#) have been correctly printed.

LODGE, Chairman

[S 1317](#) was referred to the Finance Committee.

[S 1318](#) was referred to the State Affairs Committee.

[S 1319](#) was referred to the Judiciary and Rules Committee.

February 22, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1210](#) and [S 1222](#) were delivered to the Office of the Governor at 2:28 p.m., February 21, 2018.

LODGE, Chairman

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

February 21, 2018

The JUDICIARY AND RULES Committee reports out [S 1232](#) and [S 1247](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1232](#) and [S 1247](#) were filed for second reading.

February 21, 2018

The HEALTH AND WELFARE Committee reports out [S 1296](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1296](#) was filed for second reading.

February 21, 2018

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:

Linda Hatzenbuehler to the State Board of Health and Welfare, term to expire January 7, 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 21, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 462](#) and [H 463](#) with the recommendation that they do pass.

JOHNSON, Chairman

[H 462](#) and [H 463](#) were filed for second reading.

February 21, 2018

February 22, 2018

The AGRICULTURAL AFFAIRS Committee reports out [H 407](#) with the recommendation that it do pass.

RICE, Chairman

[H 407](#) was filed for second reading.

February 22, 2018

The AGRICULTURAL 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:

H. Norman Wright to the State Soil and Water Conservation Commission, term to expire July 1, 2022.

Catherine Roemer to the State Soil and Water Conservation Commission, term to expire July 1, 2020.

RICE, Chairman

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

February 22, 2018

The AGRICULTURAL AFFAIRS Committee reports out [S 1207](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, [S 1207](#) was referred to the Fourteenth Order of Business, General Calendar.

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

#### Messages from the Governor

February 12, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1217](#)

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 Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1256](#)

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 21, 2018

Dear Mr. President:

I transmit herewith [H 429](#), [H 447](#), [H 474](#), [H 535](#), [H 549](#), [H 478](#), [HCR 48](#), [H 479](#), [H 480](#), [H 521](#), [H 522](#), [H 526](#), [H 544](#), and [H 506](#), which have passed the House.

MAULIN, Chief Clerk

[H 429](#), [H 447](#), [H 474](#), [H 535](#), [H 549](#), [H 478](#), [HCR 48](#), [H 479](#), [H 480](#), [H 521](#), [H 522](#), [H 526](#), [H 544](#), and [H 506](#) were filed for first reading.

February 21, 2018

Dear Mr. President:

I return herewith Enrolled [S 1215](#) and [S 1216](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1215](#) and [S 1216](#) 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 Acting President announced that [HJM 10](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Thayn, seconded by Senator Buckner-Webb, [HJM 10](#) 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 1320**

**BY JUDICIARY AND RULES COMMITTEE**

**AN ACT**

RELATING TO JURISDICTION IN INDIAN COUNTRY; AMENDING CHAPTER 51, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5104, IDAHO CODE, TO PROVIDE FOR RETROCESSION OF CIVIL OR CRIMINAL JURISDICTION FOR INDIAN TRIBES, TO PROVIDE A PROCESS FOR RETROCESSION, TO PROVIDE LIMITS FOR RETROCESSION AND TO DEFINE TERMS.

**S 1321**

**BY JUDICIARY AND RULES COMMITTEE**

**AN ACT**

RELATING TO DENTISTS; AMENDING SECTION 54-916B, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSURE BY CREDENTIALS.

[S 1320](#) and [S 1321](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Lodge was recorded present at this order of business.

[H 429](#), [H 447](#), [H 474](#), and [H 535](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 549](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 478](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[HCR 48](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 479](#), [H 480](#), [H 521](#), [H 522](#), and [H 526](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 544](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 506](#), 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 1315](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 432](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 454](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1265](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1302](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1282](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1284](#), by Transportation Committee, was read the second time at length and filed for third reading.

[H 409](#) and [H 465](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 365](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1295](#), by Education Committee, was read the second time at length and filed for third reading.

[H 403](#), [H 404](#), and [H 416](#), by State Affairs Committee, were read the second time at length and filed for third reading.

President Pro Tempore Hill and Senator Stennett were recorded present at this order of business.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

[S 1305](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1305](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1306](#), [S 1269](#), and [S 1277](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1293](#) 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, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1293](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1310](#) 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, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1310](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1311](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1311](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 383](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 383](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 364](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator

Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 364](#) passed, title was approved, and the bill ordered returned to the House.

[H 352](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 352](#) passed, title was approved, and the bill ordered returned to the House.

[H 361](#) 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, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 361](#) passed, title was approved, and the bill ordered returned to the House.

[H 379](#) 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—Agenbrood, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 379](#) passed, title was approved, and the bill ordered returned to the House.

President Little assumed the Chair.

[H 369](#) 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—Agenbrood, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 369](#) passed, title was approved, and the bill ordered returned to the House.

[H 393](#) 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, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 27.

NAYS—Den Hartog, Foreman, Mortimer, Nonini, Potts, Rice, Vick. Total - 7.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 393](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 387](#) retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Winder, granted by unanimous consent, [S 1277](#) was placed before the Senate for consideration at this time.

[S 1277](#) 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—Agenbrood, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1277](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 451](#) 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—Agenbrood, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 28.

NAYS—Crabtree, Foreman, Nonini, Potts, Siddoway, Vick. Total - 6.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 451](#) passed, title was approved, and the bill ordered returned to the House.

The Senate considered the Consent Calendar at this time.

[H 390](#) 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—Agenbrood, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 390](#) passed, title was approved, and the bill ordered returned to the House.

[H 391](#) 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, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 391](#) passed, title was approved, and the bill ordered returned to the House.

[H 392](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 392](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

The Senate advanced to the Fourteenth Order of Business.

On request by Senator Winder, granted by unanimous consent, [S 1244](#) and [S 1245](#) retained their place in the Fourteenth Order of Business, General Calendar.

### General Calendar

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

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

### Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [S 1292](#), [S 1274](#), and [S 1283](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO S 1292

##### AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 24, delete "courses" and insert: "examinations".

#### SENATE AMENDMENT TO S 1274

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 22 through 28, and insert:

"(3) "Custodian" means the person or persons having personal custody and control of the public records in question. ~~If no such designation is made by the public agency or independent public body corporate and politic, then custodian means any public official having custody of, control of, or authorized access to public records and includes all delegates of such officials, employees or representatives."~~

##### AMENDMENT TO SECTION 3

On page 7, in line 45, following "designate" insert: "at least".

##### AMENDMENT TO THE BILL

On page 2, following line 33, insert:

"SECTION 2. That Section 74-102, Idaho Code, be, and the same is hereby amended to read as follows:

74-102. PUBLIC RECORDS – RIGHT TO EXAMINE. (1) Every person has a right to examine and take a copy of any public record of this state and there is a presumption that all public records in Idaho are open at all reasonable times for inspection except as otherwise expressly provided by statute.

(2) The right to copy public records shall include the right to make photographs or photographic or other copies while the records are in the possession of the custodian of the records using equipment provided by the public agency or independent public body corporate and politic or using equipment designated by the custodian.

(3) Additionally, the custodian of any public record shall give the person, on demand, a certified copy of it if the record is of a nature permitting such copying or shall furnish reasonable opportunity to inspect or copy such record.

(4) A public agency or independent public body corporate and politic may require that a request for public records be submitted to it in a writing that provides the requester's name, mailing address, e-mail address and telephone number. A request for public records and delivery of the public records may be made by electronic mail.

(5) The custodian shall make no inquiry of any person who requests a public record, except:

(a) To verify the identity of the requester in accordance with section 74-113, Idaho Code; or

(b) To ensure that the requested record or information will not be used for purposes of a mailing or telephone list prohibited by section 74-120, Idaho Code, or as otherwise provided by law; or

(c) As required for purposes of protecting personal information from disclosure under chapter 2, title 49, Idaho Code, and federal law.

(6) The custodian shall not review, examine or scrutinize any copy, photograph or memoranda in the possession of any such person and shall extend to the person all reasonable comfort and facility for the full exercise of the right granted under this act.

(7) Nothing herein contained shall prevent the custodian from maintaining such vigilance as is required to prevent alteration of any public record while it is being examined.

(8) Examination of public records under the authority of this section must be conducted during regular office or working hours unless the custodian shall authorize examination of records in other than regular office or working hours. In this event, the persons designated to represent the custodian during such examination shall be entitled to reasonable compensation to be paid to them by the public agency or independent public

body corporate and politic having custody of such records, out of funds provided in advance by the person examining such records, at other than regular office or working hours.

(9) The public agency or independent public body corporate and politic may provide the requester information to help the requester narrow the scope of the request or to help the requester make the request more specific when the response to the request is likely to be voluminous or require payment as provided in subsection (10) of this section.

(10) (a) Except for fees that are authorized or prescribed under other provisions of Idaho law, no fee shall be charged for the first two (2) hours of labor in responding to a request for public records, or for copying the first one hundred (100) pages of paper records that are requested.

(b) A public agency or independent public body corporate and politic or public official may establish fees to recover the actual labor and copying costs associated with locating and copying documents if:

(i) The request is for more than one hundred (100) pages of paper records; or

(ii) The request includes records from which nonpublic information must be deleted; or

(iii) The actual labor associated with responding to requests for public records in compliance with the provisions of this chapter exceeds two (2) person hours.

(c) A public agency or independent public body corporate and politic or public official may establish a copying fee schedule. The fee may not exceed the actual cost to the agency of copying the record if another fee is not otherwise provided by law.

(d) For providing a duplicate of a computer tape, computer disc, microfilm or similar or analogous record system containing public record information, a public agency or independent public body corporate and politic or public official may charge a fee, uniform to all persons that does not exceed the sum of the following:

(i) The agency's direct cost of copying the information in that form;

(ii) The standard cost, if any, for selling the same information in the form of a publication;

(iii) The agency's cost of conversion, or the cost of conversion charged by a third party, if the existing electronic record is converted to another electronic form.

(e) Fees shall not exceed reasonable labor costs necessarily incurred in responding to a public records request. Fees, if charged, shall reflect the personnel and quantity of time that are reasonably necessary to process a request. Fees for labor costs shall be charged at the per hour pay rate of the lowest paid administrative staff employee or public official of the public agency or independent public body corporate and politic who is necessary and qualified to process the request. If a request requires redactions to be made by an attorney who is employed by the public agency or independent public body corporate and politic, the rate charged shall be no more than the per hour rate of the lowest paid attorney within the public agency or independent public body corporate and politic who is necessary and qualified to process the public records request. If a request is submitted to a public agency or independent public body corporate and politic that does not have an attorney on staff, and requires redactions by an attorney, the rate shall be no more than the usual and customary rate of the attorney who is retained by the public agency or independent public body corporate and politic for that purpose.

(f) The public agency or independent public body corporate and politic shall not charge any cost or fee for copies or labor when the requester demonstrates that the requester's examination and/or copying of public records:

(i) Is likely to contribute significantly to the public's understanding of the operations or activities of the government;

(ii) Is not primarily in the individual interest of the requester including, but not limited to, the requester's interest in litigation in which the requester is or may become a party; and

(iii) Will not occur if fees are charged because the requester has insufficient financial resources to pay such fees.

(g) Statements of fees by a public agency or independent public body corporate and politic shall be itemized to show the per page costs for copies, and hourly rates of employees and attorneys involved in responding to the request, and the actual time spent on the public records request. No lump sum costs shall be assigned to any public records request.

(11) A requester may not file multiple requests for public records solely to avoid payment of fees. When a public agency or independent public body corporate and politic reasonably believes that one (1) or more requesters is segregating a request into a series of requests to avoid payment of fees authorized pursuant to this section, the public agency or independent public body corporate and politic may aggregate such requests and charge the appropriate fees. The public agency or independent public body corporate and politic may consider the time period in which the requests have been made in its determination to aggregate the related requests. A public agency or independent public body corporate and politic shall not aggregate multiple requests on unrelated subjects from one (1) requester.

(12) The custodian may require advance payment of fees authorized by this section. Any money received by the public agency or independent public body corporate and politic shall be credited to the account for which the expense being reimbursed was or will be charged, and such funds may be expended by the agency as part of its appropriation from that fund. Any portion of an advance payment in excess of the actual costs of labor and copying incurred by the agency in responding to the request shall be returned to the requester.

(13) A public agency or independent public body corporate and politic shall not prevent the examination or copying of a public record by contracting with a nongovernmental body to perform any of its duties or functions.

(14) Nothing contained herein shall prevent a public agency or independent public body corporate and politic from disclosing statistical information that is descriptive of an identifiable person or persons, unless prohibited by law.

(15) Nothing contained herein shall prevent a public agency or independent public body corporate and politic from providing a copy of a public record in electronic form if the record is available in electronic form and if the person specifically requests an electronic copy.

(16) A public agency, elected official or independent public body corporate and politic shall designate a custodian or custodians for all public records, which includes any public official having custody of, control of, or authorized access to public records and also includes all delegates of such officials, employees or representatives.; and renumber subsequent sections accordingly.

#### CORRECTION TO TITLE

On page 1, in line 3, following ""CUSTODIAN";" insert: "AMENDING SECTION 74-102, IDAHO CODE,

TO PROVIDE THAT A PUBLIC AGENCY, ELECTED OFFICIAL OR INDEPENDENT PUBLIC BODY CORPORATE AND POLITIC SHALL DESIGNATE A CUSTODIAN OR CUSTODIANS FOR ALL PUBLIC RECORDS;"; and in line 9, following "DESIGNATE" insert: "AT LEAST".

**SENATE AMENDMENT TO S 1283**

AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 31, following "device;" delete "or"; in line 35, delete "." and insert: "; or"; and following line 35, insert:

"(f) The use of a mobile electronic device by a governmental or commercial user as long as the mobile electronic device is being used in a similar manner as a commercial two-way radio communication device."

**SENATE AMENDMENT TO S 1283**

AMENDMENT TO SECTION 2

On page 1 of the printed bill, in line 38, following "hicle" insert: "in motion".

On page 2, delete lines 44 through 47; and in line 48, delete "7" and insert: "6".

On page 3, in line 3, delete "8" and insert: "7"; in line 5, delete "7" and insert: "6"; in line 8, delete "9" and insert: "8"; and in line 11, delete "10" and insert: "9".

CORRECTION TO TITLE

On page 1, in line 9, delete "TO PROHIBIT CERTAIN"; delete line 10; and in line 11, delete "PROVISIONAL LICENSE,".

VICK, Chairman

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

[S 1292](#), as amended, [S 1274](#), as amended, and [S 1283](#), 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.

The Committee also has [S 1244](#), [S 1245](#), [S 1270](#), and [S 1309](#) under consideration, reports progress, and begs leave to sit again.

President Pro Tempore Hill assumed the Chair.

The Senate advanced to the Fifteenth Order of Business.

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:04 p.m. until the hour of 10 a.m., Friday, February 23, 2018.

HAGEDORN, Acting President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**FORTY-SEVENTH LEGISLATIVE DAY**  
**FRIDAY, FEBRUARY 23, 2018**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Isaac Meyer, 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, 2018 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 23, 2018

The JUDICIARY AND RULES Committee reports that [SCR 137](#), [S 1320](#), and [S 1321](#) have been correctly printed.

LODGE, Chairman

[SCR 137](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1320](#) was referred to the Judiciary and Rules Committee.

[S 1321](#) was referred to the Health and Welfare Committee.

February 23, 2018

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1292](#), [S 1274](#), and [S 1283](#) have been correctly printed.

LODGE, Chairman

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

February 23, 2018

The JUDICIARY AND RULES Committee reports that [S 1292](#), as amended, [S 1274](#), as amended, and [S 1283](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1292](#), as amended, [S 1274](#), as amended, and [S 1283](#), as amended, were filed for first reading.

February 23, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1215](#) and [S 1216](#) were delivered to the Office of the Governor at 12 noon, February 22, 2018.

LODGE, Chairman

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

February 22, 2018

The FINANCE Committee reports out [S 1317](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1317](#) was filed for second reading.

February 22, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1285](#) and [S 1288](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1285](#) and [S 1288](#) were filed for second reading.

February 22, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1287](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1287](#) was referred to the Fourteenth Order of Business, General Calendar.

February 22, 2018

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:

Margaret Henbest to the Idaho Health Insurance Exchange Board, term to expire April 10, 2021.

PATRICK, Chairman

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

February 22, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 362](#), [H 363](#), [H 452](#), and [H 513](#) with the recommendation that they do pass.

JOHNSON, Chairman

[H 362](#), [H 363](#), [H 452](#), and [H 513](#) were filed for second reading.

February 22, 2018

The EDUCATION Committee reports out [S 1279](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1279](#) was filed for second reading.

February 22, 2018

The EDUCATION Committee reports out [S 1211](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1211](#) was referred to the Fourteenth Order of Business, General Calendar.

February 22, 2018

The HEALTH AND WELFARE Committee reports out [HCR 38](#) with the recommendation that it do pass.

HEIDER, Chairman

[HCR 38](#) 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 21, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1210](#) and [S 1222](#)

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 Rice was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

February 22, 2018

Dear Mr. President:

I transmit herewith [H 612](#), [H 505](#), [H 591](#), [H 592](#), [H 481](#), [H 482](#), [H 483](#), [H 484](#), [H 448](#), [H 531](#), [H 533](#), [H 534](#), [HJM 12](#), [HCR 46](#), [HCR 47](#), [HCR 41](#), [HCR 40](#), and [HCR 36](#), which have passed the House.

MAULIN, Chief Clerk

[H 612](#), [H 505](#), [H 591](#), [H 592](#), [H 481](#), [H 482](#), [H 483](#), [H 484](#), [H 448](#), [H 531](#), [H 533](#), [H 534](#), [HJM 12](#), [HCR 46](#), [HCR 47](#), [HCR 41](#), [HCR 40](#), and [HCR 36](#) were filed for first reading.

February 22, 2018

Dear Mr. President:

I return herewith [S 1218](#) and [S 1233](#), which have passed the House.

MAULIN, Chief Clerk

[S 1218](#) and [S 1233](#) were referred to the Judiciary and Rules Committee for enrolling.

February 22, 2018

Dear Mr. President:

I return herewith Enrolled [S 1209](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1209](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Shane Gehring 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 Shane Gehring 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 Judiciary and Rules Committee report relative to the Gubernatorial appointment of Nicole Fitzgerald was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Burgoyne, the Gubernatorial appointment of Nicole Fitzgerald as the Administrator of the Office of Drug Policy 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 appointment of Dr. John Livingston was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Dr. John Livingston as a member of the Idaho Health Insurance Exchange 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 Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Fernando Veloz was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Burgoyne, the Gubernatorial appointment of Fernando Veloz as a member of the Idaho Health Insurance Exchange 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 Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Karen Vauk was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Guthrie, the Gubernatorial appointment of Karen Vauk as a member of the Idaho Health Insurance Exchange 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 Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Mark Holubar was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Potts, seconded by Senator Burgoyne, the Gubernatorial appointment of Mark Holubar 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.

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 1322**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2018; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT IN THE CAPITAL FACILITIES PROGRAM FOR FISCAL YEAR 2018; AND DECLARING AN EMERGENCY.

**S 1323**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2018; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE MANAGEMENT SERVICES PROGRAM FOR FISCAL YEAR 2018 TO PROVIDE FOR ATTORNEY'S FEES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE ST. ANTHONY WORK CAMP PROGRAM FOR FISCAL YEAR 2018 TO PROVIDE FOR FACILITY EXPANSIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE POCATELLO WOMEN'S CORRECTIONAL CENTER PROGRAM FOR FISCAL YEAR 2018 TO PROVIDE FOR FACILITY EXPANSIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE COUNTY AND OUT-OF-STATE PLACEMENT PROGRAM FOR FISCAL YEAR 2018 TO PROVIDE FOR POPULATION-DRIVEN COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE COMMUNITY WORK CENTERS PROGRAM FOR FISCAL YEAR 2018 TO PROVIDE FOR FACILITY EXPANSIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE MEDICAL SERVICES PROGRAM FOR FISCAL YEAR 2018 TO PROVIDE FOR HEPATITIS C TREATMENT AND POPULATION-DRIVEN COSTS; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE CORRECTIONAL ALTERNATIVE PLACEMENT PROGRAM FOR FISCAL YEAR 2018 DUE TO POPULATION-DRIVEN COSTS; AND DECLARING AN EMERGENCY.

[S 1322](#) and [S 1323](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1292](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1274](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1283](#), as amended, by Transportation Committee, was read the first time at length and filed for second reading.

[H 612](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 505](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 591](#) and [H 592](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 481](#), [H 482](#), [H 483](#), and [H 484](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 448](#), [H 531](#), [H 533](#), and [H 534](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[HJM 12](#), by Transportation and Defense Committee, was introduced, read at length, and referred to the Transportation Committee.

[HCR 46](#) and [HCR 47](#), by Health and Welfare Committee, were introduced, read at length, and referred to the Health and Welfare Committee.

[HCR 41](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[HCR 40](#), by Judiciary, Rules and Administration Committee, was introduced, read at length, and referred to the Judiciary and Rules Committee.

[HCR 36](#), 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

[S 1232](#) and [S 1247](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1296](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 462](#) and [H 463](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[H 407](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [S 1306](#) and [S 1269](#) retained their place on the Third Reading Calendar for Monday, February 26, 2018.

[S 1315](#) 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, Buckner-Webb, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Den Hartog. Total - 2.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1315](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1265](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, 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, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Crabtree, Foreman, Nonini, Potts. Total - 4.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1265](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1302](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1282](#) 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?"

Acting President Keough assumed the Chair.

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1282](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1284](#) 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?"

Senator Rice moved that [S 1284](#) be referred to the Fourteenth Order of Business for amendment. The motion died for lack of a second.

Roll call resulted as follows:

AYES—Agenbroad, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 28.

NAYS—Bair, Bayer, Foreman, Guthrie, Patrick. Total - 5.

Absent and excused—Anthon, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the Acting President declared [S 1284](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1295](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1295](#) passed, title was approved, and the bill ordered transmitted to the House.

President Pro Tempore Hill returned the Chair.

[H 387](#) 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, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 387](#) passed, title was approved, and the bill ordered returned to the House.

[H 475](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 Pro Tempore declared [H 475](#) passed, title was approved, and the bill ordered returned to the House.

[H 493](#) 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, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 493](#) passed, title was approved, and the bill ordered returned to the House.

[H 366](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 366](#) passed, title was approved, and the bill ordered returned to the House.

[H 337](#) 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, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 23.

NAYS—Bair, Bayer, Crabtree, Foreman, Lakey, Nonini, Potts, Rice, Siddoway, Vick. Total - 10.

Absent and excused—Anthon, Heider. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 337](#) passed, title was approved, and the bill ordered returned to the House.

[H 339](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 339](#) passed, title was approved, and the bill ordered returned to the House.

[H 340](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 340](#) passed, title was approved, and the bill ordered returned to the House.

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

#### **Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:06 p.m. until the hour of 10:30 a.m., Monday, February 26, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**FIFTIETH LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 26, 2018**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Paige Nelson, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 23, 2018 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 138

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF FACT AND URGING THAT THE PEOPLE OF THE STATE OF IDAHO AND ITS STATE AND COUNTY OFFICIALS CAREFULLY MONITOR THE STATE OF WASHINGTON'S ACTIONS REGARDING ITS TIME ZONE AND BE PREPARED TO CONSIDER REQUESTING THAT THE UNITED STATES DEPARTMENT OF TRANSPORTATION INCLUDE IDAHO'S NORTHERN TEN COUNTIES CONSISTING OF BENEWAH, BONNER, BOUNDARY, CLEARWATER, IDAHO, KOOTENAI, LATAH, LEWIS, NEZ PERCE AND SHOSHONE WITHIN THE MOUNTAIN STANDARD TIME ZONE AND EXEMPT THOSE COUNTIES FROM DAYLIGHT SAVING TIME AND DIRECTING THE SECRETARY OF THE SENATE TO FORWARD A COPY OF THIS SENATE CONCURRENT RESOLUTION TO THE WASHINGTON STATE LEGISLATURE.

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

WHEREAS, Idaho's northern ten counties, consisting of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone, are currently in the Pacific Standard Time Zone and the remaining 34 counties in the state are in the Mountain Standard Time Zone; and

WHEREAS, the State of Washington currently follows Pacific Standard Time but may be considering requesting the United States Department of Transportation to change its time zone to Mountain Standard Time and exempt it from following Daylight Saving Time; and

WHEREAS, in the event the State of Washington does make such a request and that request is granted by the United States Department of Transportation, there would be a significant impact on the convenience of commerce for the ten northern Idaho counties currently in the Pacific Standard Time Zone. Impacts that would be experienced include impacts to the conduct of business across state lines, transportation, health care and employment, particularly when the State of Montana also follows Mountain Standard Time; and

WHEREAS, the State of Idaho should carefully monitor the State of Washington's actions regarding its time zone and be prepared to consider requesting that the United States Department of Transportation include Idaho's northern ten counties consisting of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone within the Mountain Standard Time Zone and exempt those counties from Daylight Saving Time. Furthermore, that the State of Idaho should notify the State of Washington that it is prepared to act.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we urge the people of the State of Idaho and its state and county officials to carefully monitor the State of Washington's actions regarding its time zone and be prepared to consider requesting that the United States Department of Transportation include Idaho's northern ten counties consisting of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone within the Mountain Standard Time Zone and exempt those counties from Daylight Saving Time.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Senate Concurrent Resolution to the Washington State Legislature.

**SCR 138** 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 26, 2018

The JUDICIARY AND RULES Committee reports that **S 1322** and **S 1323** have been correctly printed.

LODGE, Chairman

**S 1322** and **S 1323** were referred to the Finance Committee.

February 23, 2018

The JUDICIARY AND RULES Committee reports that **S 1218** and **S 1233** have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1218** and **S 1233** and ordered them transmitted to the House for the signature of the Speaker.

February 23, 2018

The STATE AFFAIRS Committee reports out [H 386](#), [H 446](#), and [S 1280](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 386](#), [H 446](#), and [S 1280](#) were filed for second reading.

February 23, 2018

The STATE AFFAIRS Committee reports out [HCR 39](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[HCR 39](#) 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, 2018

The JUDICIARY AND RULES Committee reports out [S 1298](#) and [S 1300](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1298](#) and [S 1300](#) were filed for second reading.

February 23, 2018

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:

Cortney Dennis to the Commission on Pardons and Parole, term to expire January 1, 2021.

Rich Wills to the Commission on Pardons and Parole, term to expire January 1, 2020.

Shellee Daniels to the State Public Defense Commission, term to expire July 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 26, 2018

The FINANCE Committee reports out [H 612](#) with the recommendation that it do pass.

KEOUGH, Chairman

[H 612](#) 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 23, 2018

Dear Mr. President:

I transmit herewith [H 578](#), which has passed the House.

MAULIN, Chief Clerk

[H 578](#) was filed for first reading.

February 23, 2018

Dear Mr. President:

I transmit herewith Enrolled [HCR 34](#) and [HCR 33](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 34](#) and [HCR 33](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the following attaches were elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute:

Pages:

Tessa Fronk, Boise

Jayden Huston, Meridian

Brenton Marcucci, Mountain Home

Micah Mensing, Albion

Isaac Meyer, Cascade

Paige Nelson, Nez Perce

Jessie Page, Mountain Home

Megan Rauvola, Rathdrum

Harrison Woodland, Burley

Amber Zeckmann, Caldwell

Whereupon the President Pro Tempore instructed the Assistant Sergeant-at-Arms, Jerry Csutoras to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches.

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

On motion by Senator Nye, seconded by Senator Potts, the Gubernatorial appointment of Dr. Karen Neill as a member of the Commission on Pardons and Parole was confirmed by voice vote.

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

On motion by Senator Vick, seconded by Senator Jordan, the Gubernatorial appointment of R. Doug Eastwood as a member of the Parks and Recreation 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 Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Lisa Bostaph was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Lakey, the Gubernatorial reappointment of Lisa Bostaph as a member of the Commission on Pardons and Parole was confirmed by voice vote.

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

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

On motion by Senator Lakey, seconded by Senator Burgoyne, the Gubernatorial appointment of Paige Nolta as a member of the State Public Defense Commission was confirmed by voice vote.

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

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

On motion by Senator Martin, seconded by Senator Jordan, the Gubernatorial appointment of David Jeppesen as a member of the Idaho Health Insurance Exchange 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 Winder, granted by unanimous consent, the remaining Gubernatorial appointments retained their place on the calendar for one legislative day.

The President Pro Tempore announced that [SCR 137](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Nye, [SCR 137](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [HCR 38](#) 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 38](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

**S 1324**

**BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE BARBER AND COSMETOLOGY SERVICES ACT; REPEALING CHAPTER 5, TITLE 54, IDAHO CODE, RELATING TO BARBERS; REPEALING CHAPTER 8, TITLE 54, IDAHO CODE, RELATING TO COSMETICIANS; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 58, TITLE 54, IDAHO CODE, TO ESTABLISH THE BARBER AND COSMETOLOGY SERVICES ACT, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE POLICY AND REQUIREMENTS OF LICENSURE, TO PROVIDE PROHIBITIONS REGARDING ESTABLISHMENTS AND TO PROVIDE EXCEPTIONS, TO PROVIDE EXEMPTIONS FROM LICENSURE, TO CREATE THE BARBER AND COSMETOLOGY SERVICES LICENSING BOARD AND TO PROVIDE FOR THE ORGANIZATION, MEETINGS AND POWERS OF THE BOARD, TO PROVIDE FOR LICENSE AND REGISTRATION APPLICATIONS AND EXAMINATIONS, TO PROVIDE QUALIFICATIONS FOR LICENSURE FOR PRACTITIONERS, INSTRUCTORS, APPRENTICES AND STUDENTS, TO REQUIRE A CERTIFICATE FOR A MAKEUP ARTIST, TO REQUIRE A LICENSE FOR A RETAIL COSMETICS DEALER, TO REQUIRE REGISTRATION FOR A RETAIL THERMAL STYLING EQUIPMENT DEALER, TO REQUIRE A LICENSE FOR A MAKEOVER OR GLAMOUR PHOTOGRAPHY BUSINESS, TO PROVIDE FOR BARBER AND COSMETOLOGY SCHOOL REQUIREMENTS, TO AUTHORIZE ENDORSEMENT LICENSURE, TO PROVIDE FOR THE PRACTICE OF A COSMETOLOGY APPRENTICE, TO PROVIDE FOR INSPECTION RULES PERTAINING TO ESTABLISHMENTS, TO PROVIDE DISINFECTION REQUIREMENTS, TO PROVIDE FOR THE ISSUANCE AND DISPLAY OF A LICENSE, CERTIFICATE OR REGISTRATION, TO PROVIDE FOR RENEWAL AND REINSTATEMENT OF LICENSES AND REGISTRATIONS, TO PROVIDE FOR FEES, TO AUTHORIZE THE REFUSAL, REVOCATION OR SUSPENSION OF A LICENSE, CERTIFICATE OR REGISTRATION AND TO AUTHORIZE SANCTIONS, TO PROVIDE FOR BARBER POLES, TO PROVIDE FOR BOARDS AND LICENSEES UNDER PRIOR LAW, TO PROHIBIT CERTAIN ACTS AND PROVIDING SEVERABILITY; AMENDING SECTION 67-2601, IDAHO CODE, TO REMOVE REFERENCE TO THE BOARD OF BARBER EXAMINERS AND THE BOARD OF COSMETOLOGY, TO ADD A REFERENCE TO THE BARBER AND COSMETOLOGY SERVICES LICENSING BOARD AS A COMPONENT OF THE DEPARTMENT OF SELF-GOVERNING AGENCIES AND TO REMOVE OBSOLETE LANGUAGE; AND AMENDING SECTION 67-2602, IDAHO CODE, TO AUTHORIZE THE BUREAU OF OCCUPATIONAL LICENSES TO PROVIDE SERVICES TO THE BARBER AND COSMETOLOGY SERVICES LICENSING BOARD.

**S 1325**

**BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE IDAHO UNCLAIMED PROPERTY ACT; AMENDING SECTION 14-541, IDAHO CODE, TO PROVIDE A SHORT TITLE AND TO REDESIGNATE

THE SECTION; AMENDING SECTION 14-501, IDAHO CODE, TO ADD, REVISE AND REMOVE DEFINITIONS AND TO REDESIGNATE THE SECTION; AMENDING SECTION 14-537, IDAHO CODE, TO PROVIDE FOR INAPPLICABILITY OF THE ACT TO FOREIGN TRANSACTIONS AND TO REDESIGNATE THE SECTION; AMENDING SECTION 14-539, IDAHO CODE, TO PROVIDE FOR RULEMAKING AND TO REDESIGNATE THE SECTION; REPEALING SECTION 14-505, IDAHO CODE, RELATING TO CERTAIN CHECKS, DRAFTS AND SIMILAR INSTRUMENTS; AMENDING SECTION 14-502, IDAHO CODE, TO PROVIDE FOR TIME PERIODS AFTER WHICH CERTAIN PROPERTY IS PRESUMED ABANDONED AND TO REDESIGNATE THE SECTION; REPEALING SECTION 14-506, IDAHO CODE, RELATING TO BANK DEPOSITS AND FUNDS IN FINANCIAL ORGANIZATIONS; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-506, IDAHO CODE, TO PROVIDE FOR THE PRESUMPTION OF ABANDONMENT OF A TAX-DEFERRED RETIREMENT ACCOUNT; REPEALING SECTION 14-507, IDAHO CODE, RELATING TO FUNDS OWING UNDER LIFE INSURANCE POLICIES; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-507, IDAHO CODE, TO PROVIDE FOR THE PRESUMPTION OF ABANDONMENT OF OTHER TAX-DEFERRED ACCOUNTS; REPEALING SECTION 14-508, IDAHO CODE, RELATING TO DEPOSITS HELD BY UTILITIES; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-508, IDAHO CODE, TO PROVIDE FOR THE PRESUMPTION OF ABANDONMENT OF A CUSTODIAL ACCOUNT FOR A MINOR; REPEALING SECTION 14-509, IDAHO CODE, RELATING TO A REFUND HELD BY BUSINESS ASSOCIATIONS; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-509, IDAHO CODE, TO PROVIDE FOR THE PRESUMPTION OF ABANDONMENT OF THE CONTENTS OF A SAFE DEPOSIT BOX; REPEALING SECTION 14-510, IDAHO CODE, RELATING TO STOCK AND OTHER INTANGIBLE INTERESTS IN BUSINESS ASSOCIATIONS; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-510, IDAHO CODE, TO PROVIDE FOR THE PRESUMPTION OF ABANDONMENT OF A STORED-VALUE CARD; REPEALING SECTION 14-511, IDAHO CODE, RELATING TO PROPERTY OF BUSINESS ASSOCIATIONS HELD IN THE COURSE OF DISSOLUTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-511, IDAHO CODE, TO PROVIDE FOR THE PRESUMPTION OF ABANDONMENT OF A GIFT CARD; REPEALING SECTION 14-512, IDAHO CODE, RELATING TO PROPERTY HELD BY AGENTS AND FIDUCIARIES; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-512, IDAHO CODE, TO PROVIDE FOR THE PRESUMPTION OF ABANDONMENT OF A SECURITY; REPEALING SECTION 14-513, IDAHO CODE, RELATING TO PROPERTY HELD BY COURTS AND PUBLIC AGENCIES; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-513, IDAHO CODE, TO PROVIDE FOR THE PRESUMPTION OF ABANDONMENT OF RELATED PROPERTY; REPEALING SECTION 14-514, IDAHO CODE, RELATING TO GIFT CERTIFICATES AND CREDIT MEMOS; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-514, IDAHO CODE, TO PROVIDE FOR

THE INDICATION OF APPARENT OWNER INTEREST IN PROPERTY; REPEALING SECTION 14-515, IDAHO CODE, RELATING TO WAGES; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-515, IDAHO CODE, TO PROVIDE FOR THE KNOWLEDGE OF THE DEATH OF AN INSURED OR ANNUITANT; REPEALING SECTION 14-516, IDAHO CODE, RELATING TO THE CONTENTS OF A SAFE DEPOSIT BOX OR OTHER SAFEKEEPING REPOSITORY; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-516, IDAHO CODE, TO PROVIDE FOR A DEPOSIT ACCOUNT HOLDING THE PROCEEDS OF AN INSURANCE POLICY OR ANNUITY CONTRACT; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-517, IDAHO CODE, TO PROVIDE THAT A HOLDING PERIOD SHALL BE DETERMINED BY THE TYPE OF LIABILITY; REPEALING SECTION 14-518, IDAHO CODE, RELATING TO NOTICE AND PUBLICATION OF LISTS OF ABANDONED PROPERTY; AMENDING SECTION 14-503, IDAHO CODE, TO PROVIDE FOR THE ADDRESS OF AN APPARENT OWNER TO ESTABLISH PRIORITY AND TO REDESIGNATE THE SECTION; REPEALING SECTION 14-519, IDAHO CODE, RELATING TO THE PAYMENT OR DELIVERY OF ABANDONED PROPERTY; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-519, IDAHO CODE, TO PROVIDE FOR THE ADDRESS OF AN APPARENT OWNER IN THIS STATE; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-520, IDAHO CODE, TO PROVIDE FOR THE CIRCUMSTANCE OF RECORDS SHOWING MULTIPLE ADDRESSES OF AN APPARENT OWNER; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-521, IDAHO CODE, TO PROVIDE FOR A HOLDER DOMICILED IN THIS STATE; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-522, IDAHO CODE, TO PROVIDE FOR CUSTODY IF A TRANSACTION TOOK PLACE IN THIS STATE; AMENDING SECTION 14-504, IDAHO CODE, TO PROVIDE FOR A TRAVELER'S CHECK, MONEY ORDER OR SIMILAR INSTRUMENT AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-524, IDAHO CODE, TO PROVIDE FOR THE BURDEN OF PROOF TO ESTABLISH THE ADMINISTRATOR'S RIGHT TO CUSTODY; AMENDING SECTION 14-517, IDAHO CODE, TO PROVIDE FOR A REPORT REQUIRED BY A HOLDER AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-526, IDAHO CODE, TO PROVIDE FOR THE CONTENT OF A REPORT; REPEALING SECTION 14-527, IDAHO CODE, RELATING TO AN ELECTION TO TAKE PAYMENT OR DELIVERY; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-527, IDAHO CODE, TO PROVIDE DUE DATES FOR REPORTS; REPEALING SECTION 14-528, IDAHO CODE, RELATING TO THE DESTRUCTION OR DISPOSITION OF PROPERTY HAVING INSUBSTANTIAL COMMERCIAL VALUE AND IMMUNITY FROM LIABILITY; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-528, IDAHO CODE, TO PROVIDE FOR THE RETENTION OF RECORDS BY A HOLDER; REPEALING SECTION 14-529, IDAHO CODE, RELATING TO PERIODS OF LIMITATION; AMENDING CHAPTER



5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-529, IDAHO CODE, TO PROVIDE FOR PROPERTY REPORTABLE AND PAYABLE OR DELIVERABLE ABSENT OWNER DEMAND; AMENDING SECTION 14-542, IDAHO CODE, TO PROVIDE FOR REPORTING BY IDAHO COUNTIES AND CERTAIN NONPROFIT UTILITIES AND TO REDESIGNATE THE SECTION; REPEALING SECTION 14-531, IDAHO CODE, RELATING TO RETENTION OF RECORDS; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-531, IDAHO CODE, TO PROVIDE FOR NOTICE TO AN APPARENT OWNER BY A HOLDER; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-532, IDAHO CODE, TO PROVIDE FOR THE CONTENTS OF NOTICE BY A HOLDER; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-533, IDAHO CODE, TO PROVIDE FOR NOTICE BY AN ADMINISTRATOR; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-534, IDAHO CODE, TO PROVIDE FOR COOPERATION AMONG STATE OFFICERS AND AGENCIES TO LOCATE AN APPARENT OWNER; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-535, IDAHO CODE, TO PROVIDE FOR A DEFINITION OF GOOD FAITH; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-536, IDAHO CODE, TO PROVIDE FOR A DORMANCY CHARGE; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-537, IDAHO CODE, TO PROVIDE FOR PAYMENT OR DELIVERY OF PROPERTY TO THE ADMINISTRATOR; AMENDING SECTION 14-520, IDAHO CODE, TO PROVIDE FOR THE EFFECT OF PAYMENT OR DELIVERY OF PROPERTY TO THE ADMINISTRATOR AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-539, IDAHO CODE, TO PROVIDE FOR THE RECOVERY OF PROPERTY BY A HOLDER FROM THE ADMINISTRATOR; REPEALING SECTION 14-540, IDAHO CODE, RELATING TO THE UNIFORMITY OF APPLICATION AND CONSTRUCTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-540, IDAHO CODE, TO PROVIDE FOR PROPERTY REMOVED FROM A SAFE DEPOSIT BOX; AMENDING SECTION 14-521, IDAHO CODE, TO PROVIDE FOR THE CREDITING OF INCOME OR GAIN TO AN OWNER'S ACCOUNT AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-542, IDAHO CODE, TO PROVIDE AN ADMINISTRATOR'S OPTIONS REGARDING CUSTODY AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 14-543, IDAHO CODE, RELATING TO A SHORT TITLE; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-543, IDAHO CODE, TO PROVIDE FOR THE DISPOSITION OF PROPERTY HAVING NO SUBSTANTIAL VALUE AND TO PROVIDE FOR IMMUNITY FROM LIABILITY; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-544, IDAHO CODE, TO PROVIDE FOR PERIODS OF LIMITATION AND REPOSE; AMENDING SECTION 14-522, IDAHO CODE, TO PROVIDE FOR THE PUBLIC SALE OF PROPERTY AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW

SECTION 14-546, IDAHO CODE, TO PROVIDE FOR THE DISPOSAL OF SECURITIES; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-547, IDAHO CODE, TO PROVIDE FOR THE RECOVERY OF SECURITIES OR VALUE BY AN OWNER; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-548, IDAHO CODE, TO PROVIDE THAT A PURCHASER OWNS THE PROPERTY AFTER A SALE; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-549, IDAHO CODE, TO PROVIDE FOR THE DISPOSITION OF A MILITARY MEDAL OR DECORATION; AMENDING SECTION 14-523, IDAHO CODE, TO PROVIDE FOR THE DISPOSITION OF MONEY RECEIVED AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-551, IDAHO CODE, TO PROVIDE FOR AN ADMINISTRATOR TO RETAIN RECORDS OF PROPERTY; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-552, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR HOLDS PROPERTY AS CUSTODIAN FOR THE OWNER; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-553, IDAHO CODE, TO PROVIDE FOR THE CLAIM OF ANOTHER STATE TO RECOVER PROPERTY; AMENDING SECTION 14-525, IDAHO CODE, TO PROVIDE FOR WHEN PROPERTY IS SUBJECT TO RECOVERY BY ANOTHER STATE AND TO REDESIGNATE THE SECTION; AMENDING SECTION 14-524, IDAHO CODE, TO PROVIDE FOR A CLAIM FOR PROPERTY BY A PERSON CLAIMING TO BE THE OWNER AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-556, IDAHO CODE, TO PROVIDE FOR WHEN THE ADMINISTRATOR MUST HONOR A CLAIM FOR PROPERTY; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-557, IDAHO CODE, TO PROVIDE FOR THE ALLOWANCE OF A CLAIM FOR PROPERTY; AMENDING SECTION 14-526, IDAHO CODE, TO PROVIDE FOR AN ACTION BY A PERSON WHOSE CLAIM IS DENIED AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-559, IDAHO CODE, TO PROVIDE FOR THE PAYMENT AND DELIVERY TO THE OWNER; AMENDING SECTION 14-530, IDAHO CODE, TO PROVIDE FOR VERIFIED REPORTS OF PROPERTY AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-561, IDAHO CODE, TO PROVIDE FOR THE EXAMINATION OF RECORDS TO DETERMINE COMPLIANCE; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-562, IDAHO CODE, TO PROVIDE FOR RULES FOR CONDUCTING AN EXAMINATION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-563, IDAHO CODE, TO PROVIDE FOR RECORDS OBTAINED IN EXAMINATION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-564, IDAHO CODE, TO PROVIDE FOR EVIDENCE OF UNPAID DEBT OR UNDISCHARGED OBLIGATION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-565, IDAHO CODE, TO PROVIDE FOR THE FAILURE OF A PERSON EXAMINED TO RETAIN RECORDS; AMENDING CHAPTER 5, TITLE 14,

IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-566, IDAHO CODE, TO PROVIDE FOR A REPORT TO A PERSON WHOSE RECORDS WERE EXAMINED; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-567, IDAHO CODE, TO PROVIDE FOR AN INFORMAL CONFERENCE DURING AN EXAMINATION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-568, IDAHO CODE, TO PROVIDE FOR THE ADMINISTRATOR'S CONTRACT WITH ANOTHER TO CONDUCT AN EXAMINATION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-569, IDAHO CODE, TO PROVIDE FOR THE DETERMINATION OF LIABILITY FOR UNREPORTED REPORTABLE PROPERTY; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-570, IDAHO CODE, TO PROVIDE FOR AN INFORMAL CONFERENCE; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-571, IDAHO CODE, TO PROVIDE FOR ADMINISTRATIVE AND JUDICIAL REVIEW; AMENDING SECTION 14-532, IDAHO CODE, TO PROVIDE FOR ACTIONS TO ENFORCE LIABILITY AND TO REDESIGNATE THE SECTION; AMENDING SECTION 14-535, IDAHO CODE, TO PROVIDE FOR INTERSTATE AND INTERNATIONAL AGREEMENT AND COOPERATION AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-574, IDAHO CODE, TO PROVIDE FOR AN ACTION INVOLVING ANOTHER STATE OR FOREIGN COUNTRY; AMENDING SECTION 14-533, IDAHO CODE, TO PROVIDE FOR INTEREST AND A PENALTY FOR FAILURE TO ACT IN A TIMELY MANNER AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-576, IDAHO CODE, TO PROVIDE FOR OTHER CIVIL PENALTIES; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-577, IDAHO CODE, TO PROVIDE FOR THE WAIVER OF INTEREST AND PENALTY; AMENDING SECTION 14-536, IDAHO CODE, TO PROVIDE FOR WHEN AN AGREEMENT TO LOCATE PROPERTY IS ENFORCEABLE AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-579, IDAHO CODE, TO PROVIDE FOR WHEN AN AGREEMENT TO LOCATE PROPERTY IS VOID; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-580, IDAHO CODE, TO PROVIDE FOR THE RIGHT OF AN AGENT OF AN APPARENT OWNER TO INFORMATION CONCERNING PROPERTY HELD BY THE ADMINISTRATOR; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-581, IDAHO CODE, TO PROVIDE DEFINITIONS AND APPLICABILITY; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-582, IDAHO CODE, TO PROVIDE FOR CONFIDENTIAL INFORMATION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-583, IDAHO CODE, TO PROVIDE FOR WHEN CONFIDENTIAL INFORMATION MAY BE DISCLOSED; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-584, IDAHO CODE, TO PROVIDE FOR A CONFIDENTIALITY AGREEMENT; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-585,

IDAHO CODE, TO PROVIDE FOR NO CONFIDENTIAL INFORMATION IN A NOTICE; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-586, IDAHO CODE, TO PROVIDE FOR THE SECURITY OF INFORMATION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-587, IDAHO CODE, TO PROVIDE FOR A SECURITY BREACH; AMENDING SECTION 14-534, IDAHO CODE, REGARDING STATE HISTORICAL SOCIETY USE OF PROPERTY AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-589, IDAHO CODE, TO MAKE A TRANSITIONAL PROVISION; AMENDING CHAPTER 5, TITLE 14, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 14-590, IDAHO CODE, TO PROVIDE FOR SEVERABILITY; AMENDING SECTION 14-113, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 15-3-914, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 41-3002, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 57-1109, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 66-503, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

[S 1324](#) and [S 1325](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 578](#), 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 1317](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1285](#) and [S 1288](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 362](#) and [H 363](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 452](#) and [H 513](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[S 1279](#) and [S 1292](#), as amended, by Education Committee, were read the second time at length and filed for third reading.

[S 1274](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1283](#), as amended, by Transportation 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 1306](#) 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, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 33.

NAYS—None.

Absent and excused—Hagedorn, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1306](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1269](#) and [S 1302](#) retained their place on the Third Reading Calendar for one legislative day.

[H 351](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 33.

NAYS—None.

Absent and excused—Hagedorn, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 351](#) passed, title was approved, and the bill ordered returned to the House.

[H 353](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 32.

NAYS—Burgoyne. Total - 1.

Absent and excused—Hagedorn, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 353](#) passed, title was approved, and the bill ordered returned to the House.

[H 370](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 33.

NAYS—None.

Absent and excused—Hagedorn, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 370](#) passed, title was approved, and the bill ordered returned to the House.

[H 371](#) 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 Nye disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Crabtree, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Stennett, Winder. Total - 23.

NAYS—Bayer, Burgoyne, Den Hartog, Foreman, Guthrie, Harris, Potts, Souza, Thayn, Vick. Total - 10.

Absent and excused—Hagedorn, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 371](#) passed, title was approved, and the bill ordered returned to the House.

[H 372](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 33.

NAYS—None.

Absent and excused—Hagedorn, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 372](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:01 p.m. until the hour of 10 a.m., Tuesday, February 27, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**FIFTY-FIRST LEGISLATIVE DAY**  
**TUESDAY, FEBRUARY 27, 2018**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present.

Prayer was offered by Senator Bob Nonini.

The Pledge of Allegiance was led by Jessie Page, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 26, 2018 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

On request by Senator Winder, granted by unanimous consent, SJR 105 was held at the Secretary's desk. In accordance with JR 20, the provisions of the rule had not been waived.

#### SCR 139

#### BY JUDICIARY AND RULES COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE IDAHO STATE POLICE RELATING TO RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho State Police relating to Rules of the Idaho Peace Officer Standards and Training Council are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature,

the Senate and the House of Representatives concurring therein, that IDAPA 11.11.01, Rules of the Idaho Peace Officer Standards and Training Council, Section 064., Subsection 05., adopted as a pending rule under Docket Number 11-1101-1701, only, be, and the same is hereby rejected and declared null, void and of no force and effect.

[SCR 139](#) 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 27, 2018

The JUDICIARY AND RULES Committee reports that [SCR 138](#), [S 1324](#), and [S 1325](#) have been correctly printed.

LODGE, Chairman

[SCR 138](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1324](#) was referred to the Commerce and Human Resources Committee.

[S 1325](#) was referred to the State Affairs Committee.

February 26, 2018

The STATE AFFAIRS Committee reports out [S 1313](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[S 1313](#) was filed for second reading.

February 26, 2018

The STATE AFFAIRS Committee reports out [HCR 48](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[HCR 48](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 26, 2018

The FINANCE Committee reports out [S 1322](#) and [S 1323](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1322](#) and [S 1323](#) were filed for second reading.

February 26, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [H 374](#) and [H 549](#) with the recommendation that they do pass.

BAIR, Chairman

[H 374](#) and [H 549](#) were filed for second reading.

February 26, 2018

The JUDICIARY AND RULES Committee reports out [H 430](#) and [HCR 40](#) with the recommendation that they do pass.

LODGE, Chairman

[H 430](#) was filed for second reading.

[HCR 40](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 26, 2018

The JUDICIARY AND RULES Committee reports out [S 1259](#) and [S 1314](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1259](#) and [S 1314](#) were referred to the Fourteenth Order of Business, General Calendar.

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

#### Messages from the Governor

February 26, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jay Kunze of Pocatello, Idaho was re-appointed to the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing March 6, 2018 and expiring March 6, 2021.

This appointment is 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 Health and Welfare Committee.

February 26, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Suzanne Budge of Boise, Idaho was re-appointed to the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing March 6, 2018 and expiring March 6, 2021.

This appointment is 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 Health and Welfare Committee.

February 26, 2018

The Honorable Brent Hill  
President Pro Tempore of the Senate  
Idaho Legislature

Dear Mr. President Pro Tempore:

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

[S 1215](#) and [S 1216](#)

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

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

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

February 26, 2018

Dear Mr. President:

I transmit herewith [H 603](#), [H 494](#), [H 473](#), [H 537](#), [H 512](#), [H 568](#), [H 606](#), and [H 620](#), which have passed the House.

MAULIN, Chief Clerk

[H 603](#), [H 494](#), [H 473](#), [H 537](#), [H 512](#), [H 568](#), [H 606](#), and [H 620](#) were filed for first reading.

February 26, 2018

Dear Mr. President:

I transmit herewith Enrolled [HJM 10](#), [H 364](#), [H 352](#), [H 361](#), [H 379](#), [H 369](#), [H 393](#), [H 451](#), [H 390](#), [H 391](#), and [H 392](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HJM 10](#), [H 364](#), [H 352](#), [H 361](#), [H 379](#), [H 369](#), [H 393](#), [H 451](#), [H 390](#), [H 391](#), and [H 392](#) 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 Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Park Price was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Nye, the Gubernatorial appointment of Park Price 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 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 Local Government and Taxation Committee report relative to the Gubernatorial appointment of Ken Roberts was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Burgoyne, the Gubernatorial appointment of Ken Roberts as a member of the Multistate Tax 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 State Affairs Committee report relative to the Gubernatorial appointment of Irving Littman 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 Irving Littman 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 the Health and Welfare Committee report relative to the Gubernatorial appointment of Linda Hatzenbuehler was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Souza, seconded by Senator Nye, the Gubernatorial appointment of Linda Hatzenbuehler 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 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 Agricultural Affairs Committee report relative to the Gubernatorial appointment of H. Norman Wright was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Jordan, the Gubernatorial appointment of H. Norman Wright as a member of the State Soil and Water Conservation Commission was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, the remaining Gubernatorial appointments retained their place on the on the calendar for one legislative day.

The President Pro Tempore announced that [HCR 39](#) was before the Senate for final consideration.

Moved by Senator Nye, seconded by Senator Hagedorn, that [HCR 39](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [HCR 39](#) adopted, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

**S 1326**

**BY FINANCE COMMITTEE**

**AN ACT**

RELATING TO THE APPROPRIATION TO THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT FOR THE PAYMENT OF OUTSIDE COUNSEL COSTS; AND PROVIDING LEGISLATIVE INTENT FOR THE PAYMENT OF CAPITAL REPRESENTATION COSTS.

**S 1327**

**BY FINANCE COMMITTEE**

**AN ACT**

RELATING TO THE APPROPRIATION TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REAPPROPRIATION AUTHORITY FOR FISCAL YEAR 2019.

**S 1328**

**BY FINANCE COMMITTEE**

**AN ACT**

RELATING TO THE APPROPRIATION TO THE OFFICE OF ENERGY AND MINERAL RESOURCES FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE OFFICE OF ENERGY AND MINERAL RESOURCES FOR FISCAL YEAR 2019; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1329**

**BY FINANCE COMMITTEE**

**AN ACT**

RELATING TO THE APPROPRIATION TO THE LAVA HOT SPRINGS FOUNDATION FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE LAVA HOT

SPRINGS FOUNDATION FOR FISCAL YEAR 2019; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1330**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT REGARDING TRUSTEE AND BENEFIT PAYMENTS DISTRIBUTION.

[S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), and [S 1330](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 603](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 494](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 473](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 537](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 512](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 568](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 606](#) and [H 620](#), 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 386](#) and [H 446](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1280](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1298](#) and [S 1300](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 612](#), by Appropriations Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

[S 1269](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1269](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1302](#) 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lee, Martin, Mortimer, Nye, Patrick, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 24.

NAYS—Anthon, Bair, Foreman, Harris, Hill, Lakey, Lodge, Nonini, Potts, Rice, Siddoway. Total - 11.

Total - 35.

Whereupon the President Pro Tempore declared [S 1302](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1232](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1232](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1247](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1247](#) passed, title was approved, and the bill ordered transmitted to the House.



[S 1296](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1296](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1317](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1285](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1285](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1288](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1288](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1279](#) 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Stennett, Thayn, Ward-Engelking, Winder. Total - 25.

NAYS—Bair, Bayer, Den Hartog, Foreman, Harris, Potts, Rice, Siddoway, Souza, Vick. Total - 10.

Total - 35.

Whereupon the President Pro Tempore declared [S 1279](#) 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 advanced to the Fifteenth Order of Business.

#### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:14 p.m. until the hour of 10 a.m., Wednesday, February 28, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**FIFTY-SECOND LEGISLATIVE DAY**  
**WEDNESDAY, FEBRUARY 28, 2018**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Den Hartog, Keough, Nonini, and Potts, absent and excused.

Prayer was offered by Senator Ward-Engelking.

The Pledge of Allegiance was led by Megan Rauvola, 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, 2018 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 140 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE DEPARTMENT OF HEALTH AND WELFARE TO ENTER INTO AN AGREEMENT WITH THE IDAHO STATE BUILDING AUTHORITY TO FINANCE A NEW SKILLED NURSING FACILITY ON THE IDAHO STATE HOSPITAL SOUTH CAMPUS.

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

WHEREAS, the Idaho Department of Health and Welfare owns and operates the skilled nursing facility at State Hospital South licensed for 29 skilled nursing beds, known as Syringa Chalet; and

WHEREAS, Syringa Chalet was built in 1938 and, despite numerous renovations, continues to have potentially serious health and safety concerns and inefficiencies; and

WHEREAS, the concerns and risks associated with the aging building include, but are not limited to: obsolete plumbing, barriers to wireless communications in emergencies, poorly functioning elevators, and the lack of a kitchen; and

WHEREAS, evacuating residents from the Syringa Chalet in an emergency would be a long and difficult process, which is a major safety concern; and

WHEREAS, the Joint Commission and the Bureau of Facility Standards, which enforce the Center for Medicare and Medicaid Services' regulations, have expressed concern for the health of the residents, due to the aging infrastructure; and

WHEREAS, in February 2017, with the assistance of the Division of Public Works, the Department of Health and Welfare obtained a planning analysis that recommends the design and construction of a new facility and the demolition of the current Syringa Chalet; and

WHEREAS, the planning analysis recommends that the design and construction of a new facility include the capacity to expand within the initial footprint, in order to be able to meet any future additional needs arising from Idaho's increasing aged population; and

WHEREAS, the Department of Health and Welfare owns real property on the State Hospital South campus that will accommodate a new facility, allowing for the continued operation of skilled nursing services during the construction of the new facility; and

WHEREAS, the timing is favorable for bonding for the design, construction, and furnishing of the new facility.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature authorizes and provides approval for the Department of Health and Welfare to enter into an agreement or agreements with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary, to provide financing to design, construct, furnish, and equip a new skilled nursing facility on real property currently owned by the Department of Health and Welfare on the Idaho State Hospital South campus and thereafter to demolish the existing skilled nursing facility known as Syringa Chalet.

BE IT FURTHER RESOLVED that this resolution constitutes the authorization required by the provisions of Section 67-6410, Idaho Code.

[SCR 140](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senators Keough and Potts were recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 28, 2018

The JUDICIARY AND RULES Committee reports that [SCR 139](#), [S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), and [S 1330](#) have been correctly printed.

LODGE, Chairman

[SCR 139](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), and [S 1330](#) were referred to the Finance Committee.

February 27, 2018

The TRANSPORTATION Committee reports out [H 388](#), [H 469](#), and [H 471](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 388](#), [H 469](#), and [H 471](#) were filed for second reading.

February 27, 2018

The TRANSPORTATION Committee reports out [HJM 12](#) and [SJM 104](#) with the recommendation that they do pass.

BRACKETT, Chairman

[HJM 12](#) and [SJM 104](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 27, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 411](#), [H 458](#), and [H 459](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 411](#), [H 458](#), and [H 459](#) were filed for second reading.

February 27, 2018

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:

Amy Manning to the Idaho Personnel Commission, term to expire July 1, 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.

February 27, 2018

The HEALTH AND WELFARE Committee reports out [HCR 46](#) with the recommendation that it do pass.

HEIDER, Chairman

[HCR 46](#) 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, 2018

The STATE AFFAIRS Committee reports out [H 544](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[H 544](#) was filed for second reading.

Senator Nonini was recorded present at this order of business.

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

## Messages from the House

February 27, 2018

Dear Mr. President:

I transmit herewith [H 546](#), [H 518](#), [H 519](#), [H 524](#), [H 548](#), [H 589](#), [H 562](#), [H 601](#), [H 486](#), [H 624](#), [H 499](#), and [H 532](#), which have passed the House.

MAULIN, Chief Clerk

[H 546](#), [H 518](#), [H 519](#), [H 524](#), [H 548](#), [H 589](#), [H 562](#), [H 601](#), [H 486](#), [H 624](#), [H 499](#), and [H 532](#) were filed for first reading.

February 27, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 387](#), [H 475](#), [H 493](#), [H 366](#), [H 337](#), [H 339](#), and [H 340](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 387](#), [H 475](#), [H 493](#), [H 366](#), [H 337](#), [H 339](#), and [H 340](#) and ordered them returned to the House.

February 27, 2018

Dear Mr. President:

I return herewith Enrolled [S 1218](#) and [S 1233](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1218](#) and [S 1233](#) 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 Agricultural Affairs Committee report relative to the Gubernatorial appointment of Catherine Roemer was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Patrick, seconded by Senator Burgoyne, the Gubernatorial appointment of Catherine Roemer as a member of the State Soil and Water Conservation 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 Margaret Henbest was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Patrick, the Gubernatorial reappointment of Margaret Henbest as a member of the Idaho Health Insurance Exchange 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 Judiciary and Rules Committee report relative to the Gubernatorial appointment of Cortney Dennis was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Jordan, the Gubernatorial appointment of Cortney Dennis as a member of the Commission on Pardons and Parole was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Rich Wills retained its place on the calendar for one legislative day.

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

On motion by Senator Potts, seconded by Senator Burgoyne, the Gubernatorial reappointment of Shellee Daniels as a member of the State Public Defense Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 [SCR 138](#) was before the Senate for final consideration.

Moved by Senator Vick, seconded by Senator Jordan, that [SCR 138](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [SCR 138](#) adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [HCR 48](#) retained its place on the calendar for one legislative day.

The President Pro Tempore announced that [HCR 40](#) was before the Senate for final consideration.

Moved by Senator Lee, seconded by Senator Nye, that [HCR 40](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [HCR 40](#) adopted, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

**S 1331**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302K, IDAHO CODE, TO PROVIDE THAT SENIOR OR EMERITUS MEMBERS OF THE IDAHO STATE BAR MAY PROVIDE CERTAIN INSTRUCTION AND TO MAKE TECHNICAL CORRECTIONS.

**S 1332**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO ALCOHOL; AMENDING SECTION 23-217, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REVISE A PROVISION REGARDING A CERTAIN DISCOUNT; AMENDING SECTION 23-603, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN ADMINISTRATIVE ACTIONS UPON CONVICTION FOR DISPENSING ALCOHOL TO PERSONS UNDER TWENTY-ONE YEARS OF AGE AND TO DEFINE A TERM; AMENDING SECTION 23-604, IDAHO CODE, TO PROHIBIT CERTAIN CONDUCT REGARDING PERSONS UNDER TWENTY-ONE YEARS OF AGE, TO PROVIDE EXCEPTIONS AND TO DEFINE A TERM; AMENDING CHAPTER 6, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-604B, IDAHO CODE, TO PROVIDE EXCEPTIONS FROM RESTRICTION ON ENTERING OR REMAINING IN CERTAIN PLACES AND TO DEFINE A TERM; AMENDING SECTION 23-605, IDAHO CODE, TO PROVIDE THAT DISPENSING ALCOHOL TO AN OBVIOUSLY INTOXICATED PERSON SHALL BE A MISDEMEANOR, TO PROVIDE PENALTIES, TO PROVIDE FOR DEPOSIT OF FINES, TO PROVIDE FOR NOTIFICATION, TO PROVIDE FOR CERTAIN ADMINISTRATIVE ACTION AND TO DEFINE A TERM; AMENDING CHAPTER 6, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-617, IDAHO CODE, TO PROVIDE ADMINISTRATIVE PENALTIES FOR SPECIFIED VIOLATIONS, TO PROVIDE FOR THE PAYMENT AND DISTRIBUTION OF FINES AND TO DEFINE A TERM; AMENDING SECTION 23-901, IDAHO CODE, TO AUTHORIZE THE BOARDS OF COUNTY COMMISSIONERS AND CITY COUNCILS TO GRANT LICENSES FOR LIQUOR BY THE DRINK TO CERTAIN QUALIFIED PERSONS IN ACCORDANCE WITH CERTAIN LAWS, RULES AND ORDINANCES, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-902, IDAHO CODE, TO REVISE DEFINITIONS AND

TO DEFINE TERMS; REPEALING SECTIONS 23-903, 23-903a, 23-903b, 23-904, 23-905, 23-906, 23-907 AND 23-908, IDAHO CODE, RELATING TO RETAIL SALE OF LIQUOR BY THE DRINK; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-903, IDAHO CODE, TO PROVIDE CERTAIN RESTRICTIONS REGARDING ALCOHOLIC BEVERAGES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-904, IDAHO CODE, TO PROVIDE GRANDFATHER RIGHTS AND TO PROVIDE THAT CERTAIN LICENSES ARE TRANSFERABLE AND CERTAIN LICENSES ARE NOT TRANSFERABLE; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-905, IDAHO CODE, TO AUTHORIZE COUNTIES AND CITIES TO ISSUE CERTAIN MUNICIPAL LICENSES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-906, IDAHO CODE, TO PROVIDE CONDITIONS UNDER WHICH MUNICIPAL LICENSES MAY NOT BE ISSUED AND TO PROVIDE A PROCEDURE FOR A REFERENDUM REGARDING THE AUTHORITY OF A GOVERNING BODY TO ISSUE MUNICIPAL LICENSES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-907, IDAHO CODE, TO PROVIDE FOR THE FORM OF BALLOT; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-908, IDAHO CODE, TO PROVIDE FOR THE EFFECT OF AN ELECTION AND TO PROVIDE THAT CERTAIN SALES SHALL NOT BE AFFECTED; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-909, IDAHO CODE, TO PROVIDE FOR SUBSEQUENT ELECTIONS; REPEALING SECTIONS 23-910, 23-911, 23-912, 23-913, 23-914, 23-915, 23-916, 23-917, 23-918, 23-919, 23-920 AND 23-921, IDAHO CODE, RELATING TO RETAIL SALE OF LIQUOR BY THE DRINK; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-910, IDAHO CODE, TO PROVIDE FOR APPLICATIONS FOR MUNICIPAL LICENSES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-911, IDAHO CODE, TO PROVIDE FOR THE INVESTIGATION OF APPLICATIONS, TO PROVIDE THAT FALSE STATEMENTS SHALL CONSTITUTE A FELONY AND TO PROVIDE A PENALTY; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-912, IDAHO CODE, TO PROVIDE FOR RULES AND REGULATIONS, TO PROVIDE FOR ADDITIONAL AUTHORITY AND DUTIES OF THE DIRECTOR, TO PROVIDE FOR THE POWERS OF LICENSING AUTHORITIES OF COUNTIES AND CITIES AND TO PROVIDE THAT LICENSEES SHALL ADVISE THEMSELVES OF THE RULES AND REGULATIONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-913, IDAHO CODE, TO PROVIDE FOR LICENSE FEES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-915, IDAHO CODE, TO PROHIBIT THE ISSUANCE OR TRANSFER OF CERTAIN LICENSES TO SPECIFIED PERSONS AND TO PROVIDE FOR THE REVOCATION OF CERTAIN LICENSES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-916, IDAHO CODE, TO PROVIDE LOCATION AND DISTANCE PROVISIONS REGARDING THE LOCATION OF PREMISES BEING ISSUED OR TRANSFERRED A LICENSE AND TO PROVIDE EXCEPTIONS; AMENDING CHAPTER 9, TITLE 23, IDAHO

CODE, BY THE ADDITION OF A NEW SECTION 23-917, IDAHO CODE, TO PROHIBIT SPECIFIED PERSONS AND ENTITIES FROM PROVIDING EQUIPMENT, FIXTURES OR OTHERWISE FURNISHING FINANCIAL AID TO ONE ENGAGED IN THE SALE OF LIQUOR AND TO PROHIBIT LICENSEES FROM RECEIVING SUCH EQUIPMENT, FIXTURES OR FINANCIAL AID; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-918, IDAHO CODE, TO PROVIDE CERTAIN RESTRICTIONS FOR PERSONS INTERESTED IN THE PREMISES, TO PROVIDE AN EXCEPTION, TO PROVIDE FOR THE APPLICABILITY OF RULES, REGULATIONS AND LAW, TO PROVIDE THAT CERTAIN PERSONS SHALL NOT BE DISQUALIFIED FROM HOLDING CERTAIN LICENSES AND TO CLARIFY THAT LICENSES FOR THE RETAIL SALE OF LIQUOR BY THE DRINK MUST BE OBTAINED THROUGH NORMAL LAWFUL MEANS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-919, IDAHO CODE, TO PROVIDE FOR THE FORM AND DISPLAY OF MUNICIPAL LICENSES, TO PROHIBIT CERTAIN TRANSFERS, TO PROVIDE THAT MUNICIPAL AND STATE LIQUOR LICENSES ARE SEPARATE AND DISTINCT, TO RESTRICT THE EXERCISE OF PRIVILEGES UNDER A LICENSE TO THE NAMED LICENSEE, TO PROVIDE FOR EXPIRATION AND RENEWAL, TO PROVIDE FOR TRANSFERS OF STATE LIQUOR LICENSES, TO PROVIDE FOR FEES AND TO PROVIDE EXCEPTIONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-920, IDAHO CODE, TO PROVIDE RESTRICTIONS ON THE TRANSFER OF STATE LIQUOR LICENSES AND TO PROVIDE THAT CERTAIN LICENSES SHALL BE SUBJECT TO LEVY AND DISTRAINT; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-921, IDAHO CODE, TO PROVIDE FOR SUSPENSION, REVOCATION AND REFUSAL TO RENEW LICENSES, TO PROVIDE FOR PETITIONS REQUESTING MONETARY PAYMENT IN LIEU OF SUSPENSION, TO PROVIDE FOR GUIDELINES AND RULES REGARDING PERIODS OF SUSPENSION AND MONETARY PAYMENTS IN LIEU OF SUSPENSION, TO PROVIDE FOR ADDITIONAL SUSPENSIONS AND TO PROVIDE FOR THE RENEWAL OF CERTAIN LICENSES; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-921A, IDAHO CODE, TO PROVIDE FOR LICENSE SUSPENSION OR REVOCATION UPON CONVICTION FOR VIOLATION OF OBSCENITY LAWS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-922, IDAHO CODE, TO PROVIDE THAT THE SALE OF LIQUOR WITHOUT A LICENSE IS A FELONY AND TO PROVIDE A PENALTY; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-923, IDAHO CODE, TO PROVIDE THAT CERTAIN LIQUOR SOLD BY LICENSEES SHALL BE PURCHASED FROM THE STATE LIQUOR DIVISION, TO PROVIDE FOR SALES BY THE STATE LIQUOR DIVISION TO LICENSEES AND TO DEFINE A TERM; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-924, IDAHO CODE, TO PROVIDE FOR THE EXAMINATION OF PREMISES BY CERTAIN PERSONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-925, IDAHO CODE, TO PROVIDE THAT LICENSEES HAVING ILLEGAL LIQUOR ON PREMISES SHALL BE GUILTY OF A FELONY, TO PROVIDE PENALTIES, TO

PROVIDE FOR LICENSE REVOCATION, TO PROVIDE FOR A DETERMINATION OF THE AMOUNT OF LIQUOR TO BE SOLD TO LICENSEES, TO PROVIDE FOR THE SEIZURE OF ILLEGAL LIQUOR AND TO PROVIDE AN EXCEPTION; REPEALING SECTIONS 23-926, 23-927 AND 23-928, IDAHO CODE, RELATING TO RETAIL SALE OF LIQUOR BY THE DRINK; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-926, IDAHO CODE, TO PROVIDE FOR THE POSTING OF AGE RESTRICTION SIGNS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-927, IDAHO CODE, TO PROHIBIT DISPENSING LIQUOR OFF PREMISES, TO PROVIDE EXCEPTIONS, TO PROHIBIT GAMING ON PREMISES AND TO PROVIDE AN EXCEPTION; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-928, IDAHO CODE, TO PROVIDE FOR ALCOHOL BEVERAGE CATERING PERMITS AND APPLICATIONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-929, IDAHO CODE, TO PROVIDE A PROCEDURE FOR CITIES AND COUNTIES UPON THE FILING OF AN APPLICATION FOR AN ALCOHOL BEVERAGE CATERING PERMIT, TO PROVIDE FOR APPROVAL OR DISAPPROVAL, TO PROVIDE THAT COPIES SHALL BE SENT OR RETAINED BY SPECIFIED PERSONS AND TO PROVIDE THAT CERTAIN DOCUMENTS SHALL CONSTITUTE PERMITS; REPEALING SECTIONS 23-930, 23-931, 23-932, 23-933, 23-933A, 23-933B, 23-934, 23-934A, 23-934B, 23-934C, 23-935, 23-936, 23-937, 23-938, 23-939, 23-941, 23-942, 23-943, 23-943A, 23-944, 23-945, 23-946, 23-947, 23-948, 23-949, 23-950, 23-951, 23-952, 23-953, 23-954, 23-955, 23-956 AND 23-957, IDAHO CODE, RELATING TO THE RETAIL SALE OF LIQUOR BY THE DRINK; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-930, IDAHO CODE, TO PROVIDE FOR THE APPLICABILITY OF CERTAIN REGULATORY AND PENALTY PROVISIONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-931, IDAHO CODE, TO PROVIDE FOR THE DESTRUCTION OF STAMPS, TO PROVIDE SANITARY REQUIREMENTS AND TO PROVIDE THAT A VIOLATION SHALL CONSTITUTE A MISDEMEANOR; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-932, IDAHO CODE, TO PROHIBIT THE SALE OF LIQUOR ON CERTAIN DAYS AND AT CERTAIN TIMES, TO PROVIDE EXCEPTIONS, TO PROVIDE FOR THE CONSUMPTION OF LIQUOR ALREADY SERVED, TO PROVIDE THAT SPECIFIED CONDUCT REGARDING ALCOHOLIC BEVERAGE CONSUMPTION SHALL CONSTITUTE A MISDEMEANOR, TO PROVIDE FOR DUTIES REGARDING LOCKING UNSEALED CONTAINERS OF LIQUOR AND TO PROVIDE THAT A VIOLATION SHALL CONSTITUTE A MISDEMEANOR; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-933, IDAHO CODE, TO PROVIDE FOR THE DUTY OF PUBLIC OFFICERS; REPEALING SECTIONS 23-1020 AND 23-1022, IDAHO CODE, RELATING TO PROVISIONS GOVERNING THE SALE OF BEER; AMENDING TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 12, TITLE 23, IDAHO CODE, TO PROVIDE FOR CLERK AND SERVER TRAINING, TO DEFINE TERMS, TO PROVIDE FOR APPROVED TRAINING, TO PROVIDE FOR MANDATORY TRAINING FOR ON-PREMISES SALES, TO PROVIDE

FOR VOLUNTARY TRAINING FOR OFF-PREMISES SALES AND TO PROVIDE FOR ENFORCEMENT; AMENDING CHAPTER 13, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-1304A, IDAHO CODE, TO PROVIDE FOR CERTIFICATION OF CERTAIN RESOLUTIONS AND ELECTIONS AND TO CLARIFY EFFECTIVENESS OF CERTAIN RESOLUTIONS AND ELECTION RESULTS; AMENDING SECTION 23-1331, IDAHO CODE, TO PROVIDE FOR GUIDELINES AND RULES REGARDING PERIODS OF SUSPENSION AND MONETARY PAYMENT IN LIEU OF SUSPENSION; REPEALING SECTION 23-1335, IDAHO CODE, RELATING TO PROVISIONS GOVERNING THE COUNTY OPTION KITCHEN AND TABLE WINE ACT; AMENDING SECTION 18-7803, IDAHO CODE, TO REMOVE AND TO REVISE CODE REFERENCES; AMENDING SECTIONS 23-1312, 23-1406, AND 39-5502, IDAHO CODE, TO REVISE A CODE REFERENCE; AMENDING SECTION 49-307, IDAHO CODE, TO REVISE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7446, IDAHO CODE, TO REVISE A CODE REFERENCE; AND PROVIDING SEVERABILITY.

[S 1331](#) and [S 1332](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 546](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 518](#), by Business Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 519](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 524](#), by Business Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 548](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 589](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 562](#) and [H 601](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 486](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 624](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 499](#) and [H 532](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

[S 1313](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1322](#) and [S 1323](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 374](#) and [H 549](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[H 430](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

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

### General Calendar

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

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

### Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [S 1244](#), [S 1245](#), [S 1270](#), [S 1309](#), [S 1207](#), and [S 1287](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO S 1244 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 18, following "harm;" delete "or"; in line 19, delete "If feasible, contacts" and insert: "Contacts"; also in line 19, delete "or" and insert: "and"; in line 20, delete "." and insert: ", if feasible; and"; and following line 20, insert:

"(c) Uses no more force than reasonably necessary to gain entry."

#### AMENDMENT TO SECTION 2

On page 1, in line 31, following "harm;" delete "or"; in line 32, delete "If feasible, contacts" and insert: "Contacts"; also in line 32, delete "or" and insert: "and"; in line 33, delete "." and insert: ", if feasible; and"; and following line 33, insert:

"(c) Uses no more force than reasonably necessary to gain entry."

#### SENATE AMENDMENT TO S 1245 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 18, delete "and"; in line 19, delete "If feasible, contacts" and insert: "Contacts"; also in line 19, delete "or" and insert: "and"; in line 20, delete "." and insert: ", if feasible; and"; and following line 20, insert:

"(3) Uses no more force than reasonably necessary to gain entry."

#### AMENDMENT TO SECTION 2

On page 1, in line 29, delete "and"; in line 30, delete "If feasible, contacts" and insert: "Contacts"; also in line 30, delete "or" and insert: "and"; in line 31, delete "." and insert: ", if feasible; and"; and following line 31, insert:

"(3) Uses no more force than reasonably necessary to gain entry."

#### SENATE AMENDMENT TO S 1270 AMENDMENT TO SECTION 1

On page 1 of the printed bill, following line 27, insert:

"The provisions of this section shall not apply to bona fide medical, health care or hygiene procedures."

#### CORRECTION TO TITLE

On page 1, in line 4, following "OBJECT" insert: "AND TO PROVIDE EXCEPTIONS".

#### SENATE AMENDMENT TO S 1309 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 29, delete "and" and insert: "and or"; and in line 31, following "their" insert: "appointment or".

On page 2, delete lines 12 through 19, and insert:

"(3) If more than fifty percent (50%) of the elected official seats on a fire protection district board of commissioners are vacant, any remaining member of the fire protection district board of commissioners, or any elector of the fire protection district, may petition the board of county commissioners of the county or counties in which the subdistrict vacancies are situated to make such appointments as are necessary to fill the vacancies on the fire protection district board of commissioners. The vacancies shall be filled by the board or boards of county commissioners within sixty (60) days of receiving a written petition. Any fire commissioner so appointed shall serve out the remainder of the term for the commissioner last serving in the vacant seat to be filled and shall be a resident of the same fire protection commissioners subdistrict."

#### CORRECTION TO TITLE

On page 1, in line 2, following "CODE," insert: "TO PROVIDE FOR APPOINTMENT OR ELECTION,"; and in line 5, delete "ALL AVAILABLE" and insert: "A CERTAIN PERCENTAGE OF ELECTED OFFICIAL".

#### SENATE AMENDMENT TO S 1207 AMENDMENT TO SECTION 2

On page 3 of the printed bill, delete lines 7 through 9, and insert:

"(d) Any material fact provided by a seed producer that demonstrates license denial would serve the best interest of the public."

#### AMENDMENT TO THE BILL

On page 1, delete lines 11 through 41.

On page 2, delete lines 1 through 37; and in line 38, delete "SECTION 2." and insert: "SECTION 1."

#### CORRECTION TO TITLE

On page 1, delete lines 2 through 5 and insert: "RELATING TO THE SEED INDEMNITY FUND LAW; AMENDING".

#### SENATE AMENDMENT TO S 1287 AMENDMENT TO SECTION 2

On page 2 of the printed bill, delete lines 10 through 15, and insert:

"(5) It shall be a rebuttable presumption that an employee or independent contractor who is among the highest paid five percent (5%) of the employer's employees or independent contractors is a "key employee" or a "key independent contractor." To rebut such presumption, an employee or independent contractor must show that it has no ability to adversely affect the employer's legitimate business interests."

#### CORRECTION TO TITLE

On page 1, in line 4, delete "CERTAIN" and insert: "A"; and in line 5, delete "PROVISIONS" and insert: "PROVISION".

VICK, Chairman

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

The Committee also has [S 1211](#), [S 1259](#), and [S 1314](#) under consideration, reports progress, and begs leave to sit again.

[S 1244](#), as amended, [S 1245](#), as amended, [S 1270](#), as amended, [S 1309](#), as amended, [S 1207](#), as amended, and [S 1287](#), 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

[S 1317](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1317](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1292](#), 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1292](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1274](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

Whereupon the President Pro Tempore declared [S 1274](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1283](#), 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, Brackett, Buckner-Webb, Burgoyne, Hagedorn, Hill, Jordan, Keough, Lodge, Martin, Nye, Stennett, Ward-Engelking. Total - 13.

NAYS—Anthon, Bair, Bayer, Crabtree, Den Hartog, Foreman, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Mortimer, Nonini, Patrick, Potts, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 22.

Total - 35.

Whereupon the President Pro Tempore declared that [S 1283](#), as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

The Senate returned to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:15 p.m. until the hour of 3:15 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present except Senators Mortimer, 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

February 28, 2018

The JUDICIARY AND RULES Committee reports that [SCR 140](#), [S 1331](#), and [S 1332](#) have been correctly printed.

LODGE, Chairman

On request by Senator Siddoway, granted by unanimous consent, [SCR 140](#) was referred to the State Affairs Committee.

[S 1331](#) and [S 1332](#) were referred to the State Affairs Committee.

February 28, 2018

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1244](#), [S 1245](#), [S 1270](#), [S 1309](#), [S 1207](#), and [S 1287](#) have been correctly printed.

LODGE, Chairman

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

February 28, 2018

The JUDICIARY AND RULES Committee reports that [S 1244](#), as amended, [S 1245](#), as amended, [S 1270](#), as amended, [S 1309](#), as amended, [S 1207](#), as amended, and [S 1287](#), as amended, have been correctly engrossed.

LODGE, Chairman



[S 1244](#), as amended, [S 1245](#), as amended, [S 1270](#), as amended, [S 1309](#), as amended, [S 1207](#), as amended, and [S 1287](#), as amended, were filed for first reading.

Senator Ward-Engelking was recorded present at this order of business.

February 28, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1218](#) and [S 1233](#) were delivered to the Office of the Governor at 11:45 a.m., February 28, 2018.

LODGE, Chairman

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

February 28, 2018

The FINANCE Committee reports out [S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), and [S 1330](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), and [S 1330](#) were filed for second reading.

February 28, 2018

The JUDICIARY AND RULES Committee reports out [H 357](#), [H 358](#), [H 359](#), [H 360](#), [H 533](#), and [H 535](#) with the recommendation that they do pass.

LODGE, Chairman

[H 357](#), [H 358](#), [H 359](#), [H 360](#), [H 533](#), and [H 535](#) were filed for second reading.

February 28, 2018

The JUDICIARY AND RULES Committee reports out [H 429](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [H 429](#) 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

February 28, 2018

Dear Mr. President:

I transmit herewith Enrolled [HCR 38](#), [H 351](#), [H 353](#), [H 370](#), [H 371](#), and [H 372](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 38](#), [H 351](#), [H 353](#), [H 370](#), [H 371](#), and [H 372](#) and ordered them returned to the House.

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

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

#### S 1333

#### BY FINANCE COMMITTEE

#### AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2019; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

#### S 1334

#### BY FINANCE COMMITTEE

#### AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT FOR THE PAYMENT OF TALKING BOOK SERVICE COSTS.

#### S 1335

#### BY FINANCE COMMITTEE

#### AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT FOR THE CONTINUOUS APPROPRIATION OF DAMAGES AWARDED FROM THE MORTGAGE RECOVERY FUND.

[S 1333](#), [S 1334](#), and [S 1335](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1244](#), as amended, [S 1245](#), as amended, [S 1270](#), as amended, and [S 1309](#), as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

[S 1207](#), as amended, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

[S 1287](#), as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

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

### Third Reading of Bills

[S 1280](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Heider, Hill, Keough, Lakey, Lodge, Martin, Nonini, Patrick, Potts, Rice, Siddoway, Souza, Vick, Winder. Total - 22.



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, Lee, Lodge, Martin, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Lakey, Mortimer, Thayn. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 343](#) passed, title was approved, and the bill ordered returned to the House.

[H 344](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Lakey, Mortimer, Thayn. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 344](#) passed, title was approved, and the bill ordered returned to the House.

[H 345](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Lakey, Mortimer, Thayn. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 345](#) passed, title was approved, and the bill ordered returned to the House.

[H 346](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Vick, Winder. Total - 29.

NAYS—Hagedorn. Total - 1.

Absent and excused—Lakey, Mortimer, Rice, Thayn, Ward-Engelking. Total - 5.

Total - 35.

Whereupon the President Pro Tempore declared [H 346](#) passed, title was approved, and the bill ordered returned to the House.

[H 476](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Vick, Winder. Total - 29.

NAYS—Burgoyne. Total - 1.

Absent and excused—Lakey, Mortimer, Rice, Thayn, Ward-Engelking. Total - 5.

Total - 35.

Whereupon the President Pro Tempore declared [H 476](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 463](#) was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:58 p.m. until the hour of 10 a.m., Thursday, March 1, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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FIFTY-THIRD LEGISLATIVE DAY  
THURSDAY, MARCH 1, 2018

Senate Chamber

At the request of the President Pro Tempore, Acting President Nonini called the Senate to order at 10 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Harrison Woodland, 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, 2018 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 Lodge was recorded present at this order of business.

March 1, 2018

The JUDICIARY AND RULES Committee reports that [S 1333](#), [S 1334](#), and [S 1335](#) have been correctly printed.

LODGE, Chairman

[S 1333](#), [S 1334](#), and [S 1335](#) were referred to the Finance Committee.

February 28, 2018

The HEALTH AND WELFARE Committee reports out [S 1321](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1321](#) 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 28, 2018

Dear Mr. President:

I transmit herewith [H 368](#), [H 538](#), [H 626](#), [H 627](#), [H 628](#), [H 577](#), [H 611](#), [H 500](#), [H 587](#), and [H 565](#), which have passed the House.

MAULIN, Chief Clerk

[H 368](#), [H 538](#), [H 626](#), [H 627](#), [H 628](#), [H 577](#), [H 611](#), [H 500](#), [H 587](#), and [H 565](#) were filed for first reading.

February 28, 2018

Dear Mr. President:

I return herewith [S 1208](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

[S 1208](#), as amended in the House, was referred to the Judiciary and Rules Committee for consideration as to possible concurrence in the House amendments.

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 368](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 538](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 626](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 627](#) and [H 628](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 577](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 611](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 500](#) and [H 587](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 565](#), 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 388](#), [H 469](#), and [H 471](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 411](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 458](#) and [H 459](#), by Business Committee, were read the second time at length and filed for third reading.

[H 544](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), and [S 1330](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 357](#), [H 358](#), [H 359](#), [H 360](#), [H 533](#), and [H 535](#), by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[S 1244](#), as amended, [S 1245](#), as amended, [S 1270](#), as amended, and [S 1309](#), as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1207](#), as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[S 1287](#), 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**

[H 463](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Potts, Rice, Souza, Thayn, Vick, Winder. Total - 26.

NAYS—Buckner-Webb, Burgoyne, Johnson, Jordan, Keough, Nye, Siddoway, Stennett, Ward-Engelking. Total - 9.

Total - 35.

Whereupon the Acting President declared [H 463](#) passed, title was approved, and the bill ordered returned to the House.

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

#### **Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:41 p.m. until the hour of 10 a.m., Friday, March 2, 2018.

NONINI, Acting President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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FIFTY-FOURTH LEGISLATIVE DAY  
FRIDAY, MARCH 2, 2018

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Amber Zeckmann, Page.

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

### Reports of Standing Committees

March 1, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 431](#), [H 434](#), [H 489](#), [H 490](#), [H 521](#), and [S 1324](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 431](#), [H 434](#), [H 489](#), [H 490](#), [H 521](#), and [S 1324](#) were filed for second reading.

Senator Brackett was recorded present at this order of business.

March 1, 2018

The FINANCE Committee reports out [H 627](#), [H 628](#), [S 1333](#), [S 1334](#), and [S 1335](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 627](#), [H 628](#), [S 1333](#), [S 1334](#), and [S 1335](#) were filed for second reading.

Senator Bayer was recorded present at this order of business.

March 1, 2018

The TRANSPORTATION Committee reports out [H 512](#) and [H 543](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 512](#) and [H 543](#) were filed for second reading.

March 1, 2018

The TRANSPORTATION Committee reports out [H 506](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [H 506](#) was referred to the Fourteenth Order of Business, General Calendar.

March 1, 2018

The HEALTH AND WELFARE Committee reports out [H 472](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 472](#) was filed for second reading.

March 1, 2018

The HEALTH AND WELFARE Committee reports out [HCR 47](#) with the recommendation that it do pass.

HEIDER, Chairman

[HCR 47](#) 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, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 515](#), [H 591](#), and [H 592](#) with the recommendation that they do pass.

JOHNSON, Chairman

[H 515](#), [H 591](#), and [H 592](#) were filed for second reading.

March 1, 2018

The EDUCATION Committee reports out [S 1291](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1291](#) was referred to the Fourteenth Order of Business, General Calendar.

March 2, 2018

The STATE AFFAIRS Committee reports out [H 486](#), [H 606](#), [S 1318](#), and [S 1331](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 486](#), [H 606](#), [S 1318](#), and [S 1331](#) were filed for second reading.

March 2, 2018

The STATE AFFAIRS Committee reports out [SCR 140](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[SCR 140](#) 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 1, 2018

Dear Mr. President:

I transmit herewith [H 554](#), [H 599](#), [H 605](#), [H 593](#), [H 594](#), [H 550](#), as amended, [H 604](#), as amended, [H 635](#), [H 638](#), [H 639](#), [H 443](#), [H 503](#), [H 580](#), [H 618](#), [HCR 43](#), [HCR 45](#), [HJM 11](#), [H 645](#), [H 646](#), [H 651](#), [H 650](#), [H 652](#), [H 629](#), [H 631](#), [HJM 14](#), [H 530](#), [H 586](#), and [H 566](#), which have passed the House.

MAULIN, Chief Clerk

[H 554](#), [H 599](#), [H 605](#), [H 593](#), [H 594](#), [H 550](#), as amended, [H 604](#), as amended, [H 635](#), [H 638](#), [H 639](#), [H 443](#), [H 503](#), [H 580](#), [H 618](#), [HCR 43](#), [HCR 45](#), [HJM 11](#), [H 645](#), [H 646](#), [H 651](#), [H 650](#), [H 652](#), [H 629](#), [H 631](#), [HJM 14](#), [H 530](#), [H 586](#), and [H 566](#) were filed for first reading.

March 1, 2018

Dear Mr. President:

I transmit herewith Enrolled [HCR 39](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 39](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

**Motions and Resolutions**

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

On motion by Senator Lodge, seconded by Senator Burgoyne, the Gubernatorial appointment of Rich Wills as a member of the Commission on Pardons and Parole was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 appointment of Amy Manning was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Nye, the Gubernatorial appointment of Amy Manning 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.

On request by Senator Winder, granted by unanimous consent, [HCR 48](#) retained its place on the calendar for one legislative day.

The President Pro Tempore announced that [SCR 139](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Nye, [SCR 139](#) was adopted by voice vote, 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**

[H 554](#) and [H 599](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 605](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 593](#) and [H 594](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 550](#), as amended, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 604](#), as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 635](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 638](#) and [H 639](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 443](#), [H 503](#), and [H 580](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 618](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 43](#) and [HCR 45](#), by Health and Welfare Committee, were introduced, read at length, and referred to the Health and Welfare Committee.

[HJM 11](#), by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[H 645](#), [H 646](#), [H 651](#), [H 650](#), and [H 652](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 629](#) and [H 631](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[HJM 14](#), by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.





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, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Nonini. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1327](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1328](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Nonini. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1328](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1329](#) 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, Crabtree, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Burgoyne, Den Hartog, Foreman, Potts. Total - 4.

Absent and excused—Nonini, Souza. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1329](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1330](#) 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, 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 - 32.

NAYS—Foreman, Potts. Total - 2.

Absent and excused—Nonini. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1330](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, **H 612** was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:04 p.m. until the hour of 10 a.m., Monday, March 5, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**FIFTY-SEVENTH LEGISLATIVE DAY**  
**MONDAY, MARCH 5, 2018**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Tessa Fronk, 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 March 1, 2018 and March 2, 2018 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 Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SCR 141

#### 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 SAFETY AND HEALTH RULES FOR PLACES OF PUBLIC EMPLOYMENT.

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 Safety and Health Rules for Places of Public Employment are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 07.09.01, relating to Safety and Health Rules for Places of Public Employment, adopted as a pending rule under

Docket Number 07-0901-1701, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

#### SCR 142

#### 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 GOVERNING SAFETY INSPECTIONS.

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 Governing Safety Inspections are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 07.04.01, relating to Rules Governing Safety Inspections, adopted as a pending rule under Docket Number 07-0401-1701, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

#### SCR 143

#### BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO CONTINUE TO STUDY ISSUES RELATING TO CAMPAIGN FINANCE REFORM AND TO MAKE RECOMMENDATIONS.

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

WHEREAS, the Speaker of the House of Representatives and the President Pro Tempore of the Senate authorized in 2017 a working group of legislators to study campaign finance issues and to make recommendations to the Legislature; and

WHEREAS, the working group proposed campaign finance reform recommendations to the Legislature during the 2018 legislative session; and

WHEREAS, it is the opinion of the working group that numerous issues remain to be studied including, but not limited to, the modernization and simplification of the sunshine laws relating to campaign finance disclosures by candidates, lobbyists and political action committees, technology requirements for a single database to be operated through the Secretary of State's website, and increasing the transparency of the campaign process in Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second 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 continue and complete a study of issues relating to campaign finance reform. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixty-fifth Idaho Legislature.

[SCR 141](#), [SCR 142](#), and [SCR 143](#) 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 2, 2018

The JUDICIARY AND RULES Committee reports out [S 1208](#), as amended in the House, with the recommendation that the Senate not concur in the House amendments.

LODGE, Chairman

[S 1208](#), as amended in the House, and the committee report were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 23, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1209](#) was delivered to the Office of the Governor at 2 p.m., February 23, 2018.

LODGE, Chairman

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

March 2, 2018

The FINANCE Committee reports out [H 635](#), [H 645](#), [H 646](#), [H 650](#), [H 651](#), and [H 652](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 635](#), [H 645](#), [H 646](#), [H 650](#), [H 651](#), and [H 652](#) were filed for second reading.

March 2, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [H 603](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BAIR, Chairman

There being no objection, [H 603](#) was referred to the Fourteenth Order of Business, General Calendar.

March 2, 2018

The JUDICIARY AND RULES Committee reports out [S 1316](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1316](#) was referred to the Fourteenth Order of Business, General Calendar.

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

### Messages from the Governor

March 1, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1209](#), [S 1218](#), and [S 1233](#)

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 2, 2018

Dear Mr. President:

I transmit herewith [HCR 53](#), [H 523](#), [H 547](#), [H 653](#), [H 654](#), [H 649](#), [H 622](#), [H 647](#), and [HCR 49](#), which have passed the House.

MAULIN, Chief Clerk

[HCR 53](#), [H 523](#), [H 547](#), [H 653](#), [H 654](#), [H 649](#), [H 622](#), [H 647](#), and [HCR 49](#) were filed for first reading.

March 2, 2018

Dear Mr. President:

I return herewith [S 1226](#), [S 1230](#), [S 1231](#), [S 1234](#), [S 1252](#), [S 1214](#), [S 1213](#), [S 1315](#), [S 1267](#), as amended, [S 1260](#), [S 1261](#), [S 1219](#), and [SCR 130](#), which have passed the House.

MAULIN, Chief Clerk

[S 1226](#), [S 1230](#), [S 1231](#), [S 1234](#), [S 1252](#), [S 1214](#), [S 1213](#), [S 1315](#), [S 1267](#), as amended, [S 1260](#), [S 1261](#), [S 1219](#), and [SCR 130](#) were referred to the Judiciary and Rules Committee for enrolling.

March 2, 2018

Dear Mr. President:

I transmit herewith Enrolled [HCR 40](#), [H 347](#), [H 348](#), [H 349](#), [H 336](#), [H 343](#), [H 344](#), [H 345](#), [H 346](#), [H 476](#), and [H 463](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 40](#), [H 347](#), [H 348](#), [H 349](#), [H 336](#), [H 343](#), [H 344](#), [H 345](#), [H 346](#), [H 476](#), and [H 463](#) 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 [HCR 48](#) 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, [HCR 48](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [HJM 12](#) retained its place on the calendar for Tuesday, March 6, 2018.

The President Pro Tempore announced that [SJM 104](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Harris, seconded by Senator Buckner-Webb, [SJM 104](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

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

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

#### S 1336

#### BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO PHARMACIES; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 65, TITLE 41, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR APPLICABILITY, TO PROVIDE FOR REQUIRED PRACTICES FOR PHARMACY BENEFIT MANAGERS, TO PROHIBIT CERTAIN WAIVERS, TO PROVIDE FOR ENFORCEMENT, TO PROVIDE FOR RULEMAKING AND TO PROVIDE MAXIMUM ALLOWABLE COST TRANSPARENCY REQUIREMENTS FOR PHARMACY BENEFIT MANAGERS; AND PROVIDING SEVERABILITY.

#### S 1337

#### BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO CAMPAIGN FINANCE; AMENDING SECTION 67-6601, IDAHO CODE, TO REVISE THE PURPOSE OF THE ACT; AMENDING SECTION 67-6602, IDAHO CODE, TO REVISE, REMOVE AND PROVIDE

DEFINITIONS; AMENDING SECTION 67-6604, IDAHO CODE, TO PROVIDE FOR THE INSPECTION OF CERTAIN POLITICAL ACCOUNTS BY A COUNTY CLERK, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 67-6606, IDAHO CODE, RELATING TO EXPENDITURES BY A NONBUSINESS ENTITY; AMENDING SECTION 67-6607, IDAHO CODE, TO REVISE PROVISIONS REGARDING REPORTS OF CONTRIBUTIONS AND EXPENDITURES; AMENDING SECTION 67-6608, IDAHO CODE, TO REVISE PROVISIONS REGARDING DISPOSITION OF UNEXPENDED BALANCES; AMENDING SECTION 67-6610, IDAHO CODE, TO PROHIBIT A POLITICAL COMMITTEE FROM ACCEPTING CERTAIN CONTRIBUTIONS UNDER CERTAIN CONDITIONS; AMENDING SECTION 67-6610A, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTRIBUTION LIMITS AND TO PROVIDE FOR APPLICABILITY TO SPECIAL ELECTIONS; AMENDING SECTION 67-6610B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-6611, IDAHO CODE, TO REVISE LANGUAGE; AMENDING SECTION 67-6615, IDAHO CODE, TO PROVIDE FOR THE RESPECTIVE DUTIES OF THE SECRETARY OF STATE AND OF COUNTY CLERKS REGARDING THE INSPECTION OF STATEMENTS PURSUANT TO THIS CHAPTER, TO PROVIDE LEGISLATIVE INTENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6616, IDAHO CODE, TO PROVIDE FOR THE RESPECTIVE DUTIES OF THE SECRETARY OF STATE AND OF COUNTY CLERKS REGARDING THE EXAMINATION OF STATEMENTS FILED PURSUANT TO THIS CHAPTER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6623, IDAHO CODE, TO PROVIDE FOR THE RESPECTIVE DUTIES OF THE SECRETARY OF STATE AND OF COUNTY CLERKS; AMENDING SECTION 67-6625, IDAHO CODE, TO REVISE THE CIVIL FINE FOR A VIOLATION; AMENDING SECTION 67-6625A, IDAHO CODE, TO CLARIFY THE LIABILITY FOR THE LATE FILING OF A STATEMENT OR REPORT; AMENDING SECTION 67-6626, IDAHO CODE, TO PROVIDE FOR THE ROLE OF A COUNTY CLERK IN AN INJUNCTION TO ENFORCE THE ACT; AMENDING SECTION 67-6628, IDAHO CODE, TO REQUIRE AN AUTHORITY LINE IN ELECTIONEERING COMMUNICATIONS; REPEALING SECTION 1-2220A, IDAHO CODE, RELATING TO CAMPAIGN FINANCE REPORTING FOR MAGISTRATE RETENTION ELECTIONS; REPEALING SECTION 31-2012, IDAHO CODE, RELATING TO CAMPAIGN FINANCE REPORTING FOR CERTAIN COUNTY ELECTIONS; AMENDING SECTION 33-503, IDAHO CODE, TO REMOVE A PROVISION REGARDING CAMPAIGN FINANCE REPORTING FOR CERTAIN SCHOOL TRUSTEE ELECTIONS; AMENDING SECTION 33-2106, IDAHO CODE, TO REMOVE LANGUAGE REGARDING CAMPAIGN FINANCE REPORTING FOR COMMUNITY COLLEGE TRUSTEE ELECTIONS; REPEALING SECTION 40-1417, IDAHO CODE, RELATING TO CAMPAIGN FINANCE REPORTING FOR COUNTY-WIDE HIGHWAY DISTRICT ELECTIONS; REPEALING SECTION 50-420, IDAHO CODE, RELATING TO CAMPAIGN FINANCE REPORTING FOR CERTAIN CITY ELECTIONS; REPEALING SECTION 67-4931, IDAHO CODE, RELATING TO CAMPAIGN FINANCE REPORTING FOR AUDITORIUM DISTRICT ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

**S 1338**  
**BY FINANCE COMMITTEE**  
 AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC HEALTH DISTRICTS FOR FISCAL YEAR 2019; APPROPRIATING AND TRANSFERRING MONEYS TO THE PUBLIC HEALTH DISTRICTS FROM THE GENERAL FUND TO THE PUBLIC HEALTH TRUST FUND FOR FISCAL YEAR 2019; AND APPROPRIATING MONEYS TO THE PUBLIC HEALTH DISTRICTS FROM THE MILLENNIUM INCOME FUND FOR FISCAL YEAR 2019.

**S 1339**  
**BY FINANCE COMMITTEE**  
 AN ACT

RELATING TO THE APPROPRIATION TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2019; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**S 1340**  
**BY FINANCE COMMITTEE**  
 AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND AMENDING SECTION 61-215, IDAHO CODE, TO INCREASE THE SALARIES OF THE PUBLIC UTILITIES COMMISSIONERS.

**S 1341**  
**BY JUDICIARY AND RULES COMMITTEE**  
 AN ACT

RELATING TO THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1601, IDAHO CODE, TO REVISE PROVISIONS REGARDING POLICY; AMENDING SECTION 16-1605, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE IN CERTAIN INSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1619, IDAHO CODE, TO PROVIDE PROCEDURES FOR JUDICIAL REVIEW IN CERTAIN INSTANCES, TO PROVIDE THAT THE COURT SHALL CONSIDER CERTAIN FACTORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1622, IDAHO CODE, TO REVISE A PROVISION REGARDING PERMANENCY PLANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1629, IDAHO CODE, TO PROVIDE THAT THE COURT SHALL HAVE WRITTEN NOTICE WHEN THERE IS A CHANGE IN FOSTER CARE PLACEMENT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1647, IDAHO CODE, TO ESTABLISH CITIZEN REVIEW PANELS AND A CHILD PROTECTION LEGISLATIVE REVIEW PANEL, TO PROVIDE FOR COMPOSITION OF THE PANELS, TO PROVIDE FOR APPLICATION AND ELIGIBILITY, TO PROVIDE FOR DUTIES OF THE PANELS, TO PROVIDE THAT PANELS SHALL HAVE ACCESS TO CERTAIN INFORMATION, TO PROVIDE REPORTING REQUIREMENTS AND TO PROVIDE MEETING REQUIREMENTS.

[S 1336](#), [S 1337](#), [S 1338](#), [S 1339](#), [S 1340](#), and [S 1341](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 53](#), by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 523](#), by Business Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 547](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 653](#) and [H 654](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 649](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 622](#) and [H 647](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[HCR 49](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[H 431](#), [H 434](#), [H 489](#), and [H 490](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 521](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1324](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 627](#) and [H 628](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1333](#), [S 1334](#), and [S 1335](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 512](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[H 543](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 472](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 515](#), [H 591](#), and [H 592](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[H 486](#) and [H 606](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1318](#) and [S 1331](#), 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 612** 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, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 612** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, **S 1244**, as amended, and **S 1245**, as amended, were referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, **S 1270**, as amended, retained its place on the Third Reading Calendar for one legislative day.

**S 1309**, 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, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1309**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

**S 1207**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1207**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

**S 1287**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Bair, Harris, Hill, Rice, Siddoway. Total - 5.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1287**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

**S 1321** 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, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1321** passed, title was approved, and the bill ordered transmitted to the House.

**H 350** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 350](#) passed, title was approved, and the bill ordered returned to the House.

[H 432](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Agenbroad, 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 - 32.

NAYS—Den Hartog, Potts. Total - 2.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 432](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

#### **Motions and Resolutions**

On request by Senator Winder, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Idaho Day Service.

The Idaho Day Service was presented to the members of the Senate with Senator Agenbroad providing opening remarks. The reenactment of Abraham Lincoln's "Why Idaho?" was performed by Skip Critell.

Breanna Williams performed "Here We Have Idaho." Senators Nye and Agenbroad presented the Idaho State Flag to Breanna Williams.

Closing remarks were provided by Senator Nye. He extended gratitude to all who helped with the program and the Idaho Day Service was dissolved.

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

#### **Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:01 p.m. until the hour of 10 a.m., Tuesday, March 6, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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FIFTY-EIGHTH LEGISLATIVE DAY  
TUESDAY, MARCH 6, 2018

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Jayden Huston, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 5, 2018 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 6, 2018

The JUDICIARY AND RULES Committee reports that [SCR 141](#), [SCR 142](#), [SCR 143](#), [S 1336](#), [S 1337](#), [S 1338](#), [S 1339](#), [S 1340](#), and [S 1341](#) have been correctly printed.

LODGE, Chairman

[SCR 141](#), [SCR 142](#), and [SCR 143](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1336](#) was referred to the Health and Welfare Committee.

[S 1337](#) was referred to the State Affairs Committee.

[S 1338](#), [S 1339](#), and [S 1340](#) were referred to the Finance Committee.

[S 1341](#) was referred to the Judiciary and Rules Committee.

Senator Bayer was recorded present at this order of business.

March 5, 2018

The JUDICIARY AND RULES Committee reports that [S 1226](#), [S 1230](#), [S 1231](#), [S 1234](#), [S 1252](#), [S 1214](#), [S 1213](#), [S 1315](#), [S 1267](#), as amended, [S 1260](#), [S 1261](#), [S 1219](#), and [SCR 130](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1226](#), [S 1230](#), [S 1231](#), [S 1234](#), [S 1252](#), [S 1214](#), [S 1213](#), [S 1315](#), [S 1267](#), as amended, [S 1260](#), [S 1261](#), [S 1219](#), and [SCR 130](#) and ordered them transmitted to the House for the signature of the Speaker.

March 5, 2018

The STATE AFFAIRS Committee reports out [H 565](#) and [H 611](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 565](#) and [H 611](#) were filed for second reading.

March 5, 2018

The FINANCE Committee reports out [H 653](#) and [H 654](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 653](#) and [H 654](#) were filed for second reading.

March 5, 2018

The JUDICIARY AND RULES Committee reports out [H 447](#), [H 448](#), and [H 531](#) with the recommendation that they do pass.

LODGE, Chairman

[H 447](#), [H 448](#), and [H 531](#) were filed for second reading.

March 5, 2018

The JUDICIARY AND RULES Committee reports out [H 474](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [H 474](#) was referred to the Fourteenth Order of Business, General Calendar.

March 5, 2018

The HEALTH AND WELFARE Committee reports out [H 505](#) and [H 601](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 505](#) and [H 601](#) were filed for second reading.

March 5, 2018

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

David Groeschl to the Oil and Gas Commission, term to continue at the pleasure of the Governor.

BAIR, Chairman



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

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

### Messages from the Governor

March 2, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mark Von Lindern of Lewiston, Idaho was re-appointed as a member of the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing March 6, 2018 and expiring March 6, 2021.

This appointment is 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 Health and Welfare Committee.

The Senate advanced to the Ninth Order of Business.

### Messages from the House

March 5, 2018

Dear Mr. President:

I transmit herewith [H 509](#), [H 584](#), [H 567](#), as amended, [H 634](#), [H 527](#), [H 590](#), [H 632](#), [H 648](#), [HCR 54](#), [H 607](#), [HCR 51](#), [H 621](#), and [H 642](#), which have passed the House.

MAULIN, Chief Clerk

[H 509](#), [H 584](#), [H 567](#), as amended, [H 634](#), [H 527](#), [H 590](#), [H 632](#), [H 648](#), [HCR 54](#), [H 607](#), [HCR 51](#), [H 621](#), and [H 642](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President Pro Tempore announced that [HJM 12](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Den Hartog, seconded by Senator Buckner-Webb, [HJM 12](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President Pro Tempore announced that [HCR 46](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Souza, seconded by Senator Agenbroad, [HCR 46](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that [HCR 47](#) 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 47](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that [SCR 140](#) was before the Senate for final consideration.

Moved by Senator Bair, seconded by Senator Buckner-Webb, that [SCR 140](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [SCR 140](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The Senate now has before it [S 1208](#), as amended in the House, and the Judiciary and Rules Committee report recommending that the Senate not concur in the House amendments.

Moved by Senator Lodge, seconded by Senator Nye, the Judiciary and Rules Committee report by adopted. The question being, "Shall the motion prevail?"

The President Pro Tempore announced that, by voice vote, the motion did prevail, and [S 1208](#), as amended in the House, was 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 1342

#### BY FINANCE COMMITTEE

#### AN ACT

RELATING TO THE APPROPRIATION TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

[S 1342](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 509](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 584](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 567](#), as amended, by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 634](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 527](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 590](#), [H 632](#), and [H 648](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[HCR 54](#), by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 607](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 51](#), by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 621](#) and [H 642](#), by Ways and Means 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 635](#), [H 645](#), [H 646](#), [H 650](#), [H 651](#), and [H 652](#), by Appropriations Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [S 1270](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

[S 1324](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1324](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1333](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1333](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1334](#) 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1334](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1335](#) 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 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1335](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1318](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1318](#) passed, title was approved, and the bill ordered transmitted to the House.

**S 1331** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Potts arose as sponsor of the bill and 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1331** passed, title was approved, and the bill ordered transmitted to the House.

**H 454** 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 454** passed, title was approved, and the bill ordered returned to the House.

**H 409** 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 409** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, **H 465** retained its place on the Third Reading Calendar.

**H 365** 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 365** passed, title was approved, and the bill ordered returned to the House.

**H 403** 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 403** passed, title was approved, and the bill ordered returned to the House.

**H 404** 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 404** passed, title was approved, and the bill ordered returned to the House.

**H 416** 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 416** passed, title was approved, and the bill ordered returned to the House.

The Senate advanced to the Fourteenth Order of Business.

### General Calendar

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

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

#### Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [S 1211](#), [S 1259](#), [S 1314](#), [H 429](#), [H 506](#), and [S 1291](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO S 1211

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 16, delete "teaching" and insert: "~~teaching~~ education"; in line 17, delete ", and not" and insert: "~~, and not~~ . Not"; in line 20, following "services" insert: "; not less than one (1) member shall be a certificated superintendent; not less than one (1) member shall be a secondary school principal; not less than one (1) member shall be an elementary school principal; and not less than one (1) member shall be a local board of trustees member"; in line 41, following "position." insert: "Nominations accepted may be only for individuals representative of the education profession of the state of Idaho and must be of the same category as the open seat.".

On page 2, in line 1, delete "The state board of education may accept nominations to any position"; delete lines 2 through 4; and in line 5, delete "(4)".

#### SENATE AMENDMENT TO S 1259

##### AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 47, following "Code." insert: "Use of these funds shall be subject to the legislative appropriation process.".

##### AMENDMENT TO THE BILL

On page 3, delete lines 7 through 9, and insert:

"SECTION 3. That Sections 19-5116 and 41-406, Idaho Code, be, and the same are hereby repealed.

SECTION 4. That Chapter 51, Title 19, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 19-5116, Idaho Code, and to read as follows:

19-5116. PEACE OFFICERS STANDARDS AND TRAINING FUND. (a) There is hereby established in the state treasury the peace officers standards and training fund. All moneys deposited to the fund shall be expended by the peace officer standards and training council for the following purposes:

- (1) Training peace officers, county detention officers, and self-sponsored students within the state of Idaho, including, but not limited to, sheriffs and their deputies, officers of the Idaho state police, conservation officers of the Idaho department of fish and game, emergency communications officers, and city and county prosecutors and their deputies;
- (2) Salaries, costs and expenses relating to such training as provided in paragraph (1) of this subsection;
- (3) Such capital expenditures as the peace officer standards and training council may provide for the acquisition, construction and/or improvement of a peace officer standards and training academy; and
- (4) Such expenditures as may be necessary to aid approved peace officers training programs or county detention officer programs certified as having met the standards established by the peace officer standards and training council.

(b) The peace officers standards and training fund shall be funded as provided in sections 31-3201A and 31-3201B, Idaho Code.

(c) All contributions and other moneys and appropriations designated for peace officers standards and training shall be deposited in the peace officers standards and training fund.

(d) Moneys received into the fund as provided in subsection (c) of this section shall be accounted for separately.

(e) If the fiscal year-end balance in the fund pursuant to sections 31-3201A and 31-3201B, Idaho Code, exceeds one million dollars (\$1,000,000), the excess shall revert to the general fund.

(f) Moneys received into the fund pursuant to the provisions of section 31-3201D, Idaho Code, shall be used for the purposes of providing basic training, continuing education and certification of misdemeanor probation officers, whether those officers are employees of or by private sector contract with a county.

SECTION 5. That Chapter 4, Title 41, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 41-406, Idaho Code, and to read as follows:

41-406. DEPOSIT AND REPORT OF FEES, LICENSES AND TAXES. (1) The director shall transmit all taxes, fines and penalties collected by him to the state treasurer as provided under section 59-1014, Idaho Code. The director shall file with the state controller a statement of each deposit thus made. All such funds received shall be deposited into the department of insurance suspense account.

Such funds shall be distributed as follows:

(a) The director may deposit up to twenty percent (20%) of the funds received in the insurance refund account which is hereby created for the purpose of repaying overpayments of any taxes, fines, and penalties or other erroneous receipts. There is hereby appropriated out of the insurance refund account so much thereof as shall be necessary for the payment of refunds. Any unencumbered balance remaining in the insurance refund account on June 30 of each and every year in excess of forty thousand dollars (\$40,000) shall be transferred to the general fund and the state controller is hereby authorized and directed on such dates to make such transfers unless the board of examiners, which is hereby authorized to do so, changes the date of transfer or sum to be transferred.

(b) That portion of the premium tax, payable to the public employee retirement fund as provided in section 59-1394, Idaho Code, shall be distributed to that fund.

(c) That portion of the premium tax necessary to cover administrative costs incurred by the department in placing insurance companies or any other insurance entities into receivership or under administrative supervision, and such costs cannot be satisfied from the assets of these companies or entities, shall be distributed to the insurance insolvency administrative fund which is hereby created. There is hereby appropriated out of the insurance insolvency administrative fund so much thereof as shall be necessary, but not to exceed two hundred thousand dollars (\$200,000) in any one (1) fiscal year, for the payment of the department's administrative expenses incurred in carrying out such receiverships or supervision. A balance of one hundred thousand dollars (\$100,000) shall be maintained in this fund on June 30 of each year.

(d) After all other deductions authorized in this section have been made, if the premium tax remaining exceeds forty-five million dollars (\$45,000,000), one-fourth (1/4) of such excess is hereby appropriated and shall be paid to the

Idaho individual high risk reinsurance pool established in chapter 55, title 41, Idaho Code.

(e) The balance of the premium tax, fines and penalties shall be distributed to the general fund of the state of Idaho.

(f) All moneys received for fees, licenses and miscellaneous charges collected shall be distributed to the insurance administrative account.

(2) The director shall make and file with the state controller an itemized statement of the fees, licenses, taxes, fines and penalties collected by him during the preceding month.

SECTION 6. An emergency existing therefor, which emergency is hereby declared to exist, Sections 1 and 2 of this act shall be in full force and effect on and after passage and approval. Sections 3, 4 and 5 of this act shall be in full force and effect on and after July 1, 2020."

#### CORRECTION TO TITLE

On page 1, in line 6, delete "AND DECLARING AN EMERGENCY" and insert: "REPEALING SECTION 19-5116, IDAHO CODE, RELATING TO THE PEACE OFFICERS STANDARDS AND TRAINING FUND AND REPEALING SECTION 41-406, IDAHO CODE, RELATING TO THE DEPOSIT AND REPORT OF FEES, LICENSES AND TAXES; AMENDING CHAPTER 19, TITLE 51, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-5116, IDAHO CODE, TO ESTABLISH THE PEACE OFFICERS STANDARDS AND TRAINING FUND, TO PROVIDE FOR HOW MONEYS SHALL BE EXPENDED, DEPOSITED AND ACCOUNTED FOR AND TO PROVIDE THAT CERTAIN MONEYS SHALL REVERT TO THE GENERAL FUND; AMENDING CHAPTER 4, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-406, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR SHALL TRANSMIT CERTAIN TAXES, FINES AND PENALTIES, TO PROVIDE THAT THE DIRECTOR SHALL FILE CERTAIN STATEMENTS AND TO PROVIDE FOR HOW CERTAIN FUNDS ARE DEPOSITED AND DISTRIBUTED; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE".

#### SENATE AMENDMENT TO S 1314

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 25, following "sealed" insert: ". This provision shall not apply to any dismissal granted pursuant to section 19-2604(1), Idaho Code".

#### CORRECTION TO TITLE

On page 1, in line 4, delete "AND" and insert: ";"; and in line 5, following "INSTANCES" insert: "AND TO PROVIDE AN EXCEPTION".

#### SENATE AMENDMENT TO H 429

##### AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 31, delete "~~after collections from any third party who has liability;~~" and insert: ", after collections from any federal or federally-financed third party who has liability,".

#### SENATE AMENDMENT TO H 506

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 12, delete "even if such vehicle"; and delete lines 13 and 14, and insert: "because such vehicles were manufactured in accordance with department of defense military safety standards. A federal form 97 shall be provided at the time of registration. If no federal form 97 is available, the applicant may apply for a conditional title.".

#### SENATE AMENDMENT TO S 1291

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 13, following "shall" insert: "decide whether the school will participate in a school turnaround plan as provided in this chapter and, if the school will participate, shall"; in line 20, delete "Four (4)" and insert: "Three (3)"; in line 21, delete "Two (2)" and insert: "Three (3)"; also in line 21, delete "and"; following line 21, insert:

"(e) Two (2) community members; and"; and in line 22, delete "(e)" and insert: "(f)".

On page 5, delete lines 1 through 25, and insert:

"33-6108. FAILURE TO IMPROVE. (1) A low-performing school that participates in a school turnaround plan but does not improve its performance, according to criteria established by the board, within two (2) years after the initial remedial year may be granted an extension by the accountability oversight committee for up to two (2) years to continue school improvement efforts. To be granted an extension, the school must demonstrate to the accountability oversight committee's satisfaction that improvement is likely with an extension.

(2) The board may extend or change the contract of an independent school turnaround expert working with a low-performing school that has been granted an extension or, at the request of the governing authority and the school turnaround committee, may enter a contract with another school turnaround expert.

(3) A school granted an extension is eligible for:

(a) Continued funding pursuant to section 33-6106, Idaho Code; and

(b) The school recognition and reward program established by section 33-6109, Idaho Code.

(4) A school that fails to improve, according to criteria established by the board, within two (2) years after being granted an extension, or a school that fails to improve and is not granted an extension, will be referred to the accountability oversight committee for recommendations on further action regarding the school, including options to increase or reduce funds and resources allocated to the school.";

and in line 39, delete "may" and insert: "shall".

VICK, Chairman

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

[S 1211](#), as amended, [S 1259](#), as amended, [S 1314](#), as amended, and [S 1291](#), 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 429](#), as amended in the Senate, and [H 506](#), 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.

The Committee also has [H 603](#), [S 1316](#), [S 1244](#), as amended, and [S 1245](#), as amended, under consideration, reports progress, and begs leave to sit again.

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

#### Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:57 a.m. until the hour of 4:30 p.m. of this day.

**RECESS  
AFTERNOON SESSION**

The Senate reconvened at 4:30 p.m., pursuant to recess, President Pro Tempore Hill presiding.

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

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

**Reports of Standing Committees**

March 6, 2018

The JUDICIARY AND RULES Committee reports that [S 1342](#) has been correctly printed.

LODGE, Chairman

[S 1342](#) was referred to the Finance Committee.

March 6, 2018

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1211](#), [S 1259](#), [S 1314](#), [H 429](#), [H 506](#), and [S 1291](#) have been correctly printed.

LODGE, Chairman

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

March 6, 2018

The JUDICIARY AND RULES Committee reports that [S 1211](#), as amended, [S 1259](#), as amended, [S 1314](#), as amended, and [S 1291](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1211](#), as amended, [S 1259](#), as amended, [S 1314](#), as amended, and [S 1291](#), as amended, were filed for first reading.

March 6, 2018

The FINANCE Committee reports out [S 1338](#), [S 1339](#), and [S 1340](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1338](#), [S 1339](#), and [S 1340](#) were filed for second reading.

March 6, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 399](#), [H 400](#), [H 402](#), [H 526](#), and [H 548](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 399](#), [H 400](#), [H 402](#), [H 526](#), and [H 548](#) were filed for second reading.

March 6, 2018

The EDUCATION Committee reports out [H 368](#), [H 503](#), and [H 580](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 368](#), [H 503](#), and [H 580](#) were filed for second reading.

March 6, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 492](#), [H 514](#), [H 518](#), and [H 524](#) with the recommendation that they do pass.

JOHNSON, Chairman

[H 492](#), [H 514](#), [H 518](#), and [H 524](#) 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 6, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 383](#), as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 383](#), as amended in the Senate, 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**

Senators Lodge and Heider were recorded present at this order of business.

[H 429](#), as amended in the Senate, and [H 506](#), as amended in the Senate, by Transportation and Defense Committee, were read the first time at length and filed for second reading.

[S 1211](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1259](#), as amended, and [S 1314](#), as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

[S 1291](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

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

**Third Reading of Bills**

President Little assumed the Chair.

[S 1270](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Potts arose as sponsor of the bill and 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1270](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 462](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

Whereupon the President declared [H 462](#) passed, title was approved, and the bill ordered returned to the House.

[H 407](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 407](#) passed, title was approved, and the bill ordered returned to the House.

[H 362](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 362](#) passed, title was approved, and the bill ordered returned to the House.

[H 363](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 363](#) passed, title was approved, and the bill ordered returned to the House.

[H 452](#) 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), Senator Anthon disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 30.

NAYS—Buckner-Webb, Jordan, Stennett, Ward-Engelking. Total - 4.

Absent and excused—Burgoyne. Total - 1.

Paired and voting included in roll call:

AYE - Nonini

NAY - Stennett

Total - 35.

Whereupon the President declared [H 452](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 513](#) retained its place on the Third Reading Calendar for one legislative day.

[H 386](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 386](#) passed, title was approved, and the bill ordered returned to the House.

[H 446](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 446](#) passed, title was approved, and the bill ordered returned to the House.

[H 374](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 374](#) passed, title was approved, and the bill ordered returned to the House.

[H 549](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 549](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 430](#) retained its place on the Third Reading Calendar.

[H 388](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 388](#) passed, title was approved, and the bill ordered returned to the House.

[H 469](#) 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, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 469](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 471](#) retained its place on the Third Reading Calendar for one legislative day.

[H 411](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 411](#) 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 5:48 p.m. until the hour of 10 a.m., Wednesday, March 7, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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FIFTY-NINTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 7, 2018

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Brenton Marcucci, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 6, 2018 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 144 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 ISSUES RELATING TO INFORMATION TECHNOLOGY PROCUREMENT BY THE STATE OF IDAHO.

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

WHEREAS, the Second Regular Session of the Sixty-third Idaho Legislature adopted House Concurrent Resolution No. 48, which authorized the appointment of a committee to undertake and complete a study of the procurement laws of the State of Idaho and to make recommendations; and

WHEREAS, the committee proposed legislation revising the state's procurement laws but concluded that issues relating to information technology procurement required further study; and

WHEREAS, such issues include, but are not limited to, the terms and conditions used in information technology procurement, best practices for information technology procurement and the state's methods for evaluating future information technology needs; and

WHEREAS, the committee's term has expired.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second 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 issues relating to information technology procurement by the State of Idaho. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that 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 First Regular Session of the Sixty-fifth Idaho Legislature.

[SCR 144](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 6, 2018

The FINANCE Committee reports out [S 1342](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1342](#) was filed for second reading.

March 6, 2018

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:

Jay Kunze to the Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 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.

March 7, 2018

The STATE AFFAIRS Committee reports out [H 605](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[H 605](#) was filed for second reading.

March 7, 2018

The STATE AFFAIRS Committee reports out [HCR 53](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[HCR 53](#) 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 6, 2018

Dear Mr. President:

I transmit herewith [H 582](#), [H 623](#), [H 643](#), [H 644](#), [H 551](#), and [HCR 52](#), which have passed the House.

MAULIN, Chief Clerk

[H 582](#), [H 623](#), [H 643](#), [H 644](#), [H 551](#), and [HCR 52](#) were filed for first reading.

March 6, 2018

Dear Mr. President:

I return herewith [S 1282](#), [S 1317](#), [S 1263](#), [S 1266](#), [S 1294](#), [S 1268](#), [SCR 127](#), and [SCR 129](#), which have passed the House.

MAULIN, Chief Clerk

[S 1282](#), [S 1317](#), [S 1263](#), [S 1266](#), [S 1294](#), [S 1268](#), [SCR 127](#), and [SCR 129](#) were referred to the Judiciary and Rules Committee for enrolling.

March 6, 2018

Dear Mr. President:

I transmit herewith Enrolled [HCR 48](#), [H 612](#), [H 350](#), and [H 432](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 48](#), [H 612](#), [H 350](#), and [H 432](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that [SCR 141](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Ward-Engelking, [SCR 141](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 142](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Buckner-Webb, [SCR 142](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 143](#) was before the Senate for final consideration.

Moved by Senator Bair, seconded by Senator Jordan, that [SCR 143](#) 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, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [SCR 143](#) adopted, title was approved, and the resolution ordered transmitted to the House.

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

On motion by Senator Bair, seconded by Senator Jordan, the Gubernatorial appointment of David Groeschl as a member of the Oil and Gas 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 Senate advanced to the Eleventh Order of Business.

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

##### S 1343

##### BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE BARBER AND COSMETOLOGY SERVICES ACT; AMENDING SECTION 54-5802, IDAHO CODE, AS ADDED IN SECTION 3 OF SENATE BILL NO. 1324, AS ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-FOURTH IDAHO LEGISLATURE, TO REVISE THE DEFINITION OF COSMETOLOGY AND TO REVISE THE DEFINITION OF ESTHETICS.

[S 1343](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 582](#), [H 623](#), [H 643](#), [H 644](#), and [H 551](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[HCR 52](#), by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

[H 565](#) and [H 611](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 653](#) and [H 654](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 447](#), [H 448](#), and [H 531](#), by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[H 505](#) and [H 601](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1338](#), [S 1339](#), and [S 1340](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 399](#), [H 400](#), and [H 402](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 526](#) and [H 548](#), by Business Committee, were read the second time at length and filed for third reading.

[H 368](#), [H 503](#), and [H 580](#), by Education Committee, were read the second time at length and filed for third reading.

[H 492](#) and [H 514](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[H 518](#) and [H 524](#), by Business Committee, were read the second time at length and filed for third reading.

[H 429](#), as amended in the Senate, by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 506](#), as amended in the Senate, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1211](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[S 1259](#), as amended, and [S 1314](#), as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1291](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [H 465](#) retained its place on the Third Reading Calendar for one legislative day.

[H 513](#) 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, 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 - 30.

NAYS—Crabtree, Foreman, Nonini, Potts, Vick. Total - 5.

Total - 35.

Whereupon the President declared [H 513](#) passed, title was approved, and the bill ordered returned to the House.

[H 430](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 430](#) passed, title was approved, and the bill ordered returned to the House.

[H 471](#) 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, Den Hartog, Foreman, Heider, Hill, Jordan, Lakey, Lee, Lodge, Martin, Nonini, Patrick, Rice, Stennett, Vick, Winder. Total - 22.

NAYS—Crabtree, Guthrie, Hagedorn, Harris, Johnson, Keough, Mortimer, Nye, Potts, Siddoway, Souza, Thayn, Ward-Engelking. Total - 13.

Total - 35.

Whereupon the President declared [H 471](#) passed, title was approved, and the bill ordered returned to the House.

[H 458](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 458](#) passed, title was approved, and the bill ordered returned to the House.

[H 459](#) 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 459](#) passed, title was approved, and the bill ordered returned to the House.

[H 544](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 544](#) passed, title was approved, and the bill ordered returned to the House.

[H 357](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Potts arose as sponsor of the bill and 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 357](#) passed, title was approved, and the bill ordered returned to the House.

[H 358](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 358](#) passed, title was approved, and the bill ordered returned to the House.

[H 359](#) 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 Lakey 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 359](#) passed, title was approved, and the bill ordered returned to the House.

[H 360](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 360](#) passed, title was approved, and the bill ordered returned to the House.

[H 533](#) 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Agenbroad, Keough, Martin, Mortimer, Thayn. Total - 5.

Total - 35.

Whereupon the President declared [H 533](#) passed, title was approved, and the bill ordered returned to the House.

[H 535](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 535](#) passed, title was approved, and the bill ordered returned to the House.

[H 431](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Bayer, Den Hartog, Guthrie, Mortimer, Potts. Total - 5.

Total - 35.

Whereupon the President declared [H 431](#) passed, title was approved, and the bill ordered returned to the House.

[H 434](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 434](#) passed, title was approved, and the bill ordered returned to the House.

[H 489](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 489](#) passed, title was approved, and the bill ordered returned to the House.

[H 490](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Potts arose as sponsor of the bill and 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 490](#) passed, title was approved, and the bill ordered returned to the House.

[H 521](#) 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 Potts 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 521](#) passed, title was approved, and the bill ordered returned to the House.

[H 627](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 627](#) passed, title was approved, and the bill ordered returned to the House.

[H 628](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 628](#) passed, title was approved, and the bill ordered returned to the House.

[H 512](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 512](#) passed, title was approved, and the bill ordered returned to the House.

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

### **Petitions, Resolutions, and Memorials**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:52 a.m. until the hour of 4:30 p.m. of this day.

### **RECESS AFTERNOON SESSION**

The Senate reconvened at 4:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except President Pro Tempore Hill and Senators Anthon, Bayer, Burgoyne, Johnson, Lodge, Nye, Patrick, Rice, Siddoway, and Vick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 7, 2018

The JUDICIARY AND RULES Committee reports that [SCR 144](#) and [S 1343](#) have been correctly printed.

LODGE, Chairman

[SCR 144](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1343](#) was referred to the Commerce and Human Resources Committee.

March 7, 2018

The JUDICIARY AND RULES Committee reports that [S 1282](#), [S 1317](#), [S 1263](#), [S 1266](#), [S 1294](#), [S 1268](#), [SCR 127](#), and [SCR 129](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1282](#), [S 1317](#), [S 1263](#), [S 1266](#), [S 1294](#), [S 1268](#), [SCR 127](#), and [SCR 129](#) and ordered them transmitted to the House for the signature of the Speaker.

March 7, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [H 550](#), as amended, with the recommendation that it do pass.

BAIR, Chairman

[H 550](#), as amended, was filed for second reading.

March 7, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [HJM 11](#) and [HJM 14](#) with the recommendation that they do pass.

BAIR, Chairman

[HJM 11](#) and [HJM 14](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 7, 2018

The EDUCATION Committee reports out [H 629](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 629](#) was filed for second reading.

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

### Messages from the House

March 7, 2018

Dear Mr. President:

I return herewith [S 1212](#), [S 1278](#), [S 1221](#), [S 1249](#), [S 1250](#), [S 1310](#), [S 1292](#), as amended, [S 1322](#), [S 1323](#), [S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), [S 1330](#), [SCR 135](#), and [SCR 131](#), which have passed the House.

MAULIN, Chief Clerk

[S 1212](#), [S 1278](#), [S 1221](#), [S 1249](#), [S 1250](#), [S 1310](#), [S 1292](#), as amended, [S 1322](#), [S 1323](#), [S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), [S 1330](#), [SCR 135](#), and [SCR 131](#) were referred to the Judiciary and Rules Committee for enrolling.

March 7, 2018

Dear Mr. President:

I return herewith Enrolled [S 1226](#), [S 1230](#), [S 1231](#), [S 1234](#), [S 1252](#), [S 1214](#), [S 1213](#), [S 1315](#), [S 1267](#), as amended, [S 1260](#), [S 1261](#), [S 1261](#), and [S 1219](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1226](#), [S 1230](#), [S 1231](#), [S 1234](#), [S 1252](#), [S 1214](#), [S 1213](#), [S 1315](#), [S 1267](#), as amended, [S 1260](#), [S 1261](#), and [S 1219](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 7, 2018

Dear Mr. President:

I return herewith Enrolled [SCR 130](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 130](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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

President Pro Tempore Hill and Senators Bayer, Burgoyne, Johnson, Lodge, Nye, Patrick, Rice, Siddoway, and Vick were recorded present at this order of business.

### General Calendar

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

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

### Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [S 1244](#), as amended, [S 1245](#), as amended, and [H 474](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO S 1244, AS AMENDED AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, following line 23, insert:  
"(3) This section shall not be construed to provide immunity from civil liability for physical harm caused to the pet or for any other action or omission unrelated to the act of entering the vehicle as provided in subsection (1) of this section."

#### AMENDMENT TO SECTION 2

On page 1, following line 37, insert:  
"(3) This section shall not be construed to prevent prosecution of a person for physical harm caused to the pet or for any other crime unrelated to the act of entering the vehicle as provided in subsection (1) of this section."

**CORRECTION TO TITLE**

On page 1, in line 3, delete "TO PROVIDE IMMUNITY FROM"; delete line 4; in line 5, delete "VEHICLE AND TO DEFINE A TERM;" and insert: "TO ESTABLISH PROVISIONS REGARDING CERTAIN IMMUNITY FROM CIVIL LIABILITY FOR RENDERING AID TO A PET IN A MOTOR VEHICLE;"; in line 6, delete "TO PROVIDE IMMUNITY"; delete line 7; and in line 8, delete "MOTOR VEHICLE AND TO DEFINE A TERM;" and insert: "TO ESTABLISH PROVISIONS REGARDING CERTAIN IMMUNITY FROM CRIMINAL PROSECUTION FOR RENDERING AID TO A PET IN A MOTOR VEHICLE;".

**SENATE AMENDMENT TO S 1245, as amended**  
**AMENDMENT TO SECTION 1**

On page 1 of the engrossed bill, in line 13, following "VEHICLE." insert: "(1)"; in line 17, delete "1" and insert: "a"; in line 19, delete "2" and insert: "b"; in line 21, delete "3" and insert: "c"; and following line 21, insert:

"(2) This section shall not be construed to provide immunity from civil liability for physical harm caused to the person in the vehicle or for any other action or omission unrelated to the act of entering the vehicle as provided in subsection (1) of this section."

**AMENDMENT TO SECTION 2**

On page 1, in line 25, following "VEHICLE." insert: "(1)"; in line 29, delete "1" and insert: "a"; in line 31, delete "2" and insert: "b"; in line 33, delete "3" and insert: "c"; and following line 33, insert:

"(2) This section shall not be construed to prevent prosecution for physical harm caused to the person in the vehicle or for any other crime unrelated to the act of entering the vehicle as provided in subsection (1) of this section."

**CORRECTION TO TITLE**

On page 1, in line 3, delete "TO PROVIDE IMMUNITY FROM"; delete line 4; in line 5, delete "TOR VEHICLE;" and insert: "TO ESTABLISH PROVISIONS REGARDING CERTAIN IMMUNITY FROM CIVIL LIABILITY FOR RENDERING AID TO A PERSON IN A MOTOR VEHICLE;"; in line 6, delete "TO PROVIDE IMMUNITY FROM PROSECU-"; and delete line 7, and insert: "TO ESTABLISH PROVISIONS REGARDING CERTAIN IMMUNITY FROM CRIMINAL PROSECUTION FOR RENDERING AID TO A PERSON IN A MOTOR VEHICLE;".

**SENATE AMENDMENT TO H 474**  
**AMENDMENT TO THE BILL**

On page 1 of the printed bill, delete lines 17 through 40; and delete page 2, and insert:

"SECTION 3. That Section 67-509, Idaho Code, be, and the same is hereby amended to read as follows:

67-509. PUBLICATION OF LEGISLATIVE JOURNALS AND SESSION LAWS – DISTRIBUTION AND REPORT. (1) On the first legislative day or as soon thereafter as the speaker shall have been elected, it shall be the duty of the president of the senate and the speaker of the house of representatives each to appoint a printing committee for his body whose duties shall be, in addition to its duties prescribed by the rules of said bodies respectively, to immediately meet in joint session and to provide for the publication of the journals of the two (2) houses of the legislature. Said committee shall determine the form of the journals to be used, the size of the type, the number to be distributed to each member of the legislature and

the method of distribution, the number of journals to be made available for sale through the secretary of state's office, and the manner in which the journals are to be bound for the permanent copies of the journal. All costs incurred in publishing the journals shall be a proper charge against the legislative fund, unless an appropriation for such purpose has been made.

(2) The joint printing committee of the senate and house of representatives shall exist to print, publish, and distribute the session laws. The joint printing committee will consist of the printing committees of each house. The chairmen of the respective judiciary and rules committees, or their designee, will chair their house's printing committee and cochair the joint printing committee.

(3) Prior to the final adjournment of a regular legislative session, the joint printing committee must meet and determine the proper method of printing and preserving the session laws of that legislative session. The joint printing committee must give consideration to the cost, accessibility, and preservation of the session laws. The joint printing committee will provide sufficient physical copies of session laws.

(4) The published session laws must include the bills, concurrent resolutions, joint resolutions, petitions and memorials enacted or adopted during the legislative session. In addition, the session laws must include amendments to the constitution adopted at the preceding general election, and bills, concurrent resolutions, joint resolutions, and memorials enacted or adopted during an intervening extraordinary session of the legislature. The published session laws must include a title page, a table of contents, certificate pages, tables of amended and repealed statutes, an index of contents, and a list of each member of the senate and house of representatives.

(5) Prior to the final adjournment of a regular legislative session, the printing committee of each house must meet jointly to consider the proper method to print and preserve the session laws. The joint printing committee will prepare a brief written report of its recommendations, which written report must be delivered to the judiciary and rules committees of the senate and the house of representatives. The written report must include the projected cost to implement its recommendation, together with a distribution list of persons that will be provided printed volume(s) of the session laws. If the written or amended report is rejected by the legislature by concurrent resolution, the joint printing committee will meet to reconsider its recommendations. If the written or amended report is not rejected, the joint printing committee will enter into an agreement(s) that is substantially consistent with its written or amended report to print, publish, and deliver the session laws, which costs will be paid from the legislative account."

**CORRECTION TO TITLE**

On page 1, in line 2, delete "PUBLISHING" and insert: "PRINTING"; delete lines 6 through 11, and insert: "REPORT OF THE JOINT PUBLISHING COMMITTEE; AND AMENDING SECTION 67-509, IDAHO CODE, TO PROVIDE FOR THE JOINT PRINTING COMMITTEE FOR THE PUBLICATION AND DISTRIBUTION OF SESSION LAWS AND TO PROVIDE FOR A REPORT OF THE JOINT PRINTING COMMITTEE."

VICK, Chairman

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

S 1244, as amended, as amended, and S 1245, as amended, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 474](#), 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 Committee also has [H 603](#) and [S 1316](#) under consideration, reports progress, and begs leave to sit again.

Senator Anthon was recorded present at this order of business.

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

### Third Reading of Bills

#### Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1211](#), 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 1211](#), 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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.

[S 1211](#), 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1211](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1314](#), as amended, 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1314](#), as amended, was before the Senate for final consideration.

[S 1314](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

Whereupon the President declared [S 1314](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1291](#), as amended, 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1291](#), as amended, was before the Senate for final consideration.

[S 1291](#), 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, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Guthrie, Harris, Heider, Hill, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Potts, Rice, Siddoway, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 28.

NAYS—Brackett, Foreman, Hagedorn, Johnson, Keough, Patrick, Souza. Total - 7.

Total - 35.

Whereupon the President declared [S 1291](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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



**Reports of Standing Committees**

March 7, 2018

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1244](#), as amended, [S 1245](#), as amended, and [H 474](#) have been correctly printed.

LODGE, Chairman

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

March 7, 2018

The JUDICIARY AND RULES Committee reports that [S 1244](#), as amended, as amended, and [S 1245](#), as amended, as amended, have been correctly engrossed.

LODGE, Chairman

[S 1244](#), as amended, as amended, and [S 1245](#), as amended, as amended, were filed for first reading.

March 7, 2018

The JUDICIARY AND RULES Committee reports out [H 499](#), [H 530](#), [H 534](#), and [S 1341](#) with the recommendation that they do pass.

LODGE, Chairman

[H 499](#), [H 530](#), [H 534](#), and [S 1341](#) were filed for second reading.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials****S 1344****BY FINANCE COMMITTEE**

## AN ACT

RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR FISCAL YEAR 2019; 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 2019; PROVIDING NON-GENERAL FUND REAPPROPRIATION; EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS; AND PROVIDING LEGISLATIVE INTENT FOR SYSTEMWIDE NEEDS.

**S 1345****BY JUDICIARY AND RULES COMMITTEE**

## AN ACT

RELATING TO JUDICIAL REVIEW; AMENDING SECTION 31-1506, IDAHO CODE, TO REVISE PROVISIONS REGARDING JUDICIAL REVIEW OF DECISIONS OF BOARDS OF COUNTY COMMISSIONERS AND TO SPECIFY PROCEDURAL PROVISIONS; AMENDING SECTION 31-3411, IDAHO CODE, TO REVISE A CODE REFERENCE; AMENDING SECTION 67-6519, IDAHO CODE, TO REVISE A CODE REFERENCE; AMENDING SECTION 67-6520, IDAHO CODE, TO REVISE A CODE

REFERENCE; AMENDING SECTION 67-6521, IDAHO CODE, TO SPECIFY PROCEDURAL PROVISIONS REGARDING JUDICIAL REVIEW OF CERTAIN LOCAL GOVERNMENT DECISIONS; AND AMENDING SECTION 67-6535, IDAHO CODE, TO REVISE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

[S 1344](#) and [S 1345](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 474](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1244](#), as amended, as amended, and [S 1245](#), as amended, as amended, by Judiciary and Rules Committee, were 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 6:12 p.m. until the hour of 10 a.m., Thursday, March 8, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**SIXTIETH LEGISLATIVE DAY**  
**THURSDAY, MARCH 8, 2018**

Senate Chamber

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

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

Prayer was offered by Senator Johnson.

The Pledge of Allegiance was led by Micah Mensing, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 7, 2018 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 8, 2018

The JUDICIARY AND RULES Committee reports that [S 1344](#) and [S 1345](#) have been correctly printed.

LODGE, Chairman

[S 1344](#) was referred to the Finance Committee.

[S 1345](#) was referred to the Judiciary and Rules Committee.

March 8, 2018

The JUDICIARY AND RULES Committee reports that [S 1212](#), [S 1278](#), [S 1221](#), [S 1249](#), [S 1250](#), [S 1310](#), [S 1292](#), as amended, [S 1322](#), [S 1323](#), [S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), [S 1330](#), [SCR 135](#), and [SCR 131](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1212](#), [S 1278](#), [S 1221](#), [S 1249](#), [S 1250](#), [S 1310](#), [S 1292](#), as amended, [S 1322](#), [S 1323](#), [S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), [S 1330](#), [SCR 135](#), and [SCR 131](#) and ordered them transmitted to the House for the signature of the Speaker.

March 8, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 130](#) was delivered to the Office of the Secretary of State at 8:20 a.m., March 8, 2018.

LODGE, Chairman

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

March 8, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1226](#), [S 1230](#), [S 1231](#), [S 1234](#), [S 1252](#), [S 1214](#), [S 1213](#), [S 1315](#), [S 1267](#), as amended, [S 1260](#), [S 1261](#), and [S 1219](#) were delivered to the Office of the Governor at 8:20 a.m., March 8, 2018.

LODGE, Chairman

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

March 7, 2018

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:

Brent Baker to the Lake Pend Oreille Basin Commission, term to expire July 24, 2020.

Marc Brinkmeyer to the Lake Pend Oreille Basin Commission, term to expire July 24, 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.

March 7, 2018

The HEALTH AND WELFARE Committee reports out [H 562](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 562](#) was filed for second reading.

March 8, 2018

The HEALTH AND WELFARE Committee reports out [HCR 36](#) with the recommendation that it do pass.

HEIDER, Chairman

[HCR 36](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 8, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 624](#) with the recommendation that it do pass.

JOHNSON, Chairman

[H 624](#) was filed for second reading.

March 8, 2018

The AGRICULTURAL AFFAIRS Committee reports out [H 537](#) with the recommendation that it do pass.

RICE, Chairman

[H 537](#) was filed for second reading.

Senator Lakey was recorded present at this order of business.

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

#### Messages from the House

March 7, 2018

Dear Mr. President:

I transmit herewith [H 655](#) and [H 501](#), which have passed the House.

MAULIN, Chief Clerk

[H 655](#) and [H 501](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Jay Kunze 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 Jay Kunze as a member of the Hazardous Waste Facility Siting License Application Review Panel 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 [HCR 53](#) was before the Senate for final consideration.

Moved by Senator Buckner-Webb, seconded by Senator Winder, that [HCR 53](#) be adopted. The question being, "Shall the resolution be adopted?"

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

President Pro Tempore Hill and Senators Vick and Anthon supported the request for a roll call vote.

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, Potts, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [HCR 53](#) adopted, title was approved, and the resolution ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [SCR 144](#) retained its place on the calendar for one legislative day.

The President announced that [HJM 11](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Siddoway, seconded by Senator Martin, [HJM 11](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that [HJM 14](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Siddoway, seconded by Senator Hagedorn, [HJM 14](#) 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 655](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 501](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

[S 1342](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 605](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 550](#), as amended, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[H 629](#), by Education Committee, was read the second time at length and filed for third reading.

[H 499](#), [H 530](#), and [H 534](#), by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

[S 1341](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 474](#), as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1244](#), as amended, as amended, and [S 1245](#), as amended, as amended, 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 1338](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1338](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1339](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1339](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1340](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1340](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1259](#), 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Stennett, Ward-Engelking, Winder. Total - 26.

NAYS—Bayer, Den Hartog, Guthrie, Harris, Nonini, Potts, Souza, Thayn, Vick. Total - 9.

Total - 35.

Whereupon the President declared [S 1259](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 429](#), as amended in the Senate, 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared [H 429](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

[H 506](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

Whereupon the President declared [H 506](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 465](#) retained its place on the Third Reading Calendar for Monday, March 12, 2018.

### Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1244](#), as amended, 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 1244](#), as amended, 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, Den Hartog, Foreman, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Harris. Total - 1.

Total - 35.

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

[S 1244](#), as amended, as amended, was read the third time at length, section by section, and placed before the Senate for

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

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Jordan, Keough, Lakey, Lee, Lodge, Nye, Stennett, Ward-Engelking, Winder. Total - 17.

NAYS—Bair, Crabtree, Foreman, Hagedorn, Harris, Heider, Hill, Johnson, Martin, Mortimer, Nonini, Patrick, Potts, Rice, Siddoway, Souza, Thayn, Vick. Total - 18.

Total - 35.

Whereupon the President declared that [S 1244](#), as amended, as amended, had failed to pass the Senate and ordered the bill filed in Office of the Secretary of Senate.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1245](#), as amended, as amended, 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1245](#), as amended, as amended, was before the Senate for final consideration.

[S 1245](#), as amended, as amended, 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared [S 1245](#), as amended, as amended, 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 474](#), as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 474](#), as amended in the Senate, was before the Senate for final consideration.

[H 474](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 474](#), as amended in the Senate, 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 [S 1342](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1342](#) was before the Senate for final consideration.

[S 1342](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1342](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1341](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1341](#) was before the Senate for final consideration.

[S 1341](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1341](#) passed, title was approved, and the bill ordered transmitted to the House.

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

#### Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:06 p.m. until the hour of 5 p.m. of this day.

#### RECESS AFTERNOON SESSION

The Senate reconvened at 5 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Keough, Lodge, and Nonini, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

March 8, 2018

The TRANSPORTATION Committee reports out [H 497](#) and [H 509](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 497](#) and [H 509](#) were filed for second reading.

March 8, 2018

The FINANCE Committee reports out [S 1344](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1344](#) was filed for second reading.

Senator Lodge was recorded present at this order of business.

March 8, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 401](#), [H 405](#), [H 433](#), [H 478](#), [H 479](#), [H 480](#), [H 483](#), [H 484](#), [H 519](#), [H 522](#), [H 527](#), [H 642](#), and [S 1343](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 401](#), [H 405](#), [H 433](#), [H 478](#), [H 479](#), [H 480](#), [H 483](#), [H 484](#), [H 519](#), [H 522](#), [H 527](#), [H 642](#), and [S 1343](#) were filed for second reading.

March 8, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [HCR 41](#) with the recommendation that it do pass.

PATRICK, Chairman

[HCR 41](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 8, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 621](#) with the recommendation that it be re-referred.

PATRICK, Chairman

There being no objection, [H 621](#) was referred to the Resources and Environment Committee.

March 8, 2018

The EDUCATION Committee reports out [H 631](#) and [H 647](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 631](#) and [H 647](#) were filed for second reading.

March 8, 2018

The EDUCATION Committee reports out [HCR 49](#) with the recommendation that it do pass.

MORTIMER, Chairman

[HCR 49](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 8, 2018

The HEALTH AND WELFARE Committee reports out [H 546](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 546](#) was filed for second reading.

March 8, 2018

The HEALTH AND WELFARE Committee reports out [HCR 43](#) and [HCR 45](#) with the recommendation that they do pass.

HEIDER, Chairman

[HCR 43](#) and [HCR 45](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 8, 2018

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:

Suzanne Budge to the Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 2021.

HEIDER, Chairman

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

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

#### Messages from the House

March 8, 2018

Dear Mr. President:

I return herewith [S 1275](#), [S 1305](#), [S 1274](#), as amended, [S 1271](#), [S 1296](#), [SCR 136](#), [SCR 132](#), [SCR 128](#), and [SCR 138](#), which have passed the House.

MAULIN, Chief Clerk

[S 1275](#), [S 1305](#), [S 1274](#), as amended, [S 1271](#), [S 1296](#), [SCR 136](#), [SCR 132](#), [SCR 128](#), and [SCR 138](#) were referred to the Judiciary and Rules Committee for enrolling.

March 8, 2018

Dear Mr. President:

I transmit herewith Enrolled [HJM 12](#), [HCR 46](#), [HCR 47](#), [H 454](#), [H 409](#), [H 365](#), [H 403](#), [H 404](#), [H 416](#), [H 462](#), [H 407](#), [H 362](#), [H 363](#), [H 452](#), [H 386](#), [H 446](#), [H 374](#), [H 549](#), [H 388](#), [H 469](#), and [H 411](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HJM 12](#), [HCR 46](#), [HCR 47](#), [H 454](#), [H 409](#), [H 365](#), [H 403](#), [H 404](#), [H 416](#), [H 462](#), [H 407](#), [H 362](#), [H 363](#), [H 452](#), [H 386](#), [H 446](#), [H 374](#), [H 549](#), [H 388](#), [H 469](#), and [H 411](#) and ordered them returned to the House.

March 8, 2018

Dear Mr. President:

I return herewith Enrolled [S 1317](#), [S 1263](#), [S 1266](#), [S 1294](#), [S 1268](#), and [S 1282](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1317](#), [S 1263](#), [S 1266](#), [S 1294](#), [S 1268](#), and [S 1282](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 8, 2018

Dear Mr. President:

I return herewith Enrolled [SCR 127](#) and [SCR 129](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 127](#) and [SCR 129](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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

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

#### S 1346 BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC DEFENSE COMMISSION; APPROPRIATING MONEYS TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT REGARDING THE ALLOCATION OF TRUSTEE AND BENEFIT PAYMENTS IN FISCAL YEAR 2019; PROVIDING LEGISLATIVE INTENT REGARDING ENCUMBRANCES IN FISCAL YEAR 2019; PROVIDING LEGISLATIVE INTENT REGARDING THE ALLOCATION OF TRUSTEE AND BENEFIT PAYMENTS IN FISCAL YEAR 2018; PROVIDING LEGISLATIVE INTENT REGARDING ENCUMBRANCES IN FISCAL YEAR 2018; AND DECLARING AN EMERGENCY.

[S 1346](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Fourteenth Order of Business.

Senator Keough was recorded present at this order of business.

#### General Calendar

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

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

#### Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [H 603](#) and [S 1316](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO H 603 AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 19, delete "a federal" and insert: "any federal"; and delete lines 20 through 24, and insert:

"(b) Submit the list of stockwater rights to the federal agency; and

(c) Submit an order to the federal agency identifying the stockwater right or rights held by that federal agency and requiring the federal agency to show cause before the director why the stockwater right or rights should not be lost or forfeited pursuant to section 42-222(2), Idaho Code."

On page 3, delete lines 4 and 5, and insert:

"(7) This section applies only to stockwater rights decreed to the United States that were based on a claim of beneficial use. It does not apply to stockwater water rights decreed to the United States based on federal law or acquired pursuant to chapter 2, title 42, Idaho Code."

#### AMENDMENT TO THE BILL

On page 3, delete lines 34 through 36.

## CORRECTION TO TITLE

On page 1, in line 12, delete "REDESIGNATE THE SECTION;" and insert: "REDESIGNATE THE SECTION; AND"; and in line 13, delete "; AND DECLARING AN EMERGENCY".

## SENATE AMENDMENT TO S 1316

## AMENDMENT TO SECTION 1

On page 3 of the printed bill, in line 2, delete ":" and insert: ", as long as the licensee is in compliance with a payment arrangement made with the licensing authority."; and delete lines 4 through 19, and insert:

(a) "Licensee" means any person holding a license, registration, certificate, permit or other authorization to practice a profession or occupation.

(b) "Licensing authority" means any professional or occupational licensing board charged with granting, suspending or revoking the license, certificate, registration, permit or other authorization of any person to practice a profession or occupation.

(c) "Person" means any individual, partnership, limited liability partnership, corporation, limited liability company, association or any other private organization;

(bd) "Political subdivision" means a city, a county, any taxing district or a health district;

(ee) "Proceeding" means any administrative proceeding, administrative judicial proceeding, civil judicial proceeding or petition for judicial review or any appeal from any administrative proceeding, administrative judicial proceeding, civil judicial proceeding or petition for judicial review.

(df) "State agency" means any agency as defined in section 67-5201, Idaho Code."

## AMENDMENT TO SECTION 9

On page 14, in line 4, following "~~transcripts~~" insert: "for each occurrence providing a basis for discipline".

## AMENDMENT TO SECTION 25

On page 33, in line 44, following "Code," insert: "when applicable".

## AMENDMENT TO SECTION 26

On page 35, in line 4, delete "~~collect~~ assess" and insert: "collect".

## AMENDMENT TO THE BILL

On page 4, delete lines 39 through 49; delete pages 5 and 6; on page 7, delete lines 1 through 10; and renumber subsequent sections accordingly.

On page 31, delete lines 11 through 48; on page 32, delete lines 1 through 12; and renumber subsequent sections accordingly.

## CORRECTION TO TITLE

On page 1, in line 8, delete "AMENDING SECTION 54-406, IDAHO CODE, TO"; in line 9, delete "PROVIDE APPLICATION TO LICENSEES OF THE ATHLETIC COMMISSION;"; in line 39, delete "AMENDING SECTION 55-1811, IDAHO CODE, TO PROVIDE APPLICATION"; and in line 40, delete "TO REAL ESTATE SUBDIVIDERS;".

VICK, Chairman

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

**H 603**, 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 1316**, 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 Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:30 p.m. until the hour of 10 a.m., Friday, March 9, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

SIXTY-FIRST LEGISLATIVE DAY  
FRIDAY, MARCH 9, 2018

Senate Chamber

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

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

Prayer was offered by Senator Lee.

The Pledge of Allegiance was led by Isaac Meyer, 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, 2018 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 9, 2018

The JUDICIARY AND RULES Committee reports that [S 1346](#) has been correctly printed.

LODGE, Chairman

[S 1346](#) was referred to the Finance Committee.

March 9, 2018

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 603](#) and [S 1316](#) have been correctly printed.

LODGE, Chairman

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

March 9, 2018

The JUDICIARY AND RULES Committee reports that [S 1316](#), as amended, has been correctly engrossed.

LODGE, Chairman

[S 1316](#), as amended, was filed for first reading.

March 9, 2018

The JUDICIARY AND RULES Committee reports that [S 1275](#), [S 1305](#), [S 1274](#), as amended, [S 1271](#), [S 1296](#), [SCR 136](#), [SCR 132](#), [SCR 128](#), and [SCR 138](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1275](#), [S 1305](#), [S 1274](#), as amended, [S 1271](#), [S 1296](#), [SCR 136](#), [SCR 132](#), [SCR 128](#), and [SCR 138](#) and ordered them transmitted to the House for the signature of the Speaker.

March 9, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 127](#) and [SCR 129](#) were delivered to the Office of the Secretary of State at 8:25 a.m., March 9, 2018.

LODGE, Chairman

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

March 9, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1317](#), [S 1263](#), [S 1266](#), [S 1294](#), [S 1268](#), and [S 1282](#) were delivered to the Office of the Governor at 8:30 a.m., March 9, 2018.

LODGE, Chairman

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

March 8, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 453](#), [H 559](#), [H 567](#), as amended, [H 568](#), and [H 578](#) with the recommendation that they do pass.

JOHNSON, Chairman

[H 453](#), [H 559](#), [H 567](#), as amended, [H 568](#), and [H 578](#) 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 8, 2018

Dear Mr. President:

I transmit herewith [H 660](#), [H 661](#), [H 662](#), and [HCR 50](#), which have passed the House.

MAULIN, Chief Clerk

[H 660](#), [H 661](#), [H 662](#), and [HCR 50](#) 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 144](#) was recommitted to the State Affairs Committee.

On request by Senator Winder, granted by unanimous consent, [HCR 36](#) retained its place on the calendar for one legislative day.

The President announced that [HCR 41](#) was before the Senate for final consideration.

Moved by Senator Lakey, seconded by Senator Burgoyne, that [HCR 41](#) 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, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Hagedorn, Lodge. Total - 2.

Total - 35.

Whereupon the President declared [HCR 41](#) adopted, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 49](#) was before the Senate for final consideration.

Moved by Senator Winder, seconded by Senator Ward-Engelking, that [HCR 49](#) be adopted. The question being, "Shall the resolution be adopted?"

President Pro Tempore Hill assumed the Chair.

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Hagedorn, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [HCR 49](#) adopted, title was approved, and the resolution ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [HCR 43](#) retained its place on the calendar for Monday, March 12, 2018.

The President Pro Tempore announced that [HCR 45](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Jordan, [HCR 45](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Brent Baker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Brent Baker 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.

President Little returned to the Chair.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Marc Brinkmeyer was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Nye, the Gubernatorial reappointment of Marc Brinkmeyer as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Suzanne Budge retained its place on the calendar for Monday, March 12, 2018.

The Senate advanced to the Eleventh Order of Business.

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

[H 603](#), as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

[S 1316](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[H 660](#), [H 661](#), and [H 662](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[HCR 50](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

[H 562](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 624](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 537](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 497](#), by Business Committee, was read the second time at length and filed for third reading.

[H 509](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1344](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 401](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 405](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 433](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 478](#), [H 479](#), [H 480](#), [H 483](#), [H 484](#), [H 519](#), [H 522](#), and [H 527](#), by Business Committee, were read the second time at length and filed for third reading.

[H 642](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[S 1343](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 631](#) and [H 647](#), by Education Committee, were read the second time at length and filed for third reading.

[H 546](#), 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

[H 543](#) 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, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Heider, Hill, Johnson, Jordan, Lee, Lodge, Mortimer, Nye, Patrick, Stennett, Ward-Engelking, Winder. Total - 20.

NAYS—Anthon, Foreman, Guthrie, Harris, Lakey, Martin, Potts, Rice, Siddoway, Souza, Thayn, Vick. Total - 12.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 543](#) passed, title was approved, and the bill ordered returned to the House.

[H 472](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Harris, Heider, Hill, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Rice, Stennett, Ward-Engelking, Winder. Total - 20.

NAYS—Anthon, Bair, Bayer, Foreman, Guthrie, Johnson, Nonini, Patrick, Potts, Siddoway, Souza, Thayn, Vick. Total - 13.

Absent and excused—Hagedorn, Keough. Total - 2.

Paired and voting included in roll call:

AYE - Martin    NAY - Nonini

Total - 35.

Whereupon the President declared [H 472](#) passed, title was approved, and the bill ordered returned to the House.

[H 515](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 515](#) passed, title was approved, and the bill ordered returned to the House.

[H 591](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Burgoyne. Total - 1.

Absent and excused—Bair, Hagedorn, Keough, Nonini. Total - 4.

Total - 35.

Whereupon the President declared [H 591](#) passed, title was approved, and the bill ordered returned to the House.

[H 592](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Burgoyne, Stennett. Total - 2.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 592](#) passed, title was approved, and the bill ordered returned to the House.

[H 486](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 486](#) passed, title was approved, and the bill ordered returned to the House.

[H 606](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 606](#) passed, title was approved, and the bill ordered returned to the House.

[H 635](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 635](#) passed, title was approved, and the bill ordered returned to the House.

[H 645](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 645](#) passed, title was approved, and the bill ordered returned to the House.

[H 646](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 646](#) passed, title was approved, and the bill ordered returned to the House.

[H 650](#) 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, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 650](#) passed, title was approved, and the bill ordered returned to the House.

[H 651](#) 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, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 651](#) passed, title was approved, and the bill ordered returned to the House.

[H 652](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 652](#) passed, title was approved, and the bill ordered returned to the House.

[H 565](#) 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, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 565](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 611](#) retained its place on the Third Reading Calendar for one legislative day.

[H 653](#) 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, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Keough, Nonini. Total - 3.

Total - 35.

Whereupon the President declared [H 653](#) passed, title was approved, and the bill ordered returned to the House.

[H 654](#) 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, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 26.

NAYS—Foreman, Harris, Potts, Vick. Total - 4.

Absent and excused—Anthon, Hagedorn, Keough, Nonini, Rice. Total - 5.

Total - 35.

Whereupon the President declared [H 654](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate 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 11:43 a.m. until the hour of 10 a.m., Monday, March 12, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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SIXTY-FOURTH LEGISLATIVE DAY  
MONDAY, MARCH 12, 2018

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Paige Nelson, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 9, 2018 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 145

#### 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 PHARMACY BENEFIT MANAGER TRANSPARENCY.

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

WHEREAS, pharmacy benefit managers were originally intended to reduce administrative costs for insurers, validate patient eligibility, and administer plan benefits as well as negotiate costs between pharmacies and health plans; and

WHEREAS, pharmacy benefit managers have control over almost all aspects of prescription drug transactions, with the three largest pharmacy benefit managers managing 78% of prescription drug benefit transactions; and

WHEREAS, a study relating to pharmacy benefit manager transparency is important to the citizens of the State of Idaho so that pharmacies in Idaho have all the information needed to make operational business decisions, giving oversight of pharmacy benefit managers that operate in Idaho to the Idaho

Department of Insurance. A study would also work toward establishing transparency of covered prescription drug lists and the methodology that determines how reimbursement to pharmacies is ultimately calculated.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second 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 pharmacy benefit manager transparency. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixty-fifth Idaho Legislature.

[SCR 145](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 9, 2018

The STATE AFFAIRS Committee reports out [H 607](#) and [H 620](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 607](#) and [H 620](#) were filed for second reading.

March 9, 2018

The STATE AFFAIRS Committee reports out [HCR 51](#) and [HCR 54](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[HCR 51](#) and [HCR 54](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 9, 2018

The FINANCE Committee reports out [H 660](#), [H 661](#), [H 662](#), and [S 1346](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 660](#), [H 661](#), [H 662](#), and [S 1346](#) were filed for second reading.

March 12, 2018

The STATE AFFAIRS Committee reports out [H 638](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[H 638](#) was filed for second reading.

March 9, 2018

March 12, 2018

Dear Mr. President:

The STATE AFFAIRS Committee reports out [HCR 52](#) with the recommendation that it be re-referred.

I return herewith Enrolled [SCR 135](#) and [SCR 131](#), which have been signed by the Speaker.

SIDDOWAY, Chairman

MAULIN, Chief Clerk

There being no objection, [HCR 52](#) was referred to the Commerce and Human Resources Committee.

Enrolled [SCR 135](#) and [SCR 131](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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

The Senate advanced to the Tenth Order of Business.

**Messages from the House**

**Motions and Resolutions**

March 9, 2018

The President announced that [HCR 36](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

Dear Mr. President:

On motion by Senator Souza, seconded by Senator Jordan, [HCR 36](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

I transmit herewith [H 665](#) and [H 667](#), which have passed the House.

The President announced that [HCR 43](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

MAULIN, Chief Clerk

On motion by Senator Bayer, seconded by Senator Buckner-Webb, [HCR 43](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

[H 665](#) and [H 667](#) were filed for first reading.

March 9, 2018

Dear Mr. President:

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

I return herewith [S 1333](#), [S 1334](#), and [S 1335](#), which have passed the House.

MAULIN, Chief Clerk

On motion by Senator Harris, seconded by Senator Jordan, the Gubernatorial reappointment of Suzanne Budge as a member of the Hazardous Waste Facility Siting License Application Review Panel was confirmed by voice vote.

[S 1333](#), [S 1334](#), and [S 1335](#) were referred to the Judiciary and Rules Committee for enrolling.

March 9, 2018

Dear Mr. President:

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.

I transmit herewith Enrolled [H 513](#), [H 430](#), [H 471](#), [H 458](#), [H 459](#), [H 544](#), [H 357](#), [H 358](#), [H 359](#), [H 360](#), [H 533](#), [H 535](#), [H 431](#), [H 434](#), [H 489](#), [H 490](#), [H 521](#), [H 627](#), [H 628](#), and [H 512](#) for the signature of the President.

MAULIN, Chief Clerk

The Senate advanced to the Eleventh Order of Business.

The President signed Enrolled [H 513](#), [H 430](#), [H 471](#), [H 458](#), [H 459](#), [H 544](#), [H 357](#), [H 358](#), [H 359](#), [H 360](#), [H 533](#), [H 535](#), [H 431](#), [H 434](#), [H 489](#), [H 490](#), [H 521](#), [H 627](#), [H 628](#), and [H 512](#) and ordered them returned to the House.

March 9, 2018

Dear Mr. President:

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

**S 1347**

**BY FINANCE COMMITTEE**

**AN ACT**

I return herewith Enrolled [S 1212](#), [S 1278](#), [S 1221](#), [S 1249](#), [S 1250](#), [S 1310](#), [S 1292](#), as amended, [S 1322](#), [S 1323](#), [S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), and [S 1330](#), which have been signed by the Speaker.

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2019; PROVIDING FOR EXPENDITURES TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2019; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2019; AND AMENDING SECTION 33-1004E,

MAULIN, Chief Clerk

Enrolled [S 1212](#), [S 1278](#), [S 1221](#), [S 1249](#), [S 1250](#), [S 1310](#), [S 1292](#), as amended, [S 1322](#), [S 1323](#), [S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), and [S 1330](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

IDAHO CODE, TO INCREASE THE BASE SALARY FOR ADMINISTRATORS AND TO MAKE TECHNICAL CORRECTIONS.

**S 1348**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2019; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2019; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2019; DIRECTING THE USE OF MONEYS FOR PROFESSIONAL DEVELOPMENT; DEFINING THE TERM "DISTRIBUTED"; AND PROVIDING LEGISLATIVE INTENT REGARDING THE COLLEGE AND CAREER ADVISORS AND STUDENT MENTORS PROGRAM.

**S 1349**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2019; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2019; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2019; AMENDING SECTION 33-1004E, IDAHO CODE, TO INCREASE THE BASE SALARY FOR CLASSIFIED STAFF; PROVIDING AN ESTIMATE OF DISCRETIONARY FUNDS PER SUPPORT UNIT AT \$27,481 AND DIVIDING THAT AMOUNT INTO TWO DISTRIBUTIONS; DIRECTING THE USE OF APPROPRIATION FOR INFORMATION TECHNOLOGY STAFFING COSTS; DIRECTING THE USE OF APPROPRIATION FOR CLASSROOM TECHNOLOGY, WIRELESS INFRASTRUCTURE AND INSTRUCTIONAL MANAGEMENT SYSTEMS; DEFINING THE TERM "DISTRIBUTED"; GRANTING THE AUTHORITY TO TRANSFER APPROPRIATIONS AMONG SIX DIVISIONS OF THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM; AND MAKING A GENERAL FUND CASH TRANSFER.

**S 1350**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2019; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2019; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE

PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2019; PROVIDING LEGISLATIVE INTENT REGARDING THE IDAHO DIGITAL LEARNING ACADEMY; DIRECTING THE USE OF TOBACCO, CIGARETTE AND LOTTERY INCOME TAX MONEYS; DIRECTING THE USE OF APPROPRIATION FOR REMEDIATION; DIRECTING THE USE OF APPROPRIATION FOR LIMITED-ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE USE OF FUNDS FOR GIFTED AND TALENTED STUDENTS; DIRECTING A DISTRIBUTION TO PURCHASE DIGITAL CONTENT AND CURRICULUM; DIRECTING THE STATE DEPARTMENT OF EDUCATION TO COMPILE INFORMATION ON ADVANCED OPPORTUNITIES; PROVIDING A TRANSFER TO THE COMMISSION ON HISPANIC AFFAIRS; PROVIDING A TRANSFER TO IDAHO STATE POLICE; DEFINING THE TERM "DISTRIBUTED"; PROVIDING LEGISLATIVE INTENT REGARDING LITERACY INTERVENTION PROGRAMS; AND PROVIDING LEGISLATIVE INTENT REGARDING THE MASTERY-BASED EDUCATION PROGRAM.

**S 1351**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES FOR FISCAL YEAR 2019; PROVIDING THE NECESSARY FUNDS FOR THE BOND LEVY EQUALIZATION PROGRAM; SPECIFYING THE AMOUNT OF REVENUE DISTRIBUTED TO THE GENERAL FUND FOR FISCAL YEAR 2019; AND MAKING A TRANSFER TO THE PUBLIC SCHOOL INCOME FUND FOR FISCAL YEAR 2019.

**S 1352**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2019; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2019; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2019; DIRECTING THE USE OF FUNDS FOR LITERACY PROGRAMS, INTERVENTION SERVICES, MATH INITIATIVE PROGRAMS, AND LIMITED-ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE USE OF FUNDS FOR STUDENT ASSESSMENTS; DIRECTING THE USE OF FUNDS FOR PROFESSIONAL DEVELOPMENT; PROVIDING LEGISLATIVE INTENT FOR DIGITAL CONTENT AND CURRICULUM; PROVIDING GUIDANCE ON YEAR-END RECONCILIATION; PROVIDING LEGISLATIVE INTENT FOR TECHNOLOGY CONTENT AND CURRICULUM; DEFINING THE TERMS



"DISTRIBUTED" AND "EXPENDED"; AND PROVIDING DIRECTION ON DISTRIBUTION AND EXPENDITURE OF FUNDS.

**S 1353**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2019; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2019; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; AND APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2019.

**S 1354**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING DIRECTION ON DISTRIBUTIONS.

**S 1355**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE COMMISSION OF PARDONS AND PAROLE FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE COMMISSION OF PARDONS AND PAROLE FOR FISCAL YEAR 2019; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), [S 1353](#), [S 1354](#), and [S 1355](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 665](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 667](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 453](#) and [H 559](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[H 567](#), as amended, and [H 568](#), by Local Government Committee, were read the second time at length and filed for third reading.

[H 578](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 603](#), as amended in the Senate, by Ways and Means Committee, was read the second time at length and filed for third reading.

[S 1316](#), 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 1344](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 33.

NAYS—Foreman, Vick. Total - 2.

Total - 35.

Whereupon the President declared [S 1344](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1343](#) 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, Buckner-Webb, Burgoyne, Den Hartog, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 21.

NAYS—Anthon, Bair, Bayer, Brackett, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Nonini, Potts, Siddoway, Vick. Total - 14.

Total - 35.

Whereupon the President declared [S 1343](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 465](#) 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, Brackett, Buckner-Webb, Burgoyne, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 28.

NAYS—Bayer, Crabtree, Den Hartog, Foreman, Nonini, Potts, Vick. Total - 7.

Total - 35.

Whereupon the President declared [H 465](#) passed, title was approved, and the bill ordered returned to the House.

[H 611](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 611](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 514](#) was placed before the Senate for consideration at this time.

[H 514](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 514](#) passed, title was approved, and the bill ordered returned to the House.

[H 447](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 447](#) passed, title was approved, and the bill ordered returned to the House.

[H 448](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 448](#) passed, title was approved, and the bill ordered returned to the House.

[H 531](#) 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, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 531](#) passed, title was approved, and the bill ordered returned to the House.

[H 505](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Burgoyne, Jordan. Total - 2.

Total - 35.

Whereupon the President declared [H 505](#) passed, title was approved, and the bill ordered returned to the House.

[H 601](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Lakey, Potts, Rice. Total - 3.

Total - 35.

Whereupon the President declared [H 601](#) passed, title was approved, and the bill ordered returned to the House.

[H 399](#) 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—Buckner-Webb, Burgoyne, Heider, Hill, Johnson, Jordan, Keough, Lakey, Martin, Nye, Patrick, Stennett, Thayn, Ward-Engelking. Total - 14.

NAYS—Agenbroad, Anthon, Bair, Bayer, Brackett, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Lee, Lodge, Mortimer, Nonini, Potts, Rice, Siddoway, Souza, Vick, Winder. Total - 21.

Total - 35.

Whereupon the President declared that [H 399](#) had failed to pass the Senate and ordered the bill returned to the House.

[H 400](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Lee, Rice. Total - 2.

Total - 35.

Whereupon the President declared [H 400](#) passed, title was approved, and the bill ordered returned to the House.

[H 402](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

Whereupon the President declared [H 402](#) passed, title was approved, and the bill ordered returned to the House.

[H 526](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 526](#) passed, title was approved, and the bill ordered returned to the House.

[H 548](#) 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 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 548](#) passed, title was approved, and the bill ordered returned to the House.

[H 368](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 368](#) passed, title was approved, and the bill ordered returned to the House.

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

#### Petitions, Resolutions, and Memorials

##### SCR 146

##### 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 OCCUPATIONAL LICENSING AND CERTIFICATION LAWS AND RULES IN IDAHO.

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

WHEREAS, the State of Idaho has enacted laws and rules regulating licensure and certification for many occupations; and

WHEREAS, regulation that is not necessary for the protection of the public's health, safety and interest can unreasonably restrict competition and entry into various occupations; and

WHEREAS, restrictions on licensure and certification can create unreasonable barriers to labor mobility by making it difficult for persons from other states to practice their occupations in Idaho; and

WHEREAS, on May 19, 2017, Lieutenant Governor Brad Little issued Executive Order No. 2017-06, regarding review of Idaho's licensure requirements for various occupations; and

WHEREAS, Executive Order No. 2017-06 required the executive departments of the State of Idaho to submit reports to the Governor's office by July 1, 2018, containing suggestions on occupational licensing requirements that may be modified or eliminated; and

WHEREAS, many occupational licensing and certification requirements are provided in statute, thus rendering legislative action necessary for modification or elimination; and

WHEREAS, the House Business Committee and the Senate Commerce and Human Resources Committee have formed the

Regulatory Reform Joint Subcommittee to study regulation of occupational licensing and to make recommendations necessary for changes to statutes or rules that create anticompetitive barriers to licensure, license renewal and occupational practice; and

WHEREAS, it is the recommendation of the Regulatory Reform Joint Subcommittee that the Legislative Council appoint an interim committee to continue the study of occupational licensing and certification reform in Idaho and to make recommendations to the 2019 Legislature.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second 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 occupational licensing and certification laws and rules in Idaho, including review of relevant reports submitted to the Governor's office pursuant to Executive Order No. 2017-06, and to examine the necessity of such laws and rules. 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 cochair 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 First Regular Session of the Sixty-fifth Idaho Legislature.

[SCR 146](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:55 a.m. until the hour of 3:30 p.m. of this day.

#### RECESS AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., President Pro Tempore Hill assumed the Chair.

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

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

March 12, 2018

The JUDICIARY AND RULES Committee reports that [S 1333](#), [S 1334](#), and [S 1335](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1333](#), [S 1334](#), and [S 1335](#) and ordered them transmitted to the House for the signature of the Speaker.

March 12, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 135](#) and [SCR 131](#) were delivered to the Office of the Secretary of State at 11:52 a.m., March 12, 2018.

LODGE, Chairman

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

March 12, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1212](#), [S 1278](#), [S 1221](#), [S 1249](#), [S 1250](#), [S 1310](#), [S 1292](#), as amended, [S 1322](#), [S 1323](#), [S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), and [S 1330](#) were delivered to the Office of the Governor at 1:05 p.m., March 12, 2018.

LODGE, Chairman

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

March 12, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [H 538](#) with the recommendation that it do pass.

BAIR, Chairman

[H 538](#) was filed for second reading.

March 12, 2018

The JUDICIARY AND RULES Committee reports out [H 500](#), [H 582](#), [H 584](#), [H 586](#), and [H 643](#) with the recommendation that they do pass.

LODGE, Chairman

[H 500](#), [H 582](#), [H 584](#), [H 586](#), and [H 643](#) were filed for second reading.

March 12, 2018

The FINANCE Committee reports out [H 667](#) with the recommendation that it do pass.

KEOUGH, Chairman

[H 667](#) was filed for second reading.

March 12, 2018

The EDUCATION Committee reports out [H 443](#), [H 632](#), [H 634](#), and [H 648](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 443](#), [H 632](#), [H 634](#), and [H 648](#) were filed for second reading.

Senator Stennett 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 1356  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2019; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1357  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DIVISION OF CAREER TECHNICAL EDUCATION FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE DIVISION OF CAREER TECHNICAL EDUCATION FOR FISCAL YEAR 2019; EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS FOR THE POSTSECONDARY PROGRAM; PROVIDING INTENT LANGUAGE FOR THE REPURPOSING OF APPROPRIATION; PROVIDING NON-GENERAL FUND REAPPROPRIATION AUTHORITY; PROVIDING LEGISLATIVE INTENT FOR THE TRANSFER OF A CASH BALANCE; AND DECLARING AN EMERGENCY.

[S 1356](#) and [S 1357](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

**Third Reading of Bills**

**Motion to Suspend Rules**

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 603](#), 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 603](#), 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 603](#), 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?"

Pursuant to Senate Rule 39(H), Senators Brackett, Siddoway, and Harris 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 603](#), as amended in the Senate, 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 [S 1316](#), as amended, 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1316](#), as amended, was before the Senate for final consideration.

[S 1316](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Burgoyne and Den Hartog arose as co-sponsors of the bill and 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1316](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 503](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 503](#) passed, title was approved, and the bill ordered returned to the House.

[H 580](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 580](#) passed, title was approved, and the bill ordered returned to the House.

[H 492](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Potts arose as sponsor of the bill and 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 492](#) passed, title was approved, and the bill ordered returned to the House.

[H 518](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 518](#) passed, title was approved, and the bill ordered returned to the House.

[H 524](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 524](#) passed, title was approved, and the bill ordered returned to the House.

[H 605](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 605](#) passed, title was approved, and the bill ordered returned to the House.

[H 550](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 550](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 629](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 629](#) passed, title was approved, and the bill ordered returned to the House.

[H 499](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 499](#) passed, title was approved, and the bill ordered returned to the House.

**H 530** 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—Potts. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 530** passed, title was approved, and the bill ordered returned to the House.

**H 534** 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—Buckner-Webb, Burgoyne, Hagedorn, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Nye, Siddoway, Stennett, Ward-Engelking. Total - 14.

NAYS—Agenbroad, Anthon, Bair, Bayer, Brackett, Crabtree, Den Hartog, Foreman, Guthrie, Harris, Heider, Johnson, Mortimer, Nonini, Patrick, Potts, Rice, Souza, Thayn, Vick, Winder. Total - 21.

Total - 35.

Whereupon the President Pro Tempore declared that **H 534** had failed to pass the Senate and ordered the bill returned to the House.

On request by Senator Winder, granted by unanimous consent, **H 562** retained its place on the Third Reading Calendar for one legislative day.

**H 624** 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 624** passed, title was approved, and the bill ordered returned to the House.

**H 537** 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 537** passed, title was approved, and the bill ordered returned to the House.

**H 497** 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 497** passed, title was approved, and the bill ordered returned to the House.

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

#### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:55 p.m. until the hour of 9:30 a.m., Tuesday, March 13, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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SIXTY-FIFTH LEGISLATIVE DAY  
TUESDAY, MARCH 13, 2018

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Anthon, absent and formally excused by the Chair; and Senators Harris, Keough, Lodge, Mortimer, Rice, Stennett, and Winder, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Jessie Page, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 12, 2018 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 Vick, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 13, 2018

The JUDICIARY AND RULES Committee reports that [SCR 145](#), [SCR 146](#), [S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), [S 1353](#), [S 1354](#), [S 1355](#), [S 1356](#), and [S 1357](#) have been correctly printed.

LODGE, Chairman

[SCR 145](#) and [SCR 146](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), [S 1353](#), [S 1354](#), [S 1355](#), [S 1356](#), and [S 1357](#) were referred to the Finance Committee.

March 12, 2018

The HEALTH AND WELFARE Committee reports out [H 618](#) and [H 649](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 618](#) and [H 649](#) were filed for second reading.

March 13, 2018

The FINANCE Committee reports out [S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), [S 1353](#), [S 1354](#), [S 1355](#), [S 1356](#), and [S 1357](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), [S 1353](#), [S 1354](#), [S 1355](#), [S 1356](#), and [S 1357](#) were filed for second reading.

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

### Messages from the House

March 12, 2018

Dear Mr. President:

I transmit herewith [H 658](#), [H 581](#), [H 507](#), as amended, [H 545](#), as amended, and [HCR 44](#), which have passed the House.

MAULIN, Chief Clerk

[H 658](#), [H 581](#), [H 507](#), as amended, [H 545](#), as amended, and [HCR 44](#) were filed for first reading.

March 12, 2018

Dear Mr. President:

I return herewith [S 1243](#), [S 1265](#), [S 1285](#), [S 1302](#), [S 1242](#), [S 1258](#), and [S 1253](#), which have passed the House.

MAULIN, Chief Clerk

[S 1243](#), [S 1265](#), [S 1285](#), [S 1302](#), [S 1242](#), [S 1258](#), and [S 1253](#) were referred to the Judiciary and Rules Committee for enrolling.

March 12, 2018

Dear Mr. President:

I transmit herewith Enrolled [HCR 53](#), [HJM 11](#), and [HJM 14](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 53](#), [HJM 11](#), and [HJM 14](#) and ordered them returned to the House.

Senators Winder, Stennett, and Keough were recorded present at this order of business.

March 12, 2018

Dear Mr. President:

I return herewith Enrolled [S 1275](#), [S 1305](#), [S 1274](#), as amended, [S 1271](#), and [S 1296](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1275](#), [S 1305](#), [S 1274](#), as amended, [S 1271](#), and [S 1296](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.



March 12, 2018

Dear Mr. President:

I return herewith Enrolled [SCR 136](#), [SCR 132](#), [SCR 128](#), and [SCR 138](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 136](#), [SCR 132](#), [SCR 128](#), and [SCR 138](#) 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

On request by Senator Winder, granted by unanimous consent, [HCR 51](#) retained its place on the calendar.

The President Pro Tempore announced that [HCR 54](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Agenbroad, seconded by Senator Vick, [HCR 54](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [HCR 51](#) was placed before the Senate for final consideration at this time.

The President Pro Tempore announced that [HCR 51](#) was before the Senate for final consideration.

Moved by Senator Winder, seconded by Senator Stennett, that [HCR 51](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Burgoyne, Johnson, Nye, Potts. Total - 4.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [HCR 51](#) adopted, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

##### S 1358

#### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2019; AND PROVIDING FOR A CASH TRANSFER.

##### S 1359

#### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION FOR COMMUNITY COLLEGES FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION FOR COMMUNITY COLLEGES FOR FISCAL YEAR 2019; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

[S 1358](#) and [S 1359](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 658](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 581](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 507](#), as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 545](#), as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 44](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

[H 607](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 620](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 660](#), [H 661](#), and [H 662](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1346](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 638](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 538](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 500](#), [H 582](#), [H 584](#), and [H 586](#), by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[H 643](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 667](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 443](#), [H 632](#), [H 634](#), and [H 648](#), 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

On request by Senator Lee, granted by unanimous consent, [H 562](#) was referred to the Fourteenth Order of Business, General Calendar.

[H 509](#) 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, Brackett, Buckner-Webb, Burgoyne, Hagedorn, Johnson, Jordan, Keough, Lee, Lodge, Mortimer, Nye, Stennett, Ward-Engelking. Total - 14.

NAYS—Bair, Bayer, Crabtree, Den Hartog, Foreman, Guthrie, Harris, Heider, Hill, Lakey, Martin, Nonini, Patrick, Potts, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 20.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared that [H 509](#) had failed to pass the Senate and ordered the bill returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 401](#) retained its place on the Third Reading Calendar for one legislative day.

[H 405](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 405](#) passed, title was approved, and the bill ordered returned to the House.

[H 433](#) 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, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 433](#) passed, title was approved, and the bill ordered returned to the House.

[H 478](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 478](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 479](#) retained its place on the Third Reading Calendar for one legislative day.

[H 480](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 480](#) passed, title was approved, and the bill ordered returned to the House.

[H 483](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Potts 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 483](#) passed, title was approved, and the bill ordered returned to the House.

[H 484](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 484](#) passed, title was approved, and the bill ordered returned to the House.

[H 519](#) 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, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 519](#) passed, title was approved, and the bill ordered returned to the House.

[H 522](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 522](#) passed, title was approved, and the bill ordered returned to the House.

[H 527](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 527](#) passed, title was approved, and the bill ordered returned to the House.

[H 642](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 28.

NAYS—Crabtree, Foreman, Lee, Nonini, Potts, Vick. Total - 6.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 642](#) passed, title was approved, and the bill ordered returned to the House.

[H 631](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Jordan. Total - 2.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 631](#) passed, title was approved, and the bill ordered returned to the House.

[H 647](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne. Total - 1.

Absent and excused—Anthon, Stennett. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 647](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 546](#) retained its place on the Third Reading Calendar for one legislative day.

[H 453](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 453](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 559](#) retained its place on the Third Reading Calendar for one legislative day.

[H 567](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 567](#), as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 568](#) retained its place on the Third Reading Calendar for one legislative day.

[H 578](#) 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, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Foreman, Martin, Nonini, Potts. Total - 4.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 578](#) 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

March 7, 2018

Senator Brent Hill, President Pro Tem  
Idaho State Senate  
PO Box 83720  
Boise, ID 83720-0081

Dear Senator Hill:

On behalf of the Board of Commissioners of the Idaho State Bar, I am pleased to inform you that the Commission voted to appoint Jeff M. Brudie of Lewiston to the Idaho Judicial Council. Judge Brudie will complete the term of Judge Tom Ryan, who resigned from the Judicial Council as of January 31, 2018. Judge Brudie's term will expire on June 30, 2019. The Hon. John Mitchell, who the Commissioners appointed in January, withdrew from the position last week.

Pursuant to Idaho Code Section 1-2101, the appointment requires the consent of the Idaho State Senate.

If you have any questions, or need additional information, please let me know.

Sincerely,  
/s/  
Diane K. Minnich  
Executive Director

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

The Idaho Judicial Council appointment was referred to the Judiciary and Rules Committee.

On request by Senator 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 11:42 a.m. until the hour of 10 a.m., Wednesday, March 14, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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SIXTY-SIXTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 14, 2018

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Den Hartog, absent and formally excused by the Chair; and Senators Hagedorn, Harris, and Siddoway, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Megan Rauvola, 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, 2018 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 147

#### BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE AND  
REJECTING A CERTAIN RULE OF THE DIVISION OF  
CAREER-TECHNICAL EDUCATION RELATING TO RULES  
OF CAREER TECHNICAL SCHOOLS.

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 Career-Technical Education relating to Rules of Career Technical Schools are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein,

that IDAPA 55.01.03, Rules of Career Technical Schools, Section 102., Subsection 02.f., adopted as a pending rule under Docket Number 55-0103-1701, only, be, and the same is hereby rejected and declared null, void and of no force and effect.

[SCR 147](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 14, 2018

The JUDICIARY AND RULES Committee reports that [S 1358](#) and [S 1359](#) have been correctly printed.

LODGE, Chairman

[S 1358](#) and [S 1359](#) were referred to the Finance Committee.

March 13, 2018

The JUDICIARY AND RULES Committee reports that [S 1243](#), [S 1265](#), [S 1285](#), [S 1302](#), [S 1242](#), [S 1258](#), and [S 1253](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1243](#), [S 1265](#), [S 1285](#), [S 1302](#), [S 1242](#), [S 1258](#), and [S 1253](#) and ordered them transmitted to the House for the signature of the Speaker.

March 13, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 136](#), [SCR 132](#), [SCR 128](#), and [SCR 138](#) were delivered to the Office of the Secretary of State at 11:08 a.m., March 13, 2018.

LODGE, Chairman

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

March 13, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1275](#), [S 1305](#), [S 1274](#), as amended, [S 1271](#), and [S 1296](#) were delivered to the Office of the Governor at 11:11 a.m., March 13, 2018.

LODGE, Chairman

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

March 13, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 626](#) with the recommendation that it do pass.

JOHNSON, Chairman

[H 626](#) was filed for second reading.

March 13, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 466](#) with the recommendation that it do pass.

PATRICK, Chairman

[H 466](#) was filed for second reading.

March 13, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 547](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [H 547](#) was referred to the Fourteenth Order of Business, General Calendar.

March 13, 2018

The EDUCATION Committee reports out [H 501](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 501](#) was filed for second reading.

March 13, 2018

The EDUCATION Committee reports out [H 566](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [H 566](#) was referred to the Fourteenth Order of Business, General Calendar.

March 14, 2018

The FINANCE Committee reports out [S 1358](#) and [S 1359](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1358](#) and [S 1359](#) were filed for second reading.

The Senate advanced to the Seventh Order of Business.

#### Reports of Special Committees

March 13, 2018

To: Senate Judiciary and Rules Committee  
House Judiciary, Rules, and Administration Committee

Pursuant to Idaho Code Section 67-905

The Joint Publishing Committee recommends per RS 26380 (SCR 148) the Legislature print 150 copies of Session Laws. The projected cost is anticipated to be similar to the 2017 publishing price of \$4,853.83.

The Committee recommends that each book include a letter notifying the agencies/individuals that they will be responsible for payment of Session Laws ordered beginning the 2019 Legislative Session. The notice will also be available on the Legislative website.

The Joint Publishing Committee also requests that the Secretary of the Senate and the Chief Clerk of the House of Representatives continue to process, review, and upload historic volumes to the legislative website during the legislative interim.

The Joint Publishing Committee,  
/s/ Senators Lodge and Burgoyne  
/s/ Representatives Luker and Gannon  
/s/ Secretary Novak  
/s/ Chief Clerk Maulin

The recommendations of the Joint Publishing Committee were referred to the Judiciary and Rules Committee.

The Senate advanced to the Eighth Order of Business.

#### Messages from the Governor

March 13, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1267](#), as amended, [S 1219](#), [S 1261](#), [S 1260](#),  
[S 1315](#), [S 1213](#), [S 1214](#), [S 1252](#), [S 1234](#),  
[S 1231](#), [S 1230](#), and [S 1226](#)

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

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

March 13, 2018

Dear Mr. President:

I transmit herewith [H 668](#), [H 669](#), [H 670](#), [H 666](#), [HCR 55](#), [HCR 56](#), [HCR 57](#), [HCR 58](#), and [H 675](#), which have passed the House.

MAULIN, Chief Clerk

[H 668](#), [H 669](#), [H 670](#), [H 666](#), [HCR 55](#), [HCR 56](#), [HCR 57](#), [HCR 58](#), and [H 675](#) were filed for first reading.

March 14, 2018

Dear Mr. President:

I return herewith [S 1306](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Anthon, granted by unanimous consent, [S 1306](#), 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 13, 2018

Dear Mr. President:

I return herewith [S 1288](#), [S 1280](#), [S 1240](#), [S 1257](#), [S 1235](#), [S 1321](#), [S 1207](#), as amended, [S 1313](#), [S 1309](#), as amended, [S 1228](#), [S 1229](#), [S 1338](#), [S 1339](#), [S 1340](#), [S 1342](#), and [SCR 140](#), which have passed the House.

MAULIN, Chief Clerk

[S 1288](#), [S 1280](#), [S 1240](#), [S 1257](#), [S 1235](#), [S 1321](#), [S 1207](#), as amended, [S 1313](#), [S 1309](#), as amended, [S 1228](#), [S 1229](#), [S 1338](#),

[S 1339](#), [S 1340](#), [S 1342](#), and [SCR 140](#) were referred to the Judiciary and Rules Committee for enrolling.

March 13, 2018

Dear Mr. President:

I transmit herewith Enrolled [HCR 41](#), [HCR 49](#), [HCR 45](#), [H 543](#), [H 472](#), [H 515](#), [H 591](#), [H 592](#), [H 486](#), [H 606](#), [H 635](#), [H 645](#), [H 646](#), [H 650](#), [H 651](#), [H 652](#), [H 565](#), [H 653](#), and [H 654](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 41](#), [HCR 49](#), [HCR 45](#), [H 543](#), [H 472](#), [H 515](#), [H 591](#), [H 592](#), [H 486](#), [H 606](#), [H 635](#), [H 645](#), [H 646](#), [H 650](#), [H 651](#), [H 652](#), [H 565](#), [H 653](#), and [H 654](#) and ordered them returned to the House.

March 13, 2018

Dear Mr. President:

I return herewith Enrolled [S 1333](#), [S 1334](#), and [S 1335](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1333](#), [S 1334](#), and [S 1335](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, [SCR 145](#) was recommitted to the Commerce and Human Resources Committee.

The President Pro Tempore announced that the House amendments to [S 1306](#), 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 1306](#), as amended in the House?"

On request by Senator Anthon, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1306](#), as amended in the House.

[S 1306](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President Pro Tempore announced that [SCR 146](#) was before the Senate for final consideration.

Moved by Senator Lakey, seconded by Senator Burgoyne, that [SCR 146](#) 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 146](#) 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 1360

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2019; 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 REAPPROPRIATION FOR CERTAIN PROGRAMS.

##### S 1361

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE WELFARE DIVISION; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE WELFARE DIVISION FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; PROHIBITING TRANSFERS FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; REQUIRING BIENNIAL REPORTS; REDUCING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2018; AND DECLARING AN EMERGENCY.

[S 1360](#) and [S 1361](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 668](#) and [H 669](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 670](#) and [H 666](#), by Ways and Means Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 55](#), [HCR 56](#), and [HCR 57](#), by Ways and Means Committee, were introduced, read at length, and referred to the Judiciary and Rules Committee.

[HCR 58](#), by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.



[H 675](#), 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 618](#) and [H 649](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), [S 1353](#), [S 1354](#), [S 1355](#), [S 1356](#), and [S 1357](#), by Finance Committee, were read the second time at length and filed for third reading.

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

### General Calendar

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

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

### Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [H 562](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO H 562 AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 25, following "least" delete "three (3)" and insert: "two (2)"; also in line 25, following "during the" delete "three (3)" and insert: "two (2)".

VICK, Chairman

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

[H 562](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

### Third Reading of Bills

[S 1346](#) 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, Burgoyne, Crabtree, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Buckner-Webb, Den Hartog. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1346](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [H 401](#) retained its place on the Third Reading Calendar for one legislative day.

Acting President Keough assumed the Chair.

[H 479](#) 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—Brackett, Buckner-Webb, Burgoyne, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 22.

NAYS—Agenbroad, Anthon, Bair, Bayer, Crabtree, Foreman, Hagedorn, Nonini, Potts, Rice, Souza, Vick. Total - 12.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 479](#) passed, title was approved, and the bill ordered returned to the House.

[H 546](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the Acting President declared [H 546](#) passed, title was approved, and the bill ordered returned to the House.

[H 559](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the Acting President declared [H 559](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 568](#) and [H 607](#) retained their place on the Third Reading Calendar for one legislative day.

On request by Senator Winder, granted by unanimous consent, [H 620](#) retained its place on the Third Reading Calendar.

[H 660](#) 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the Acting President declared [H 660](#) passed, title was approved, and the bill ordered returned to the House.

[H 661](#) 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 Ward-Engelking disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 30.

NAYS—Den Hartog, Foreman, Harris, Potts, Vick. Total - 5.

Total - 35.

Whereupon the Acting President declared [H 661](#) passed, title was approved, and the bill ordered returned to the House.

[H 662](#) 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?"

President Pro Tempore Hill returned the Chair.

Roll call resulted as follows:

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

NAYS—Hagedorn. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 662](#) passed, title was approved, and the bill ordered returned to the House.

[H 638](#) 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?"

On request by Senator Martin, H 638 retain its place on the Third Reading Calendar.

Senator Stennett objected.

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Stennett. Senators Jordan and Buckner-Webb supported the request for a roll call vote.

The question being, "Shall H 638, retain its place on the Third Reading Calendar?"

Roll call resulted as follows:

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

NAYS—Buckner-Webb, Burgoyne, Jordan, Nye, Stennett, Ward-Engelking. Total - 6.

Total - 35.

Whereupon the President Pro Tempore declared that the motion did prevail and H 638 retained its place on the Third Reading Calendar.

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

#### Reports of Standing Committees

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:26 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 Pro Tempore Hill presiding.

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

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 14, 2018

The JUDICIARY AND RULES Committee reports that [SCR 147](#), [S 1360](#), and [S 1361](#) have been correctly printed.

LODGE, Chairman

[SCR 147](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1360](#) and [S 1361](#) were referred to the Finance Committee.

March 14, 2018

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 562](#) have been correctly printed.

LODGE, Chairman

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

March 14, 2018

The JUDICIARY AND RULES Committee reports that [S 1306](#), as amended in the House, has been correctly engrossed.

LODGE, Chairman

[S 1306](#), as amended in the House, was filed for first reading.

March 14, 2018

The JUDICIARY AND RULES Committee reports that [S 1288](#), [S 1280](#), [S 1240](#), [S 1257](#), [S 1235](#), [S 1321](#), [S 1207](#), as amended, [S 1313](#), [S 1309](#), as amended, [S 1228](#), [S 1229](#), [S 1338](#), [S 1339](#), [S 1340](#), [S 1342](#), and [SCR 140](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1288](#), [S 1280](#), [S 1240](#), [S 1257](#), [S 1235](#), [S 1321](#), [S 1207](#), as amended, [S 1313](#), [S 1309](#), as amended, [S 1228](#), [S 1229](#), [S 1338](#), [S 1339](#), [S 1340](#), [S 1342](#), and [SCR 140](#) and ordered them transmitted to the House for the signature of the Speaker.

March 14, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1333](#), [S 1334](#), and [S 1335](#) were delivered to the Office of the Governor at 11:50 a.m., March 14, 2018.

LODGE, Chairman

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

March 14, 2018

The JUDICIARY AND RULES Committee reports out [H 551](#) and [H 665](#) with the recommendation that they do pass.

LODGE, Chairman

[H 551](#) and [H 665](#) were filed for second reading.

March 14, 2018

The FINANCE Committee reports out [H 668](#), [H 669](#), [S 1360](#), and [S 1361](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 668](#), [H 669](#), [S 1360](#), and [S 1361](#) were filed for second reading.

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

#### Messages from the Governor

March 14, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1317](#), [S 1263](#), [S 1268](#), [S 1282](#), and [S 1294](#)

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 14, 2018

Dear Mr. President:

I transmit herewith [H 673](#), [H 674](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), [H 683](#), [H 685](#), [H 671](#), and [H 684](#), which have passed the House.

MAULIN, Chief Clerk

[H 673](#), [H 674](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), [H 683](#), [H 685](#), [H 671](#), and [H 684](#) were filed for first reading.

March 14, 2018

Dear Mr. President:

I return herewith [S 1318](#), [S 1331](#), and [SCR 143](#), which have passed the House.

MAULIN, Chief Clerk

[S 1318](#), [S 1331](#), and [SCR 143](#) were referred to the Judiciary and Rules Committee for enrolling.

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

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

##### S 1362

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE; 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 2019; 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 THE RESPONSIBILITY FOR THE EDUCATION OF CERTAIN CHILDREN IN STATE CARE; 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 2018; AUTHORIZING ADDITIONAL

FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2018; REQUIRING A PLAN ON CHILD WELFARE STAFFING; ALLOCATING FUNDING FOR THE HOME VISITATION PROGRAM; AND DECLARING AN EMERGENCY.

[S 1362](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 562](#), as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[S 1306](#), as amended in the House, by Resources and Environment Committee, was read the first time at length and filed for second reading.

[H 673](#), [H 674](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), [H 683](#), and [H 685](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 671](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 684](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

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

#### Third Reading of Bills

[H 638](#), 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 Martin 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, Crabtree, Den Hartog, Foreman, Hagedorn, Harris, Heider, Hill, Lakey, Lodge, Martin, Nonini, Rice, Siddoway, Souza, Vick, Winder. Total - 21.

NAYS—Buckner-Webb, Burgoyne, Guthrie, Johnson, Jordan, Keough, Lee, Mortimer, Nye, Patrick, Potts, Stennett, Thayn, Ward-Engelking. Total - 14.

Total - 35.

Whereupon the President Pro Tempore declared [H 638](#) passed, title was approved, and the bill ordered returned to the House.

[H 538](#) 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, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Burgoyne, Foreman, Jordan, Stennett. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared [H 538](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:59 p.m. until the hour of 9:30 a.m., Thursday, March 15, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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SIXTY-SEVENTH LEGISLATIVE DAY  
THURSDAY, MARCH 15, 2018

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 Montie Ralstin.

The Pledge of Allegiance was led by Harrison Woodland, 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, 2018 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 148

#### BY JUDICIARY AND RULES COMMITTEE

#### A CONCURRENT RESOLUTION

ENDORING THE LIMITATION OF PRINTING OF THE IDAHO SESSION LAWS TO A TOTAL OF 150 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 working to improve online access to past Idaho Session Laws; 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 Second 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 150 copies to be distributed based on online requests for physical copies.

[SCR 148](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 15, 2018

The JUDICIARY AND RULES Committee reports that [S 1362](#) has been correctly printed.

LODGE, Chairman

[S 1362](#) was referred to the Finance Committee.

March 14, 2018

The JUDICIARY AND RULES Committee reports that [S 1318](#), [S 1331](#), and [SCR 143](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1318](#), [S 1331](#), and [SCR 143](#) and ordered them transmitted to the House for the signature of the Speaker.

March 14, 2018

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

Mark Von Lindern to the Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 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.

March 14, 2018

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:

Jean Fisher to the Sexual Offender Management Board, term to expire January 1, 2021.

Melissa Hultberg to the Sexual Offender Management Board, term to expire January 1, 2021.

Maira Lynch to the Sexual Offender Management Board, term to expire January 1, 2021.

William Crawford to the Sexual Offender Management Board, term to expire January 1, 2021.

LODGE, Chairman

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

March 14, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [H 658](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BAIR, Chairman

There being no objection, [H 658](#) was referred to the Fourteenth Order of Business, General Calendar.

March 14, 2018

The FINANCE Committee reports out [H 673](#), [H 674](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), [H 683](#), and [H 685](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 673](#), [H 674](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), [H 683](#), and [H 685](#) were filed for second reading.

March 14, 2018

The JUDICIARY AND RULES Committee reports it has had under consideration the recommendations of the Joint Publishing Committee, pursuant to Idaho Code Section 67-905, the Committee recommends the report be adopted.

LODGE, Chairman

The recommendations of the Joint Publishing Committee and the Judiciary and Rules Committee report were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

The Senate advanced to the Ninth Order of Business.

### Messages from the House

March 14, 2018

Dear Mr. President:

I transmit herewith Enrolled [HCR 36](#), [HCR 43](#), [H 465](#), [H 611](#), [H 514](#), [H 447](#), [H 448](#), [H 531](#), [H 505](#), [H 601](#), [H 400](#), [H 402](#), [H 526](#), [H 548](#), [H 368](#), [H 503](#), [H 580](#), [H 492](#), [H 518](#), [H 524](#), [H 605](#), [H 550](#), as amended, [H 629](#), [H 499](#), [H 530](#), [H 624](#), [H 537](#), [H 497](#), [HCR 54](#), [HCR 51](#), [H 405](#), [H 433](#), [H 478](#), [H 480](#), [H 483](#), [H 484](#), [H 519](#), [H 522](#), [H 527](#), [H 642](#), [H 631](#), [H 647](#), [H 453](#), [H 567](#), as amended, and [H 578](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 36](#), [HCR 43](#), [H 465](#), [H 611](#), [H 514](#), [H 447](#), [H 448](#), [H 531](#), [H 505](#), [H 601](#), [H 400](#), [H 402](#), [H 526](#), [H 548](#), [H 368](#), [H 503](#), [H 580](#), [H 492](#), [H 518](#), [H 524](#), [H 605](#), [H 550](#), as amended, [H 629](#), [H 499](#), [H 530](#), [H 624](#), [H 537](#), [H 497](#), [HCR 54](#), [HCR 51](#), [H 405](#), [H 433](#), [H 478](#), [H 480](#), [H 483](#), [H 484](#), [H 519](#), [H 522](#), [H 527](#), [H 642](#), [H 631](#), [H 647](#), [H 453](#), [H 567](#), as amended, and [H 578](#) and ordered them returned to the House.

March 14, 2018

Dear Mr. President:

I return herewith Enrolled [S 1243](#), [S 1265](#), [S 1285](#), [S 1302](#), [S 1242](#), [S 1258](#), and [S 1253](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1243](#), [S 1265](#), [S 1285](#), [S 1302](#), [S 1242](#), [S 1258](#), and [S 1253](#) 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 [SCR 147](#) 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 147](#) was adopted by voice vote, 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 Twelfth Order of Business.

### Second Reading of Bills

[H 626](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 466](#), by Business Committee, was read the second time at length and filed for third reading.

[H 501](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1358](#) and [S 1359](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 551](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 665](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 668](#) and [H 669](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1360](#) and [S 1361](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 562](#), as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1306](#), as amended in the House, by Resources and Environment Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

[S 1347](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1347](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1348](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1348](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1349](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1349](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1350](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1350](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1351](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1351](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1352](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1352](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1353](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1353](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1354](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1354](#) passed, title was approved, and the bill ordered transmitted to the House.

Acting President Souza assumed the Chair.

[S 1355](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the Acting President declared [S 1355](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1356](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Crabtree, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Rice, Siddoway, Souza, Stennett, Ward-Engelking. Total - 26.

NAYS—Bayer, Den Hartog, Foreman, Johnson, Patrick, Potts, Thayn, Vick, Winder. Total - 9.

Total - 35.

Whereupon the Acting President declared [S 1356](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1357](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Patrick. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1357](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 401](#) 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?"

President Pro Tempore Hill returned to the Chair.

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Foreman, Guthrie, Hagedorn, Harris, Heider, Lakey, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 21.

NAYS—Agenbroad, Anthon, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Hill, Johnson, Jordan, Keough, Lee, Lodge, Rice, Stennett. Total - 14.

Total - 35.

Whereupon the President Pro Tempore declared [H 401](#) 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 Sixth Order of Business.

#### Reports of Standing Committees

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:25 a.m. until the hour of 3 p.m. of this day.

#### RECESS AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Pro Tempore Hill presiding.

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

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 15, 2018

The JUDICIARY AND RULES Committee reports that [SCR 148](#) has been correctly printed.

LODGE, Chairman

[SCR 148](#) 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, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1243](#), [S 1265](#), [S 1285](#), [S 1302](#), [S 1242](#), [S 1258](#), and [S 1253](#) were delivered to the Office of the Governor at 11:35 a.m., March 15, 2018.

LODGE, Chairman

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

March 15, 2018

The FINANCE Committee reports out [S 1362](#) with the recommendation that it do pass.

KEOUGH, Chairman



[S 1362](#) was filed for second reading.

March 15, 2018

The TRANSPORTATION Committee reports out [H 507](#), as amended, with the recommendation that it do pass.

BRACKETT, Chairman

[H 507](#), as amended, was filed for second reading.

March 15, 2018

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

Jeff M. Brudie to the Idaho Judicial Council, term to expire June 30, 2019.

R. Bruce Owens to the Idaho Judicial Council, term to expire June 30, 2023.

LODGE, Chairman

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

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

#### Messages from the Governor

March 15, 2018

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 1266](#)

as prescribed by the Constitution.

Just as reading to learn first requires learning to read, pursuing the STEM-based career opportunities that are the foundation of our economic future first requires the "M" - a strong foundation in the essentials of mathematics.

With that relationship in mind, I am reluctantly allowing Senate Bill 1266 to become law without my signature. By eliminating the graduation requirement in Idaho Code for math credits during the last year of high school, I am concerned that this measure could undermine our well-informed focus and significant investment in STEM as a centerpiece of K-Career education in Idaho. That is enough to warrant withholding my signature.

What saves the bill from a veto is the fact that the math requirement for graduation will remain in effect by administrative rule even with this statutory change. What's more, the legislation's stated goal of providing more curriculum flexibility already is substantially addressed by the fact that the State allows students to take an advanced-placement computer science course in place of their senior year math requirement.

My additional concern goes beyond the question of math and its role in STEM education. It involves the importance of uniform standards throughout Idaho's public school system on which to base student progress. If there are not uniform standards of grade-level performance in math, reading or any other academic discipline, it becomes problematic if not impossible to determine how best to help students improve toward mastery.

Unfortunately, Senate Bill 1266 removes a requirement that benefits students seeking to go on to higher education and potential careers in STEM-related fields. We all should watch closely to ensure this change does not disadvantage the very students our education improvement efforts are designed to help.

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.

March 15, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1212](#), [S 1221](#), [S 1249](#), [S 1250](#), [S 1278](#),  
[S 1292](#), as amended, [S 1310](#), [S 1322](#), [S 1323](#),  
[S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), and [S 1330](#)

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 15, 2018

Dear Mr. President:

I transmit herewith [H 672](#), [H 686](#), [H 687](#), [H 688](#), and [H 689](#), which have passed the House.

MAULIN, Chief Clerk

[H 672](#), [H 686](#), [H 687](#), [H 688](#), and [H 689](#) were filed for first reading.

March 15, 2018

Dear Mr. President:

I return herewith [S 1344](#), [S 1232](#), [S 1277](#), [SCR 137](#), and [SCR 139](#), which have passed the House.

MAULIN, Chief Clerk

[S 1344](#), [S 1232](#), [S 1277](#), [SCR 137](#), and [SCR 139](#) were referred to the Judiciary and Rules Committee for enrolling.

March 15, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 479](#), [H 546](#), [H 559](#), [H 660](#), [H 661](#), [H 662](#), [H 638](#), and [H 538](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 479](#), [H 546](#), [H 559](#), [H 660](#), [H 661](#), [H 662](#), [H 638](#), and [H 538](#) and ordered them returned to the House.

March 15, 2018

Dear Mr. President:

I return herewith Enrolled [S 1288](#), [S 1280](#), [S 1240](#), [S 1257](#), [S 1235](#), [S 1321](#), [S 1207](#), as amended, [S 1313](#), [S 1309](#), as amended, [S 1228](#), [S 1229](#), [S 1338](#), [S 1339](#), [S 1340](#), and [S 1342](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1288](#), [S 1280](#), [S 1240](#), [S 1257](#), [S 1235](#), [S 1321](#), [S 1207](#), as amended, [S 1313](#), [S 1309](#), as amended, [S 1228](#), [S 1229](#), [S 1338](#), [S 1339](#), [S 1340](#), and [S 1342](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 15, 2018

Dear Mr. President:

I return herewith Enrolled [SCR 140](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 140](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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

### Third Reading of Bills

#### Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1358](#) 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 1358](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne, Nye. Total - 2.

Total - 35.

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

[S 1358](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne, Nye. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1358](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1360](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Burgoyne, Nye. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [S 1360](#) was before the Senate for final consideration.

[S 1360](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne, Nye. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1360](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1359](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Burgoyne, Nye. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [S 1359](#) was before the Senate for final consideration.

[S 1359](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Burgoyne. Total - 1.

Absent and excused—Nye. Total - 1.

Paired and voting included in roll call:

AYE - Vick                                    NAY - Burgoyne

Total - 35.

Whereupon the President Pro Tempore declared [S 1359](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1361](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Burgoyne, Nye. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [S 1361](#) was before the Senate for final consideration.

[S 1361](#) 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, Buckner-Webb, Crabtree, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Patrick, Siddoway, Stennett, Ward-Engelking, Winder. Total - 23.

NAYS—Bayer, Den Hartog, Foreman, Hagedorn, Nonini, Potts, Rice, Souza, Thayn, Vick. Total - 10.

Absent and excused—Burgoyne, Nye. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1361](#) 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 562](#), as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Burgoyne, Nye. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 562](#), as amended in the Senate, was before the Senate for final consideration.

[H 562](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Burgoyne, Nye. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 562](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1306](#), as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Burgoyne, Nye. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [S 1306](#), as amended in the House, was before the Senate for final consideration.

[S 1306](#), as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Burgoyne, Nye. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1306](#), as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

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

### General Calendar

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

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

### Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [H 547](#) and [H 566](#), without recommendation, amended as follows:

### SENATE AMENDMENT TO H 547

#### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 35, following "parts" insert: "IV"; and in line 36, following "to" insert: "energy conservation".

#### AMENDMENT TO THE BILL

On page 2, delete lines 49 and 50; delete pages 3 and 4, and insert:

"SECTION 2. That Section 39-4116, Idaho Code, be, and the same is hereby amended to read as follows:

39-4116. LOCAL GOVERNMENT ADOPTION AND ENFORCEMENT OF BUILDING CODES. (1) Local governments enforcing building codes shall do so only in compliance with the provisions of this section. Local governments that have not previously instituted and implemented a code enforcement program prior to the effective date of this act may elect to implement a building code enforcement program by passing an ordinance evidencing the intent to do so. Local governments may contract with a public or private entity to administer their building code enforcement program.

(2) Local governments that issue building permits and perform building code enforcement activities shall, by ordinance effective January 1 of the year following the adoption by the Idaho building code board, adopt the following codes as published by the International Code Council together with any amendments or revisions set forth in section 39-4109, Idaho Code, including subsequent versions of the International Building Code as adopted and amended by the Idaho building code board through the negotiated rulemaking process provided in this chapter:

- (a) International Building Code, including all rules promulgated by the board to provide equivalency with the provisions of the Americans with disabilities act accessibility guidelines and the federal fair housing act accessibility guidelines;
- (b) Idaho residential code, parts I-~~IV~~III and IX; and
- (c) Idaho energy conservation code.

Local governments are not required by this chapter to adopt the other referenced codes in the International Building Code. Local jurisdictions shall not adopt provisions, chapters, sections or parts of subsequent versions of the International Residential Code or residential provisions of the International Energy Conservation Code, or subsequent versions in their entirety, that have not been adopted by the Idaho building code board except as provided in subsection (4) of this section.

(3) All single family homes and multiple family dwellings up to two (2) units are hereby exempted from the provisions of the International Fire Code, the International Building Code and the Idaho residential code that require such dwellings to have automatic fire sprinkler systems installed. Nothing in this section shall prevent any person from voluntarily installing an automatic fire sprinkler system in any residential dwelling.

(4) Except as provided in this subsection, local governments may amend by ordinance the adopted codes or provisions of referenced codes to reflect local concerns, provided such amendments establish at least an equivalent level of protection to that of the adopted building code. A local jurisdiction shall not have the authority to amend any accessibility provision pursuant to section 39-4109, Idaho Code, except as provided in paragraphs (a) and (b) of this subsection.

- (a) A local jurisdiction shall not have the authority to amend any accessibility provision pursuant to section 39-4109, Idaho Code.

(b) A local jurisdiction shall not adopt any provision, ~~chapter, section or part of the International Building Residential Code or Idaho residential code or appendices thereto~~ residential provisions of the International Energy Conservation Code, or subsequent versions in their entirety, that ~~has~~ have not been adopted or that ~~has~~ have been expressly rejected or exempted from the adopted version of those codes by the Idaho building code board through the negotiated rulemaking process as provided in section 39-4109, Idaho Code. ~~Provided however, that, after a finding by the local jurisdiction~~

(c) Local jurisdictions may amend by ordinance the following provisions of the Idaho residential code to reflect local concerns:

- (i) Part I, Administrative;
- (ii) Part II, Definitions;
- (iii) Part III, Building Planning and Construction, Section R 301, Design Criteria; and
- (iv) Part IX, Appendices.

(d) Local jurisdictions may amend by ordinance the following provisions of the Idaho energy conservation code to reflect local concerns:

- (i) Chapter 1, Scope and Application; and
- (ii) Chapter 2, Definitions.

(e) Local jurisdictions may amend the remainder of Part III of the Idaho residential code if they find that good cause for building or life safety exists for such an amendment to such codes and that such amendment is reasonably necessary, ~~a local jurisdiction may adopt such provision.~~ Amendments shall be adopted by ordinance in accordance with the provisions of chapter 9, title 50, Idaho Code, or chapter 7, title 31, Idaho Code, and provided further that such local jurisdiction shall conduct a public hearing and, provided further, that notice of the time and place of the public hearing shall be published in the official newspaper or paper of general circulation within the jurisdiction and written notice of each of such public hearing and the proposed language shall be given by the local jurisdiction to the local chapters of the entities identified in section 39-4109(5), Idaho Code, not less than thirty (30) days prior to such hearing. In the event that there are no local chapters of such entities identified in section 39-4109(5), Idaho Code, within the local jurisdiction holding the hearings, the notice shall be provided to the state associations of the respective entities.

(5) Local governments shall exempt agricultural buildings from the requirements of the codes enumerated in this chapter and the rules promulgated by the board. A county may issue permits for farm buildings to assure compliance with road setbacks and utility easements, provided that the cost for such permits shall not exceed the actual cost to the county of issuing the permits.

(6) Permits shall be governed by the laws in effect at the time the permit application is received.

(7) The division shall retain jurisdiction for in-plant inspections and installation standards for manufactured or mobile homes and for in-plant inspections and enforcement of construction standards for modular buildings and commercial coaches.

SECTION 3. NON-RETROACTIVITY CLAUSE. This act shall not be applied retroactively to the effective date of this act. Codes or amendments thereto adopted by local jurisdictions shall remain in full force and effect.

SECTION 4. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

#### CORRECTION TO TITLE

On page 1, in line 3, following "CODE" insert: "AND TO PROVIDE REFERENCES TO THE IDAHO BUILDING CODE"; also in line 3, delete "AND"; and in line 5, following "CODES" insert: "; PROVIDING NON-RETROACTIVITY; AND DECLARING AN EMERGENCY".

#### SENATE AMENDMENT TO H 566 AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 3, delete "and"; in line 7, delete "." and insert: "; and"; and following line 7, insert:

- "(e) Has one (1) or more of the following:
- (i) Five (5) or more years of experience administering a public charter school;
  - (ii) A post-baccalaureate degree and a minimum of five (5) years of experience in school administration, public administration, business administration or military administration;
  - (iii) Successful completion of a nationally recognized charter school leaders fellowship; or
  - (iv) Five (5) or more years of teaching experience."

VICK, Chairman

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

**H 547**, as amended in the Senate, and **H 566**, 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 568** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Potts, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 27.

NAYS—Buckner-Webb, Burgoyne, Foreman, Johnson, Jordan, Stennett, Ward-Engelking. Total - 7.

Absent and excused—Nye. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 568** 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 Sixth Order of Business.

#### **Reports of Standing Committees**

March 15, 2018

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 547](#) and [H 566](#) have been correctly printed.

LODGE, Chairman

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

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

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

[H 547](#), as amended in the Senate, and [H 566](#), as amended in the Senate, by Education Committee, were read the first time at length and filed for second reading.

[H 672](#), [H 686](#), [H 687](#), [H 688](#), and [H 689](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

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

#### **Miscellaneous Business**

Senator Nye was recorded present at this order of business.

On motion by Senator Winder, seconded by Senator Nye, by voice vote, the Senate adjourned at 5:22 p.m. until the hour of 9 a.m., Friday, March 16, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

SIXTY-EIGHTH LEGISLATIVE DAY  
FRIDAY, MARCH 16, 2018

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Amber Zeckmann, 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, 2018 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 15, 2018

The JUDICIARY AND RULES Committee reports that [S 1344](#), [S 1232](#), [S 1277](#), [SCR 137](#), and [SCR 139](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1344](#), [S 1232](#), [S 1277](#), [SCR 137](#), and [SCR 139](#) and ordered them transmitted to the House for the signature of the Speaker.

March 15, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 140](#) was delivered to the Office of the Secretary of State at 4:28 p.m., March 15, 2018.

LODGE, Chairman

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

March 15, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1288](#), [S 1280](#), [S 1240](#), [S 1257](#), [S 1235](#), [S 1321](#), [S 1207](#), as amended, [S 1313](#), [S 1309](#), as amended, [S 1228](#), [S 1229](#), [S 1338](#), [S 1339](#), [S 1340](#), and [S 1342](#) were delivered to the Office of the Governor at 4:26 p.m., March 15, 2018.

LODGE, Chairman

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

March 16, 2018

The FINANCE Committee reports out [H 672](#), [H 686](#), [H 687](#), [H 688](#), and [H 689](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 672](#), [H 686](#), [H 687](#), [H 688](#), and [H 689](#) 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 15, 2018

Dear Mr. President:

I return herewith Enrolled [S 1318](#) and [S 1331](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1318](#) and [S 1331](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 15, 2018

Dear Mr. President:

I return herewith Enrolled [SCR 143](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 143](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, all gubernatorial appointments and Idaho State Bar appointments retained their place on the calendar for Monday, March 19, 2018.

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Joint Publishing Committee's recommendations 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 recommendation's of the Joint Publishing Committee was adopted by voice vote, and ordered transmitted to the House.

The President Pro Tempore announced that [SCR 148](#) was before the Senate for final consideration.

Moved by Senator Lodge, seconded by Senator Burgoyne, that [SCR 148](#) 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, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 148](#) 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 Twelfth Order of Business.

#### Second Reading of Bills

[H 673](#), [H 674](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), [H 683](#), and [H 685](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1362](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 507](#), as amended, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[H 547](#), as amended in the Senate, by Business Committee, was read the second time at length and filed for third reading.

[H 566](#), as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### Third Reading of Bills

[H 607](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 607](#) passed, title was approved, and the bill ordered returned to the House.

[H 620](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 620](#) passed, title was approved, and the bill ordered returned to the House.

[H 500](#) 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, Crabtree, 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 - 31.

NAYS—Burgoyne, Foreman, Potts. Total - 3.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 500](#) passed, title was approved, and the bill ordered returned to the House.

[H 582](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Burgoyne, Lee, and Lodge 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 582](#) passed, title was approved, and the bill ordered returned to the House.

[H 584](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan,



Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 584](#) passed, title was approved, and the bill ordered returned to the House.

[H 586](#) 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, Den Hartog, Guthrie, Hagedorn, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Foreman, Potts. Total - 2.

Absent and excused—Heider, Martin. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 586](#) passed, title was approved, and the bill ordered returned to the House.

[H 643](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 643](#) passed, title was approved, and the bill ordered returned to the House.

[H 667](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 667](#) passed, title was approved, and the bill ordered returned to the House.

[H 443](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 443](#) passed, title was approved, and the bill ordered returned to the House.

[H 632](#) 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 632](#) passed, title was approved, and the bill ordered returned to the House.

[H 634](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 634](#) passed, title was approved, and the bill ordered returned to the House.

[H 648](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 648](#) passed, title was approved, and the bill ordered returned to the House.

[H 618](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Potts arose as sponsor of the bill and 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 618](#) passed, title was approved, and the bill ordered returned to the House.

[H 649](#) 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, Den Hartog, Guthrie, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Hagedorn, Heider. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 649](#) passed, title was approved, and the bill ordered returned to the House.

[H 626](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 626](#) passed, title was approved, and the bill ordered returned to the House.

[H 466](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Potts arose as sponsor of 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, Harris, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

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

Absent and excused—Hagedorn, Heider. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 466](#) passed, title was approved, and the bill ordered returned to the House.

[H 501](#) 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—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Foreman, Guthrie, Harris, Hill, Johnson, Jordan, Lakey, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking. Total - 24.

NAYS—Agenbroad, Anthon, Crabtree, Keough, Lee, Lodge, Martin, Rice, Winder. Total - 9.

Absent and excused—Hagedorn, Heider. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 501](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 551](#) retained its place on the Third Reading Calendar for Monday, March 19, 2018.

[H 665](#) 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, Den Hartog, Guthrie, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Hagedorn, Heider. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 665](#) passed, title was approved, and the bill ordered returned to the House.

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

### Messages from the House

March 16, 2018

Dear Mr. President:

I return herewith [S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), and [S 1353](#), which have passed the House.

MAULIN, Chief Clerk

[S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), and [S 1353](#) were referred to the Judiciary and Rules Committee for enrolling.

March 16, 2018

Dear Mr. President:

I return herewith [S 1354](#), which has failed to pass the House.

MAULIN, Chief Clerk

[S 1354](#) was ordered filed in the office of the Secretary of the Senate.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:17 p.m. until the hour of 9:30 a.m., Monday, March 19, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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SEVENTY-FIRST LEGISLATIVE DAY  
MONDAY, MARCH 19, 2018

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 Montie Ralstin.

The Pledge of Allegiance was led by Tessa Fronk, 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, 2018 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 19, 2018

The JUDICIARY AND RULES Committee reports that [S 1306](#), as amended in the House, [S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), and [S 1353](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1306](#), as amended in the House, [S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), and [S 1353](#) and ordered them transmitted to the House for the signature of the Speaker.

March 16, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 143](#) was delivered to the Office of the Secretary of State at 9:51 a.m., March 16, 2018.

LODGE, Chairman

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

March 16, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1318](#) and [S 1331](#) were delivered to the Office of the Governor at 9:55 a.m., March 16, 2018.

LODGE, Chairman

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

March 16, 2018

The STATE AFFAIRS Committee reports out [HCR 50](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[HCR 50](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 19, 2018

The STATE AFFAIRS Committee reports out [H 666](#) and [H 670](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 666](#) and [H 670](#) were filed for second reading.

March 19, 2018

The STATE AFFAIRS Committee reports out [HCR 44](#) and [HCR 58](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[HCR 44](#) and [HCR 58](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

### Messages from the House

March 19, 2018

Dear Mr. President:

I transmit herewith [H 682](#), [H 690](#), [H 691](#), [H 692](#), and [H 694](#), which have passed the House.

MAULIN, Chief Clerk

[H 682](#), [H 690](#), [H 691](#), [H 692](#), and [H 694](#) were filed for first reading.

March 16, 2018

Dear Mr. President:

I return herewith [S 1220](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

[S 1220](#), as amended in the House, was referred to the Local Government and Taxation Committee for consideration as to possible concurrence in the House amendments.

March 16, 2018

Dear Mr. President:

I return herewith [S 1254](#), [S 1324](#), [S 1346](#), [SCR 134](#), and [SJM 104](#), which have passed the House.

MAULIN, Chief Clerk

[S 1254](#), [S 1324](#), [S 1346](#), [SCR 134](#), and [SJM 104](#) were referred to the Judiciary and Rules Committee for enrolling.

March 16, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 401](#) and [H 568](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 401](#) and [H 568](#) and ordered them returned to the House.

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

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

**S 1363  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE SUPREME COURT FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE SUPREME COURT PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE COURT OF APPEALS PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE DISTRICT COURTS PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE MAGISTRATE DIVISION PROGRAM FOR FISCAL YEAR 2019; AND EXEMPTING THE SUPREME COURT'S APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

**S 1364  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING CONTINUOUS APPROPRIATION AUTHORITY.

**S 1365  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2019; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1366  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS; AND PROVIDING NON-GENERAL FUND REAPPROPRIATION.

**S 1367  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT REGARDING CERTAIN MONEYS BEING CONTINUOUSLY APPROPRIATED; AUTHORIZING THE TRANSFER OF FUNDS FOR THE GATEWAY VISITOR CENTERS; PROVIDING REAPPROPRIATION FOR THE STATE HIGHWAY FUND, THE STRATEGIC INITIATIVES PROGRAM FUND, AND THE TRANSPORTATION EXPANSION AND CONGESTION MITIGATION FUND; PROVIDING REAPPROPRIATION FOR AIRPORT DEVELOPMENT GRANTS; AND AUTHORIZING A TRANSFER OF FUNDS FOR BOND PAYMENTS.

**S 1368  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM AND OBJECT TRANSFERS; PROVIDING LEGISLATIVE INTENT FOR PROVIDER REVIEW AND RECOMMENDATIONS; AND PROVIDING FOR REAPPROPRIATION AUTHORITY.

**S 1369  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2019; 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 2019; 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; 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; AND REQUIRING BIENNIAL REPORTS ON FACILITY LICENSING AND CERTIFICATION.

**S 1370**  
**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2019.

**S 1371**  
**BY FINANCE COMMITTEE**

AN ACT

RELATING TO APPROPRIATIONS; APPROPRIATING ADDITIONAL MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR THE ADMINISTRATION - GOVERNOR'S OFFICE PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE SECRETARY OF STATE FOR THE SECRETARY OF STATE PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE STATE CONTROLLER FOR THE ADMINISTRATION PROGRAM FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR THE STATE DEPARTMENT OF EDUCATION PROGRAM FOR FISCAL YEAR 2019; AND APPROPRIATING ADDITIONAL MONEYS TO THE ATTORNEY GENERAL FOR THE STATE LEGAL SERVICES PROGRAM FOR FISCAL YEAR 2019.

**S 1372**  
**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE STATE LIQUOR DIVISION FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE STATE LIQUOR DIVISION FOR FISCAL YEAR 2019; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1373**  
**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE STATE CONTROLLER FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR THE RECOVERY OF STATE CONTROLLER SERVICE COSTS TO THE INDIRECT COST RECOVERY FUND; AND PROVIDING CERTAIN DEDICATED FUND REAPPROPRIATION AUTHORITY.

**S 1374**  
**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2019; PROVIDING FOR A CASH TRANSFER FROM THE COOPERATIVE WELFARE (GENERAL) FUND TO THE RURAL PHYSICIANS INCENTIVE FUND FOR FISCAL YEAR 2019; AND REQUIRING A REPORT ON THE USE OF CERTAIN FUNDS.

**S 1375**  
**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE LEGISLATIVE BRANCH FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE LEGISLATIVE BRANCH FOR THE LEGISLATIVE SERVICES OFFICE PROGRAM FOR FISCAL YEAR 2019; AND PROVIDING REAPPROPRIATION AUTHORITY.

**S 1376**  
**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE BASIC MEDICAID PLAN PROGRAM FOR FISCAL YEAR 2019.

**S 1377**  
**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE POLICE FOR THE PATROL PROGRAM FOR FISCAL YEAR 2019.

**S 1378**  
**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2019; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE WATER QUALITY PROGRAM FOR FISCAL YEAR 2019.

**S 1379**  
**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2019; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1380**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AMENDING SECTION 63-102, IDAHO CODE, TO INCREASE THE SALARIES OF THE STATE TAX COMMISSIONERS; AND PROVIDING REAPPROPRIATION AUTHORITY FOR COSTS ASSOCIATED WITH MOVING.

**S 1381**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE WORKFORCE DEVELOPMENT COUNCIL FOR FISCAL YEAR 2019; APPROPRIATING MONEYS TO THE WORKFORCE DEVELOPMENT COUNCIL FOR FISCAL YEAR 2019; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1377](#), [S 1378](#), [S 1379](#), [S 1380](#), and [S 1381](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 682](#), [H 690](#), [H 691](#), [H 692](#), and [H 694](#), 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 672](#), [H 686](#), [H 687](#), [H 688](#), and [H 689](#), by Appropriations Committee, were read the second time at length and filed for third reading.

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:59 a.m. until the hour of 3 p.m. of this day.

**RECESS**  
**AFTERNOON SESSION**

The Senate reconvened at 3 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present except Senators Lakey and Rice, absent and formally excused by the Chair; and Senators Anthon, Bair, Foreman, Hagedorn, Harris, Johnson, Lee, Lodge, Nye, Potts, and Siddoway, absent and excused.

Prior to recess the Senate was at the Twelfth Order of Business, Second Reading of Bills.

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

**Petitions, Resolutions, and Memorials**

**SCR 149**  
**BY STATE AFFAIRS COMMITTEE**  
A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE.

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, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second 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 2018 legislative session, which impose a fee or charge, be, and the same are approved and shall be in full force and effect upon the adoption of this concurrent resolution or upon the date specified in the administrative rule.

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 150**  
**BY STATE AFFAIRS COMMITTEE**  
A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE.

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 Second 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 2018 legislative session, be, and the same are approved.

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 First Regular Session of the Sixty-fifth Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules which are excepted from approval hereunder or which were not submitted to the Legislature for review during the 2018 legislative session shall expire by operation of statute upon adjournment of the Second Regular Session of the Sixty-fourth Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

[SCR 149](#) and [SCR 150](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 19, 2018

The JUDICIARY AND RULES Committee reports that [S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1377](#), [S 1378](#), [S 1379](#), [S 1380](#), and [S 1381](#) have been correctly printed.

LODGE, Chairman

[S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1377](#), [S 1378](#), [S 1379](#), [S 1380](#), and [S 1381](#) were referred to the Finance Committee.

March 19, 2018

The JUDICIARY AND RULES Committee reports that [S 1254](#), [S 1324](#), [S 1346](#), [SCR 134](#), and [SJM 104](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1254](#), [S 1324](#), [S 1346](#), [SCR 134](#), and [SJM 104](#) and ordered them transmitted to the House for the signature of the Speaker.

March 19, 2018

The FINANCE Committee reports out [H 682](#), [H 690](#), [H 691](#), [H 692](#), and [H 694](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 682](#), [H 690](#), [H 691](#), [H 692](#), and [H 694](#) were filed for second reading.

Senator Foreman was recorded present at this order of business.

March 19, 2018

The FINANCE Committee reports out [S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1377](#), [S 1378](#), [S 1379](#), [S 1380](#), and [S 1381](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1377](#), [S 1378](#), [S 1379](#), [S 1380](#), and [S 1381](#) were filed for second reading.

Senators Hagedorn and Nye were recorded present at this order of business.

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

### Messages from the House

March 19, 2018

Dear Mr. President:

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

MAULIN, Chief Clerk

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

Senator Lee was recorded present at this order of business.

March 19, 2018

Dear Mr. President:

I return herewith [S 1279](#), which has passed the House.

MAULIN, Chief Clerk

[S 1279](#) was referred to the Judiciary and Rules Committee for enrolling.

March 19, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 474](#), as amended in the Senate, and [H 506](#), as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 474](#), as amended in the Senate, and [H 506](#), as amended in the Senate, and ordered them returned to the House.

March 19, 2018

Dear Mr. President:

I return herewith Enrolled [S 1344](#), [S 1232](#), and [S 1277](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1344](#), [S 1232](#), and [S 1277](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 19, 2018

Dear Mr. President:

I return herewith Enrolled [SCR 137](#) and [SCR 139](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 137](#) and [SCR 139](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.



Senators Anthon, Bair, Harris, Potts, and Siddoway were recorded present at this order of business.

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

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

**S 1382**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO INITIATIVE AND REFERENDUM ELECTIONS; REPEALING SECTION 34-1815, IDAHO CODE, RELATING TO FALSE STATEMENTS CONCERNING A PETITION; AMENDING CHAPTER 18, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1815, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING UNLAWFUL TACTICS FOR OBTAINING SIGNATURES TO A PETITION; AND AMENDING SECTION 34-1822, IDAHO CODE, TO REVISE PROVISIONS REGARDING PENALTIES.

[S 1382](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HP 1](#), by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

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

**Third Reading of Bills**

[H 551](#) 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, Brackett, Buckner-Webb, Burgoyne, Hagedorn, Heider, Hill, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Siddoway, Souza, Stennett, Ward-Engelking, Winder. Total - 21.

NAYS—Bair, Bayer, Crabtree, Den Hartog, Foreman, Guthrie, Harris, Johnson, Nonini, Potts, Thayn, Vick. Total - 12.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 551](#) passed, title was approved, and the bill ordered returned to the House.

Senators Lodge and Johnson were recorded present at this order of business.

[H 668](#) 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 668](#) passed, title was approved, and the bill ordered returned to the House.

[H 669](#) 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, Lee, Lodge, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Foreman, Martin. Total - 2.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 669](#) passed, title was approved, and the bill ordered returned to the House.

[H 673](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 673](#) passed, title was approved, and the bill ordered returned to the House.

[H 674](#) 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, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Den Hartog, Foreman, Potts. Total - 3.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 674](#) passed, title was approved, and the bill ordered returned to the House.

[H 677](#) 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 677](#) passed, title was approved, and the bill ordered returned to the House.

[H 678](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 678](#) passed, title was approved, and the bill ordered returned to the House.

[H 679](#) 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, Foreman, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Ward-Engelking, Winder. Total - 30.

NAYS—Hagedorn, Thayn, Vick. Total - 3.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 679](#) passed, title was approved, and the bill ordered returned to the House.

[H 680](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 680](#) passed, title was approved, and the bill ordered returned to the House.

[H 681](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 681](#) passed, title was approved, and the bill ordered returned to the House.

[H 683](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 683](#) passed, title was approved, and the bill ordered returned to the House.

[H 685](#) 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 685](#) passed, title was approved, and the bill ordered returned to the House.

[S 1362](#) 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1362](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 507](#), 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?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Brackett, Buckner-Webb, Burgoyne, Crabtree, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Martin, Nonini, Nye, Patrick, Souza, Stennett, Ward-Engelking, Winder. Total - 20.

NAYS—Bair, Bayer, Den Hartog, Foreman, Harris, Johnson, Lee, Lodge, Mortimer, Potts, Siddoway, Thayn, Vick. Total - 13.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 507](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 547](#), as amended in the Senate, 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), Senator Mortimer disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Potts, Siddoway, Souza, Thayn, Vick, Winder. Total - 26.

NAYS—Buckner-Webb, Burgoyne, Johnson, Jordan, Nye, Stennett, Ward-Engelking. Total - 7.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 547](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

[H 566](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Crabtree, Den Hartog, Foreman, Hagedorn, Harris, Heider, Hill, Lodge, Martin, Mortimer, Nonini, Patrick, Potts, Siddoway, Souza, Thayn, Vick, Winder. Total - 23.

NAYS—Buckner-Webb, Burgoyne, Guthrie, Johnson, Jordan, Keough, Lee, Nye, Stennett, Ward-Engelking. Total - 10.

Absent and excused—Lakey, Rice. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 566](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

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

#### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:29 p.m. until the hour of 9:30 a.m., Tuesday, March 20, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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SEVENTY-SECOND LEGISLATIVE DAY  
TUESDAY, MARCH 20, 2018

Senate Chamber

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

Roll call showed all members present except Senator Burgoyne, absent and formally excused by the Chair; and Senators Anthon, Bayer, Brackett, Johnson, Lakey, Lee, Lodge, and Potts, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Jayden Huston, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 19, 2018 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 20, 2018

The JUDICIARY AND RULES Committee reports that [SCR 149](#), [SCR 150](#), and [S 1382](#) have been correctly printed.

LODGE, Chairman

[SCR 149](#) and [SCR 150](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1382](#) was referred to the State Affairs Committee.

March 19, 2018

The JUDICIARY AND RULES Committee reports that [S 1279](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1279](#) and ordered it transmitted to the House for the signature of the Speaker.

Senator Bayer was recorded present at this order of business.

March 20, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 137](#) and [SCR 139](#) were delivered to the Office of the Secretary of State at 8:31 a.m., March 20, 2018.

LODGE, Chairman

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

Senators Lakey, Lee, Johnson, and Anthon were recorded present at this order of business.

March 20, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1344](#), [S 1232](#), and [S 1277](#) were delivered to the Office of the Governor at 8:30 a.m., March 20, 2018.

LODGE, Chairman

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

March 19, 2018

The JUDICIARY AND RULES Committee reports out [H 554](#) with the recommendation that it do pass.

LODGE, Chairman

[H 554](#) was filed for second reading.

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

### Messages from the House

March 19, 2018

Dear Mr. President:

I transmit herewith [H 695](#), [H 696](#), [H 697](#), [H 698](#), [H 699](#), [H 700](#), [H 701](#), [H 702](#), [H 703](#), [H 704](#), and [H 705](#), which have passed the House.

MAULIN, Chief Clerk

[H 695](#), [H 696](#), [H 697](#), [H 698](#), [H 699](#), [H 700](#), [H 701](#), [H 702](#), [H 703](#), [H 704](#), and [H 705](#) were filed for first reading.

Senator Lodge was recorded present at this order of business.

March 19, 2018

Dear Mr. President:

I return herewith Enrolled [S 1306](#), as amended in the House, [S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), and [S 1353](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1306](#), as amended in the House, [S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), and [S 1353](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

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

[H 695](#), [H 696](#), [H 697](#), [H 698](#), [H 699](#), [H 700](#), [H 701](#), [H 702](#), [H 703](#), [H 704](#), and [H 705](#), 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 666](#) and [H 670](#), by Ways and Means Committee, were read the second time at length and filed for third reading.

[H 682](#), [H 690](#), [H 691](#), [H 692](#), and [H 694](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1377](#), [S 1378](#), [S 1379](#), [S 1380](#), and [S 1381](#), by Finance Committee, were read the second time at length and filed for third reading.

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

**General Calendar**

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

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

**Report of the Committee of the Whole**

Senator Vick, Chairman of the Committee of the Whole, reported out [H 658](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO H 658  
AMENDMENT TO THE BILL**

On page 2 of the printed bill, delete lines 16 through 49; delete pages 3 through 21, and insert:

"SECTION 2. That Section 6-202, Idaho Code, be, and the same is hereby amended to read as follows:

6-202. ACTIONS FOR CIVIL  
TRESPASS. (1) Definitions. As used in this section:

- (a) "Crops" means field crops including, but not limited to, grains, feed crops, legumes, fruits and vegetables.
- (b) "Cultivated land" means:
  - (i) Land whose soil is loosened or broken up for the raising of crops;
  - (ii) Land used for the raising of crops; or
  - (iii) Pasturage that is artificially irrigated.
- (c) "Damage" means any injury or damage to real or personal property and includes, but is not limited to, any of the following actions, when conducted without lawful authority, the consent of the landowner or his agent, or a valid license:
  - (i) Cutting down or carrying off any wood, underbrush, tree or timber, or girdling or otherwise injuring any tree or timber on the land of another;

(ii) Severing from the property of another anything attached thereto, or the produce thereof;

(iii) Digging, taking or carrying away any earth, soil or stone from the property of another;

(iv) Tearing down or otherwise damaging any fence on the land of another, or opening any gate, bar or fence of another and leaving it open, or using the corral or corrals of another;

(v) Dumping trash or covering up in any manner the property of another;

(vi) The unprovoked, intentional killing or injuring of a domestic animal of another on his property;

(vii) Removing, mutilating, damaging or destroying any "no trespassing" signs or markers of similar meaning;

(viii) Going through or driving a motor vehicle, as defined in sections 49-114 and 49-123, Idaho Code, into, upon, over or through any cultivated lands; or

(ix) Injuring or killing livestock.

(d) "Enter" or "enters" means going upon or over real property either in person or by causing any object, substance or force to go upon or over real property.

(e) "Navigable streams" shall have the meaning set forth in section 36-1601, Idaho Code.

(f) "Permission" means written authorization from the owner or his agent to enter upon private land, which shall include the signature of the owner or his agent, the name of the person being given permission, the appropriate dates that the permission is valid and a general description of the property; or another form of permission or invitation recognized by law.

(g) "Remains" means to fail to depart from the real property of another immediately when notified to do so by the owner or his agent.

(2)(a) Acts constituting civil trespass. Any person who, without permission of the owner, or the owner's agent, willfully and intentionally enters or remains upon the real property of another person which property is posted with "No Trespassing" signs or other notices of like meaning, spaced at intervals of not less than one (1) notice per six hundred sixty (660) feet along such real property; or who willfully and intentionally cuts down or carries off any wood or underwood, tree or timber, or girdling, or otherwise willfully and intentionally injures any tree or timber on the land of another person, or on the street or highway in front of any person's house, village, or city lot, or cultivated grounds; or on the commons or public grounds of or in any city or town, or on the street or highway in front thereof, without lawful authority, is liable to the owner of such land, or to such city or town, for treble the amount of damages which may be assessed therefor or fifty dollars (\$50.00), plus a reasonable attorney's fee which shall be taxed as costs, in any civil action brought to enforce the terms of this act if the plaintiff prevails without permission commits a civil trespass.

(b) Acts constituting civil trespass with damage. A person commits a civil trespass with damage when he enters or remains on the real property of another without permission, knowing or with reason to know that his presence is not permitted, and causes damage to real or personal property in excess of one thousand dollars (\$1,000). A person has reason to know that his presence is not permitted on real property that meets any of the following descriptions:

- (i) The property is reasonably associated with a residence or place of business;
- (ii) The property is cultivated;

(iii) The property is fenced or otherwise enclosed in a manner that a reasonable person would recognize as delineating a private property boundary. Provided, however, if the property adjoins or is contained within public lands, the fence line adjacent to public land is posted with conspicuous "no trespassing" signs or bright orange or fluorescent paint at the corners of the fence adjoining public land and at all navigable streams, roads, gates and rights-of-way entering the private land from the public land, and is posted in a manner that a reasonable person would be put on notice that it is private land; or

(iv) The property is unfenced and uncultivated but is posted with conspicuous "no trespassing" signs or bright orange or fluorescent paint at all property corners and boundaries where the property intersects navigable streams, roads, gates and rights-of-way entering the land, and is posted in a manner that a reasonable person would be put on notice that it is private land.

(3) Remedies.

(a) Civil trespass. Any person found liable for a civil trespass pursuant to subsection (2)(a) of this section shall be liable for the following damages:

(i) The greater of:

1. A damage award of five hundred dollars (\$500); or
2. The amount of actual damages caused by the trespass;

(ii) Reasonable attorney's fees, which shall be taxed as costs in any civil action brought to enforce the provisions of this section, if the plaintiff prevails; and

(iii) Reasonable costs associated with investigating any trespass, as approved by the court, which shall be taxed as costs in any civil action brought to enforce the provisions of this section, if the plaintiff prevails.

(b) Civil trespass with damage. Any person found liable for a civil trespass with damage pursuant to subsection (2)(b) of this section shall be liable for the following damages and penalties:

(i) Treble the amount of actual damages caused by the trespass;

(ii) Reasonable attorney's fees, which shall be taxed as costs in any civil action brought to enforce the provisions of this section, if the plaintiff prevails; and

(iii) Reasonable costs associated with investigating any trespass, as approved by the court, which shall be taxed as costs in any civil action brought to enforce the provisions of this section, if the plaintiff prevails.

(c) If an action for civil trespass or civil trespass with damage is brought without foundation and the defendant prevails, the defendant may be awarded reasonable attorney's fees, which shall be taxed as costs.

Provided however, the owner or operator of any right-of-way or easement for any ditch, canal or other conduit governed by the provisions of chapter 11 or chapter 12, title 42, Idaho Code, or any rail carrier or aircraft who is found in violation of this section shall be liable only for actual damages and not for any treble damages or attorney's fees or investigation costs otherwise provided for under this subsection.

(4) All damages and penalties awarded pursuant to this section shall be remitted to the damaged party.

(5) Posting of navigable streams shall not prohibit access to navigable streams below the high-water mark pursuant to section 36-1601, Idaho Code.

(6) Subject to any rights or authorities described in subsection (7) of this section, a landowner or his agent may

revoke permission granted under this section to another to enter or remain upon his property at any time, for any reason, orally, in writing, or by any other form of notice reasonably apparent to the permitted person or persons.

(7) A person has not committed the act of civil trespass under this section for entering or remaining upon real property if the person entered or remained on the property pursuant to any of the following rights or authorities:

(a) An established right of entry or occupancy of the real property in question, including, but not limited to:

(i) An invitation, whether express or implied, to enter or remain on real property including, but not limited to, the right to enter property that is, at the time, open to the public, if the person is in compliance with lawful conditions imposed on access;

(ii) A license to enter or remain on real property; or

(iii) A lease, easement, contract, privilege or other legal right to enter, remain upon, possess or use the real property;

(b) A lawful authority to enter onto or remain upon the real property in question, including, but not limited to:

(i) Any law enforcement officer during the course and scope of fulfilling his lawful duties;

(ii) Any paramedic, firefighter or other emergency personnel during the course and scope of fulfilling his lawful duties; or

(iii) Any licensed professional otherwise authorized to enter or remain on the real property during the course and scope of fulfilling his lawful duties; or

(c) Any other person with a legally prescribed right to enter or remain upon the real property in question.

(8) Examples of the exclusions in subsection (7) of this section include, but are not limited to, a customer entering and remaining in a store during business hours who has not been asked to depart by the property owner or his agent; a person knocking on a front door of a property that is not posted; a meter reader in the scope and course of his employment; a postal employee delivering mail or packages; power company personnel fixing downed power lines; a bail bondsman arresting a person who is in violation of a bail contract; a tenant in compliance with a valid lease; and the owner or operator of any right-of-way or easement for any ditch, canal or other conduit, acting pursuant to the provisions of chapter 11 or chapter 12, title 42, Idaho Code.

(9) The exclusions set forth in this section shall not relieve any person of civil or criminal liability pursuant to other applicable law for causing damage while entering or remaining on the property in question.

SECTION 3. That Section 6-202A, Idaho Code, be, and the same is hereby repealed.

SECTION 4. That Title 6, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 31, Title 6, Idaho Code, and to read as follows:

#### CHAPTER 31

#### LIABILITY OF LAND POSSESSOR TO TRESPASSER

6-3101. DUTY OF LAND POSSESSOR TO TRESPASSER. A possessor of any interest in real property, including an owner, lessee or other lawful occupant, owes no duty of care to a trespasser, except to refrain from intentional or willful and wanton acts that cause injury to the trespasser.

6-3102. ATTRACTIVE NUISANCE. Nothing in this chapter shall affect the common law doctrine of attractive nuisance.

6-3103. APPLICABILITY. This chapter does not create or increase the liability of any possessor of real property and does not affect any other statutory or common law immunities from or defenses to civil liability to which a possessor of real property may be entitled.

SECTION 5. That Section 18-7008, Idaho Code, be, and the same is hereby repealed.

SECTION 6. That Chapter 70, Title 18, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 18-7008, Idaho Code, and to read as follows:

18-7008. CRIMINAL TRESPASS – DEFINITIONS AND ACTS CONSTITUTING. (1) Definitions. As used in this section:

- (a) "Crops" means field crops including, but not limited to, grains, feed crops, legumes, fruits and vegetables.
- (b) "Cultivated land" means:
  - (i) Land whose soil is loosened or broken up for the raising of crops;
  - (ii) Land used for the raising of crops; or
  - (iii) Pasturage that is artificially irrigated.
- (c) "Damage" means any injury or damage to real or personal property and includes, but is not limited to, any of the following actions, when conducted without lawful authority, the consent of the landowner or his agent, or a valid license:
  - (i) Cutting down or carrying off any wood, underbrush, tree or timber, or girdling or otherwise injuring any tree or timber on the land of another;
  - (ii) Severing from the property of another anything attached thereto, or the produce thereof;
  - (iii) Digging, taking or carrying away any earth, soil or stone from the property of another;
  - (iv) Tearing down or otherwise damaging any fence on the land of another person, or opening any gate, bar or fence of another person and leaving it open, or using the corral or corrals of another person;
  - (v) Dumping trash or covering up in any manner the property of another person;
  - (vi) The unprovoked, intentional killing or injuring of a domestic animal of another on his property;
  - (vii) Removing, mutilating, damaging or destroying any "no trespassing" signs or markers of similar meaning;
  - (viii) Going through or driving a motor vehicle, as defined in sections 49-114 and 49-123, Idaho Code, into, upon, over or through any cultivated lands; or
  - (ix) Injuring livestock.
- (d) "Enter" or "enters" means going upon or over real property either in person or by causing any object, substance or force to go upon or over real property.
- (e) "Navigable streams" shall have the meaning set forth in section 36-1601, Idaho Code.
- (f) "Permission" means written authorization from the owner or his agent to enter upon private land, which shall include the signature of the owner or his agent, the name of the person being given permission, the appropriate dates that the permission is valid and a general description of

the property; or another form of permission or invitation recognized by law.

(g) "Remains" means to fail to depart from the real property of another immediately when notified to do so by the owner or his agent.

(2) Acts constituting criminal trespass.

(a) A person commits criminal trespass and is guilty of a misdemeanor, except as provided in subsection (3)(a)(i) of this section, when he enters or remains on the real property of another without permission, knowing or with reason to know that his presence is not permitted. A person has reason to know his presence is not permitted when, except under a landlord-tenant relationship, he fails to depart immediately from the real property of another after being notified by the owner or his agent to do so, or he returns without permission or invitation within one (1) year, unless a longer period of time is designated by the owner or his agent. In addition, a person has reason to know that his presence is not permitted on real property that meets any of the following descriptions:

- (i) The property is reasonably associated with a residence or place of business;
  - (ii) The property is cultivated;
  - (iii) The property is fenced or otherwise enclosed in a manner that a reasonable person would recognize as delineating a private property boundary. Provided, however, if the property adjoins or is contained within public lands, the fence line adjacent to public land is posted with conspicuous "no trespassing" signs or bright orange or fluorescent paint at the corners of the fence adjoining public land and at all navigable streams, roads, gates and rights-of-way entering the private land from the public land, and is posted in a manner that a reasonable person would be put on notice that it is private land; or
  - (iv) The property is unfenced and uncultivated but is posted with conspicuous "no trespassing" signs or bright orange or fluorescent paint at all property corners and boundaries where the property intersects navigable streams, roads, gates and rights-of-way entering the land, and is posted in a manner that a reasonable person would be put on notice that it is private land.
- (b) Every person who commits a criminal trespass as provided by this section and who causes damage to real or personal property in excess of one thousand dollars (\$1,000) while trespassing is guilty of criminal trespass with damage and is guilty of a misdemeanor, except as provided in subsection (3)(b)(iii) of this section.
- (3) Penalties.
- (a) Penalties for criminal trespass.

(i) Any person who pleads guilty to or is found guilty of a violation of subsection (2)(a) of this section for the first time:

1. If no damage of any kind was committed during the trespass and the person accused does not remain if ordered to depart by the owner of the real property or his agent, then the person shall be guilty of an infraction and fined in the amount of three hundred dollars (\$300); or
2. Except as provided in subparagraph (i)1. of this paragraph, the person may be sentenced to jail for a period of no more than six (6) months and shall be fined in an amount no less than five hundred

dollars (\$500) and no more than one thousand dollars (\$1,000).

(ii) Any person who pleads guilty to or is found guilty of a violation of subsection (2)(a) of this section for a second time within five (5) years:

1. May be sentenced to jail for a period of no more than six (6) months;
2. Shall be fined in an amount no less than one thousand five hundred dollars (\$1,500) and no more than three thousand dollars (\$3,000); and
3. If the trespass can be reasonably construed to have been committed in a manner described in section 36-1603(a), Idaho Code, shall have any license issued pursuant to chapter 3, title 36, Idaho Code, suspended for a period of one (1) year.

(iii) Any person who pleads guilty to or is found guilty of a violation of subsection (2)(a) of this section, who previously has been found guilty of or has pled guilty to two (2) or more violations of the provisions of subsection (2) of this section within ten (10) years, notwithstanding the form of the judgments or withheld judgments:

1. May be sentenced to jail for a period no more than one (1) year;
2. Shall be fined an amount no less than five thousand dollars (\$5,000) and no more than ten thousand dollars (\$10,000); and
3. If the trespass can be reasonably construed to have been committed in a manner described in section 36-1603(a), Idaho Code, shall have any license issued pursuant to chapter 3, title 36, Idaho Code, suspended for a period of no more than five (5) years.

(b) Penalties for criminal trespass with damage.

(i) Any person who pleads guilty to or is found guilty of a violation of subsection (2)(b) of this section for the first time:

1. May be sentenced to jail for a period of no more than six (6) months; and
2. Shall be fined in an amount no less than one thousand five hundred dollars (\$1,500) and no more than five thousand dollars (\$5,000).

(ii) Any person who pleads guilty to or is found guilty of a violation of subsection (2)(b) of this section for a second time within five (5) years:

1. May be sentenced to jail for a period of no more than six (6) months;
2. Shall be fined in an amount no less than five thousand dollars (\$5,000) and no more than ten thousand dollars (\$10,000); and
3. If the trespass can be reasonably construed to have been committed in a manner described in section 36-1603(a), Idaho Code, shall have any license issued pursuant to chapter 3, title 36, Idaho Code, suspended for a period of one (1) year.

(iii) Any person who pleads guilty to or is found guilty of a violation of subsection (2)(b) of this section, who previously has been found guilty of or has pled guilty to two (2) or more violations of the provisions of subsection (2) of this section within ten (10) years, notwithstanding the form of the judgments or withheld judgments, is guilty of a felony and:

1. Shall be sentenced to the custody of the state board of correction for a period of no less than one (1) year and no more than five (5) years;
2. Shall be fined in an amount no less than fifteen thousand dollars (\$15,000) and no more than fifty thousand dollars (\$50,000); and
3. If the trespass can be reasonably construed to have been committed in a manner described in section 36-1603(a), Idaho Code, shall have any license issued pursuant to chapter 3, title 36, Idaho Code, suspended for a period of no less than five (5) years.

(c) In addition to any other penalty prescribed by law, a court shall, for any violation of subsection (2) of this section, order restitution in accordance with section 19-5304, Idaho Code.

(4) Posting of navigable streams shall not prohibit access to navigable streams below the high-water mark pursuant to section 36-1601, Idaho Code.

(5) Subject to any rights or authorities described in subsection (6) of this section, a landowner or his agent may revoke permission granted under this section to another to enter or remain upon his property at any time, for any reason, orally, in writing, or by any other form of notice reasonably apparent to the permitted person or persons.

(6) A person shall not be guilty of trespass under this section for entering or remaining upon real property if the person entered or remained on the property pursuant to any of the following rights or authorities:

(a) An established right of entry or occupancy of the real property in question, including, but not limited to:

- (i) An invitation, whether express or implied, to enter or remain on real property including, but not limited to, the right to enter property that is, at the time, open to the public, if the person is in compliance with lawful conditions imposed on access;
- (ii) A license to enter or remain on real property; or
- (iii) A lease, easement, contract, privilege or other legal right to enter, remain upon, possess or use the real property;

(b) A lawful authority to enter onto or remain upon the real property in question, including, but not limited to:

- (i) Any law enforcement officer during the course and scope of fulfilling his lawful duties;
- (ii) Any paramedic, firefighter or other emergency personnel during the course and scope of fulfilling his lawful duties; or
- (iii) Any licensed professional otherwise authorized to enter or remain on the real property during the course and scope of fulfilling his lawful duties; or

(c) Any other person with a legally prescribed right to enter or remain upon the real property in question.

(7) Examples of the exclusions in subsection (6) of this section include, but are not limited to: a customer entering and remaining in a store during business hours who has not been asked to depart by the property owner or his agent; a person



knocking on a front door of a property that is not posted; a meter reader during the scope and course of his employment; a postal employee delivering mail or packages; power company personnel fixing downed power lines; a bail bondsman arresting a person who is in violation of a bail contract; a tenant pursuant to a valid lease; and the owner or operator of any right-of-way or easement for any ditch, canal or other conduit, acting pursuant to the provisions of chapter 11 or chapter 12, title 42, Idaho Code.

(8) The exclusions set forth in this section shall not relieve any person of civil or criminal liability pursuant to other applicable law for causing damage while entering or remaining on the property in question.

SECTION 7. That Section 18-7011, Idaho Code, be, and the same is hereby repealed.

SECTION 8. That Section 19-4705, Idaho Code, be, and the same is hereby amended to read as follows:

19-4705. PAYMENT OF FINES AND FORFEITURES – SATISFACTION OF JUDGMENT – DISPOSITION – APPORTIONMENT. (1) Except as otherwise provided in subsection (2) of this section:

(a) All fines and forfeitures collected pursuant to the judgment of any court of the state shall be remitted to the court in which the judgment was rendered. The judgment shall then be satisfied by entry in the docket of the court. The clerk of the court shall daily remit all fines and forfeitures to the county auditor who shall at the end of each month apportion the proceeds according to the provisions of this chapter. Other existing laws regarding the disposition of fines and forfeitures are hereby repealed to the extent such laws are inconsistent with the provisions of this chapter except as provided in section 49-1013(5), Idaho Code.

(b) Fines and forfeitures remitted for violations of fish and game laws shall be apportioned two and one-half percent (2 1/2%) to the state treasurer for deposit in the state general fund, ten percent (10%) to the search and rescue account, twenty-two and one-half percent (22 1/2%) to the district court fund and sixty-five percent (65%) to the fish and game fund.

(c) Fines and forfeitures remitted for violations of state motor vehicle laws, for violation of state driving privilege laws, and for violation of state laws prohibiting driving while under the influence of alcohol, drugs or any other intoxicating substances, shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, forty-five percent (45%) to the state treasurer for deposit in the highway distribution account, twenty-two and one-half percent (22 1/2%) to the district court fund and twenty-two and one-half percent (22 1/2%) to the state treasurer for deposit in the public school income fund; provided, however, that fines and forfeitures remitted for violation of state motor vehicle laws, for violation of state driving privilege laws, and for violation of state laws prohibiting driving while under the influence of alcohol, drugs or any other intoxicating substances, where an arrest is made or a citation is issued by a city law enforcement official, or by a law enforcement official of a governmental agency under contract to provide law enforcement services for a city, shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent

(14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, and ninety percent (90%) to the city whose officer made the arrest or issued the citation.

(d) Fines and forfeitures remitted for violation of any state law not involving fish and game laws, or motor vehicle laws, or state driving privilege laws, or state laws prohibiting driving while under the influence of alcohol, drugs or any other intoxicating substances, shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, and ninety percent (90%) to the district court fund of the county in which the violation occurred.

(e) Fines and forfeitures remitted for violation of county ordinances shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, and ninety percent (90%) to the district court fund of the county whose ordinance was violated.

(f) Fines and forfeitures remitted for violation of city ordinances shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, and ninety percent (90%) to the city whose ordinance was violated.

(g) Fines and forfeitures remitted for violations not specified in this chapter shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, and ninety percent (90%) to the district court fund of the county in which the violation occurred except in cases where a duly designated officer of any city police department or city law enforcement official shall have made the arrest for any such violation, in which case ninety percent (90%) shall be apportioned to the city whose officer made the arrest.

(h) Fines and forfeitures remitted for violations involving registrations of motorcycles or motor-driven cycles used off highways, snowmobiles, or use of winter recreation parking areas shall be apportioned ten percent (10%) to the state treasurer of which eighty-six percent (86%) shall be deposited to the state general fund and fourteen percent (14%) shall be deposited to the peace officers standards and training fund authorized in section 19-5116, Idaho Code, and ninety percent (90%) to the general fund of the county or city whose law enforcement official issued the citation.

(i) Fines and forfeitures remitted for violations of overweight laws as provided in section 49-1013(3), Idaho Code, shall be deposited one hundred percent (100%) into the highway distribution account.

(j) Fines remitted for violations of section 18-7008, Idaho Code, shall be apportioned ten percent (10%) to the district court fund, sixty-five percent (65%) to the county where the trespass occurred for appropriation to the sheriff's office, and twenty-five percent (25%) to the Idaho rangeland resources commission for expanded education programs regarding private property rights and land user responsibility.

(2) Any fine or forfeiture remitted for any misdemeanor violation for which an increase in the maximum fine became effective on or after July 1, 2005, shall be apportioned as follows:

(a) Any funds remitted, up to the maximum amount that could have been imposed before July 1, 2005, as a fine for the misdemeanor violation, shall be apportioned according to the applicable provisions of subsection (1) of this section; and

(b) Any other funds remitted, in excess of the maximum amount that could have been imposed before July 1, 2005, as a fine for the misdemeanor violation, shall be remitted to the state treasurer and shall be deposited in the drug court, mental health court and family court services fund as set forth in section 1-1625, Idaho Code.

(3) As used in this section, the term "city law enforcement official" shall include an official of any governmental agency which is providing law enforcement services to a city in accordance with the terms of a contract or agreement, when such official makes the arrest or issues a citation within the geographical limits of the city and when the contract or agreement provides for payment to the city of fines and forfeitures resulting from such service.

SECTION 9. That Section 36-1402, Idaho Code, be, and the same is hereby amended to read as follows:

36-1402. PENALTY – INFRACTION – MISDEMEANOR – FELONY – REVOCATION OF LICENSE – DISPOSITION OF MONEYS. (a) Infraction Penalty. Except as provided for in subsection (b) of this section, any person who pleads guilty to or is found guilty of an infraction of this code, or rules or proclamations promulgated pursuant thereto, shall be subject to a fine of seventy-two dollars (\$72.00).

(b) A violation of section 36-1401(a)1.(K) through (L) or (a)2.(S) through (X), Idaho Code, shall constitute an infraction subject to a fine of two hundred fifty dollars (\$250).

(c) Misdemeanor Penalty. Any person entering a plea of guilty for, found guilty of or convicted of a misdemeanor under the provisions of this title or rules or proclamations promulgated pursuant thereto shall, except in cases where a higher penalty is prescribed, be fined in a sum of not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000) and/or by commitment to jail for not more than six (6) months. The minimum fine, per animal, fish or bird, for the illegal taking, illegal possession or the illegal waste of the following animals, fish or birds shall be as indicated below:

Animal, Fish or Bird	Minimum Fine
Bighorn sheep, mountain goat and moose	\$500
Elk	\$300
Any other big game animal	\$200
Wild turkey, swan and sturgeon	\$200
Chinook salmon, wild steelhead and bull trout	\$100
Any other game bird, game fish or furbearer	\$ 25

(d) Felony Penalty. Any person entering a plea of guilty for, found guilty of or convicted of a felony under the provisions of this title shall be punished in accordance with section 18-112, Idaho Code. Provided further, that the judge hearing the case shall forthwith revoke for life, the hunting, fishing or trapping license and privileges of any person who, within a five (5) year period, pleads guilty to, is found guilty of or is convicted of three (3) or more felony violations of the provisions of this title.

(e) License Revocation. Any person entering a plea of guilty or being found guilty or convicted of violating any of the provisions of this title, or who otherwise fails to comply with the requirements of a citation in connection with any such offense, may, in addition to any other penalty assessed by the court, have his hunting, fishing, or trapping privileges revoked for such period of time as may be determined by the court not to exceed three (3) years, except that violations classified as felonies under section 36-1401, Idaho Code, or as flagrant violations as defined in subsection (f) of this section, shall authorize the court to impose license revocations for periods of time up to and including life, with said period beginning on the date of conviction, finding of guilt or the entry of the plea of guilty. Provided further, that the magistrate hearing the case shall forthwith revoke the hunting, fishing, or trapping privileges for a period of not less than one (1) year for any of the following offenses:

1. Taking or possessing upland game birds, migratory waterfowl, salmon, steelhead, sturgeon, or any big game animal during closed season.
2. Exceeding the daily bag or possession limit of upland game birds, migratory waterfowl or big game animals.
3. Taking any fish by unlawful methods as set forth in section 36-902(a) or (c), Idaho Code.
4. Unlawfully purchasing, possessing or using any license, tag or permit as set forth in section 36-405(c), Idaho Code.
5. ~~Trespassing in violation of warning signs or failing to depart the real property of another after notification as set forth in~~ Violating section 36-1603, Idaho Code.
6. The unlawful release of any species of live fish into any public body of water in the state. For purposes of this paragraph, an "unlawful release of any species of live fish" shall mean a release of any species of live fish, or live eggs thereof, in the state without the permission of the director of the department of fish and game; provided, that no permission is required when fish are being freed from a hook and released at the same time and place where caught or when crayfish are being released from a trap at the same time and place where caught.

Provided further, that the magistrate hearing the case of a first-time hunting violation offender under the age of twenty-one (21) years may require that the offender attend a remedial hunter education course at the offender's expense. Upon successful completion of the course, the remainder of the revocation period shall be subject to a withheld judgment so as long as the offender is not convicted of any additional hunting violations during the period. The cost of the course shall be seventy-five dollars (\$75.00) to be paid to the department. The commission shall establish by rule the curriculum of the hunter education remedial course.

The revocation shall consist of cancellation of an existing license for the required length of time and/or denial of the privilege of purchasing an applicable license for the length of time required to meet the revocation period decreed. In the case of persons pleading guilty, convicted or found guilty of committing multiple offenses, the revocation periods may run consecutively. In the case of pleas of guilty, convictions or findings of guilt involving taking big game animals during closed season or exceeding the daily bag or possession limit of big game, the magistrate hearing the case shall revoke the hunting, fishing or trapping privileges of any person convicted or found guilty of those offenses for a period of not less than one (1) year for each big game animal illegally taken or possessed by the person convicted or found guilty.

It shall be a misdemeanor for any person to hunt, fish, or trap or purchase a license to do so during the period of time for which such privilege is revoked.

For the purpose of this title, the term "conviction" shall mean either a withheld judgment or a final conviction.

(f) **Flagrant Violations.** In addition to any other penalties assessed by the court, the magistrate hearing the case shall forthwith revoke the hunting, fishing or trapping privileges; for a period of not less than one (1) year and may revoke the privileges for a period up to and including the person's lifetime, for any person who enters a plea of guilty, who is found guilty, or who is convicted of any of the following flagrant violations:

1. Taking a big game animal after sunset by spotlighting, with use of artificial light, or with a night vision enhancement device.
2. Unlawfully taking two (2) or more big game animals within a twelve (12) month period.
3. Taking a big game animal with a rimfire or centerfire cartridge firearm during an archery or muzzleloader only hunt.
4. Hunting, fishing, trapping or purchasing a license when license privileges have been revoked pursuant to this section or section 36-1501, Idaho Code.
5. Taking any big game animal during a closed season.
6. Any felony violation provided in section 36-1401, Idaho Code.

(g) For purposes of the wildlife violator compact, section 36-2301, Idaho Code, et seq., the department shall:

1. Suspend a violator's license for failure to comply with the terms of a citation from a party state. A copy of a report of failure to comply from the licensing authority of the issuing state shall be conclusive evidence.
2. Revoke a violator's license for a conviction in a party state. A report of conviction from the licensing authority of the issuing state shall be conclusive evidence.

(h) **Disposition of Fines and Forfeitures.** Distribution of fines and forfeitures remitted shall be in accordance with section 19-4705, Idaho Code.

SECTION 10. That Section 36-1602, Idaho Code, be, and the same is hereby repealed.

SECTION 11. That Section 36-1603, Idaho Code, be, and the same is hereby amended to read as follows:

~~36-1603. TRESPASSING ON CULTIVATED LANDS OR IN VIOLATION OF WARNING SIGNS — POSTING OF PUBLIC LANDS — HUNTING, FISHING AND TRAPPING.~~ (a) No person shall enter the real property of another and shoot any weapon or enter such property for the purposes of hunting, retrieving wildlife, fishing or trapping; ~~without the permission of the owner or person in charge of the property, which property is either cultivated or:~~

- ~~(1) Is posted with "No Trespassing" signs;~~
- ~~(2) Is posted with a minimum of one hundred (100) square inches of fluorescent orange, bright orange, blaze orange, safety orange or any similar high visibility shade of orange colored paint except that when metal fence posts are used, a minimum of eighteen (18) inches of the top of the post must be painted a high visibility shade of orange;~~
- ~~(3) Is posted with other notices of like meaning, spaced at intervals of not less than one (1) sign, paint area or notice per six hundred sixty (660) feet along such real property; provided that where the geographical configuration of the real property is such that entry can reasonably be made only at certain points of access, such property is posted sufficiently~~

~~for all purposes of this section if said signs, paint or notices are posted at such points of access; or~~

~~(4) Is posted with a conspicuous sign where a public road enters the real property, through which or along which road the public has a right of way, stating words substantially similar to "PRIVATE PROPERTY, NO TRESPASSING OFF (fill in relevant compass direction(s)) SIDE OF ROAD NEXT (fill in the distance) MILES," and which is posted with a conspicuous sign where the public road exits the real property stating words substantially similar to "LEAVING PRIVATE PROPERTY." The postings shall be placed on the private real property. In lieu of posting the compass direction(s), a map depicting the area of private property may be displayed on the sign;~~

For the purposes of this section, "cultivated" shall mean soil that is being or has been prepared by loosening or breaking up for the raising of crops, or used for the raising of crops, or artificially irrigated pasturage. No person shall fail to depart immediately from the real property of another after being notified in writing or orally by the owner of the real property or the owner's authorized agent in violation of section 18-7008, Idaho Code.

(b) No person shall post, sign, or indicate that any public lands within this state, not held under an exclusive control lease, are privately owned lands.

(c) **Remedies.** Any violation of this section shall subject the violator to the penalties set forth in this title, including, but not limited to, section 36-1402(e), Idaho Code.

(d) **Permission forms.**

(1) The department shall produce permission forms for a landowner to indicate that a land user has express written permission to use private land. The permission forms produced must contain spaces for all of the information required by section 18-7008(1)(f), Idaho Code. The permission forms must state clearly that the permission may be revoked at any time by the landowner or his agent.

(2) The department shall make the permission forms available on the department's website, in all fish and game offices and in the sheriff's office in each county in the state of Idaho, at no charge to any person owning land in Idaho.

(3) The department shall provide information to anyone holding licenses, tags or permits to take fish or wildlife in Idaho regarding owners' rights and sportsmen's duties, at each point of sale and through all reasonable means, including on the department's website and through the public media.

(4) The restrictions in this section and section 18-7008, Idaho Code, relating to trespass shall be stated in all hunting and fishing proclamations issued by the department.

(5) A landowner is not limited to using a permission form provided by the department under this subsection.

SECTION 12. That Section 36-1604, Idaho Code, be, and the same is hereby amended to read as follows:

36-1604. **LIMITATION OF LIABILITY OF LANDOWNER.** (a) **Statement of Purpose.** The purpose of this section is to encourage owners of land to make land, airstrips and water areas available to the public without charge for recreational purposes by limiting their liability toward persons entering thereon for such purposes.

(b) **Definitions.** As used in this section:

1. "Airstrips" means either improved or unimproved landing areas used by pilots to land, park, take off, unload, load and taxi aircraft. Airstrips shall not include landing areas which are or may become eligible to receive federal funding

pursuant to the federal airport and airway improvement act of 1982 and subsequent amendments thereto.

2. "Land" means private or public land, roads, airstrips, trails, water, watercourses, irrigation dams, water control structures, headgates, private or public ways and buildings, structures, and machinery or equipment when attached to or used on the realty.

3. "Owner" means the possessor of a fee interest, a tenant, lessee, occupant or person in control of the premises.

4. "Recreational purposes" includes, but is not limited to, any of the following activities or any combination thereof: hunting, fishing, swimming, boating, rafting, tubing, camping, picnicking, hiking, pleasure driving, the flying of aircraft, bicycling, running, playing on playground equipment, skateboarding, athletic competition, nature study, ~~water skiing~~ waterskiing, animal riding, motorcycling, snowmobiling, recreational vehicles, winter sports, and viewing or enjoying historical, archeological, scenic, geological or scientific sites, when done without charge of the owner.

(c) Owner Exempt from Warning. An owner of land owes no duty of care to keep the premises safe for entry by others for recreational purposes, or to give any warning of a dangerous condition, use, structure, or activity on such premises to persons entering for such purposes. Neither the installation of a sign or other form of warning of a dangerous condition, use, structure, or activity, nor any modification made for the purpose of improving the safety of others, nor the failure to maintain or keep in place any sign, other form of warning, or modification made to improve safety, shall create liability on the part of an owner of land where there is no other basis for such liability.

(d) Owner Assumes No Liability. An owner of land or equipment who either directly or indirectly invites or permits without charge any person to use such property for recreational purposes does not thereby:

1. Extend any assurance that the premises are safe for any purpose.
2. Confer upon such person the legal status of an invitee or licensee to whom a duty of care is owed.
3. Assume responsibility for or incur liability for any injury to person or property caused by an act of omission of such persons.

(e) Provisions Apply to Leased Public Land. Unless otherwise agreed in writing, the provisions of this section shall be deemed applicable to the duties and liability of an owner of land leased to the state or any subdivision thereof for recreational purposes.

(f) Provisions Apply to Land Subject to a Conservation Easement. Unless otherwise agreed in writing, the provisions of this section shall be deemed applicable to the duties and liability of an owner of land subject to a conservation easement to any governmental entity or nonprofit organization.

(g) Owner Not Required to Keep Land Safe. Nothing in this section shall be construed to:

1. Create a duty of care or ground of liability for injury to persons or property.
2. Relieve any person using the land of another for recreational purposes from any obligation which he may have in the absence of this section to exercise care in his use of such land and in his activities thereon, or from legal consequences or failure to employ such care.
3. Apply to any person or persons who for compensation permit the land to be used for recreational purposes.

(h) User Liable for Damages. Any person using the land of another for recreational purposes, with or without permission, shall be liable for any damage to property, livestock or crops

which he may cause while on said property, in addition to all remedies provided in section 6-202, Idaho Code, in the event the person has committed a civil trespass.

SECTION 13. That Section 36-1108, Idaho Code, be, and the same is hereby amended to read as follows:

36-1108. CONTROL OF DAMAGE BY PRONGHORN ANTELOPE, ELK, DEER OR MOOSE – COMPENSATION FOR DAMAGES. (a) Prevention of depredation shall be a priority management objective of the department, and it is the obligation of landowners to take all reasonable steps to prevent property loss from wildlife or to mitigate damages by wildlife. When any pronghorn antelope, elk, deer or moose is doing damage to or is destroying any property or is about to do so, the owner or lessee thereof may make complaint and verbally or electronically report the facts to the director or his designee who shall, within seventy-two (72) hours, investigate the conditions complained of. If it appears that the complaint is well-founded and the property of the complainant is being or is likely to be damaged or destroyed by such pronghorn antelope, elk, deer or moose, the director may:

1. Send a representative onto the premises to control, trap, and/or remove such animals as will stop the damage to said property. Any animals so taken shall remain the property of the state and shall be turned over to the director. The director may provide written authorization for possession of animals so taken.

2. Grant properly safeguarded permission to the complainant to control, trap and/or remove such animals. Any animals so taken shall remain the property of the state and shall be turned over to the director. The director may provide written authorization for possession of animals so taken.

3. Make an agreement with the owner or lessee to allow continued use of lands by the animals where damage by them has occurred to stored, growing or matured crops on private property whether owned or leased. The agreement made under the provisions of this subsection may provide for financial compensation to the owner or lessee. If made, financial compensation under the provisions of this subsection shall be governed by the provisions of section 36-115, Idaho Code, and shall not be in addition to any payments for the same crop losses from any other source. Compensation for damages under the provisions of this subsection shall be available for damages done to private lands, whether owned or leased, if the owner or lessee allowed hunters reasonable access to the property or through the property to public lands for hunting purposes during the preceding hunting season or as a measure of response to depredation. This provision shall not negate the provisions of section 36-16023, Idaho Code, relating to the necessity of obtaining permission to enter private land. If necessary, the arbitration panel provided for in subsection (b) of this section shall determine the reasonableness of access allowed. (b) 1. In order to establish eligibility for submission of claims for damages, persons suffering crop damages on privately owned or leased land caused by pronghorn antelope, elk, deer or moose must:

- (A) Notify the department within seventy-two (72) hours of discovery of damage.

- (B) Follow up verbal notification with a written, which may be electronic, notice within twenty (20) days of the discovery of damages.

- (C) The department shall not be held liable or accountable for any damages occurring more than

twenty (20) days prior to the initial notification of damage. However, the department may extend the period up to thirty (30) days under exceptional circumstances. The owner or lessee must have allowed hunters reasonable access to the property or through the property to public lands for hunting purposes during the preceding hunting season or as a measure of response to depredation, provided such access does not impact on their operations, or the claim for damages may be disallowed. Compensation for crop damages claims shall not be in addition to any payments for the same crop losses from any other source and shall not include fence or other types of property damage. While fences and irrigation equipment are not subject to claim for payment, the department is allowed to provide support and assistance, including provision of materials to design, construct, and maintain fences for control of depredation. The notice of damages caused must be in written form, shall be in the form of a claim for damages substantially the same as required by section 6-907, Idaho Code, shall be attested to by the claimant under oath, and the claim shall be at least seven hundred fifty dollars (\$750). The claim shall not be amended after it is filed, provided however, that a claimant may file an additional claim in the event additional damage occurs subsequent to filing the initial claim. The department shall prepare and make available suitable forms for notice and claim for damages. Claims may be submitted only for the fiscal year (July 1 through June 30) in which they occurred, with allowance for submission within the first sixty (60) days of the following fiscal year if the claim occurred within the last sixty (60) days of the previous fiscal year. Any person submitting a fraudulent claim shall be prosecuted for a felony as provided in section 18-2706, Idaho Code. For purposes of this subsection, crop damages shall mean damage to plants grown or stored for profit and exclude ornamental plants.

2. Upon receipt by the department, the department shall review the claim, and if approved, pay it as provided in section 36-115, Idaho Code, or order it paid as provided in section 36-115, Idaho Code. Failure on the part of the owner or lessee to allow on-site access for inspection and investigation of alleged losses shall void the claim for damages.

3. In the event the owner or lessee and the department fail to agree on the amount of damages within fifteen (15) business days of the written claim, either party may elect to retain the services of an independent certified insurance adjuster licensed in the state of Idaho to view the affected property and determine the amount of damages. In the event the owner or lessee and the department fail to agree on the amount of damages and neither party elects to retain the services of an independent certified insurance adjuster, provisions of subsection (b)4. of this section shall apply. The independent certified adjuster shall complete his review and determination within twenty (20) days from the date he is retained, and will report his determination in writing by certified mail to the department and to the owner or lessee. Neither the owner or lessee, nor the department, shall disturb the affected property prior to review and determination by the independent insurance adjuster. Costs associated with the services of the independent insurance adjuster shall be divided equally between the owner or lessee and the department, subject to reapportionment of the costs by an arbitration panel pursuant to the provisions of subsection (b)4. of this section. If the department, or the owner or lessee rejects the determination of the adjuster, they shall notify the other party in writing of the rejection within five (5) business

days of receipt of the adjuster's determination. In the event that either party rejects the adjuster's determination, the provisions of subsection (b)4. of this section shall apply.

4. Within five (5) business days of a rejection of an adjuster's determination of damages or failure of the owner or lessee and the department to agree on damages when a certified insurance adjuster is not used, the director must convene an arbitration panel. To convene an arbitration panel, the director must, within five (5) business days, appoint the department's representative and notify the landholder of the appointment. The landholder(s) shall, within the next five (5) business days following such notice from the department, appoint his representative and notify the department of the appointment. Within the next five (5) business days, the department representative and the landholder must mutually appoint the third arbitrator. The arbitration panel shall consist of three (3) members, as follows:

- (A) The director of the department of fish and game or his designee;
- (B) The owner or his designee, or the lessee or his designee;
- (C) One (1) member selected by the two (2) members above.

The panel shall convene within thirty (30) days of the selection of the third arbitrator, and render its decision within fourteen (14) days after the hearing. When convened, the arbitration panel shall have the same authority to make on-site inspections as the department. The owner or lessee shall be responsible for payment of the expenses of his appointee; the director shall pay the expenses of his appointee from the expendable big game depredation fund; and the expenses of the third member shall be a joint responsibility of the owner or lessee, and the department. Provided however, the panel is authorized to review the costs associated with retaining the independent insurance adjuster and to determine whether those costs should instead be borne solely by the owner or lessee, solely by the department, or be apportioned between the owner or lessee and the department. In cases where an independent insurance adjuster was used, the party electing to use the adjuster shall assume the insurance adjuster's determination of damage as their estimate of damage. The panel shall consider the claim submitted by the owner or lessee, and the estimate of damages submitted by the department, and shall select one (1) amount or the other as being the closest to the actual damages sustained by the claimant. The arbitration panel shall report its decision in writing to both the owner or lessee and to the department within ten (10) days of the decision, and the decision of the panel shall be binding on the owner or lessee and the department. The fish and game advisory committee shall develop guidelines to govern arbitration procedures in accordance with chapter 52, title 67, Idaho Code.

(c) Any claim received by the department under the provisions of subsection (b) of this section must be processed by the department within sixty (60) calendar days of receipt. If the claim is approved for payment, payment must be made within forty-five (45) calendar days of such approval. Any damage claim determination by an independent insurance adjuster pursuant to subsection (b)3. of this section, accepted by the parties, must be paid by the department within forty-five (45) calendar days of the determination. If the claim is arbitrated, the arbitration must be completed within one hundred eighty (180) calendar days of filing the claim for such damages.

SECTION 14. SEVERABILITY. The provisions of this act are hereby declared to be severable and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.

SECTION 15. Section 4 of this act shall apply to causes of action accruing on or after July 1, 2018."

#### CORRECTION TO TITLE

On page 1, in line 4, delete "TRESPASS," and insert: "TRESPASS AND CIVIL TRESPASS WITH DAMAGE,"; in line 5, delete "PENALTIES" and insert: "DAMAGES"; in line 22, delete "REMEDIES AND" and insert: "REMEDIES,"; and in line 23, following "FORMS" insert: "AND TO PROVIDE FOR THE DISSEMINATION OF INFORMATION".

VICK, Chairman

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

**H 658**, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

#### Motions and Resolutions

The President announced that the Health and Welfare Committee report relative to the gubernatorial reappointment of Mark Von Lindern 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 Mark Von Lindern as a member of the Hazardous Waste Facility Siting License Application Review Panel 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 committee report of the gubernatorial reappointment confirmation of Jean Fisher was held for one legislative day.

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

On motion by Senator Hagedorn, seconded by Senator Nye, the gubernatorial appointment of Melissa Hultberg as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the gubernatorial appointment confirmation for 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 Moira Lynch was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nye, seconded by Senator Lakey, the gubernatorial appointment of Moira Lynch as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the gubernatorial 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 William Crawford was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Nye, the gubernatorial reappointment of William Crawford as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the gubernatorial appointment confirmation for 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 Idaho State Bar appointment of Jeff M. Brudie was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Nye, the appointment of Jeff M. Brudie as a member of the Idaho Judicial Council was confirmed by voice vote.

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

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

The President announced that the Judiciary and Rules Committee report relative to the Idaho State Bar appointment of R. Bruce Owens was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nye, seconded by Senator Rice, the appointment of R. Bruce Owens as a member of the Idaho Judicial Council was confirmed by voice vote.

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

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

The President announced that **HCR 50** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Stennett, **HCR 50** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 44](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senators Lodge and Nonini, seconded by Senator Stennett, [HCR 44](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 58](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Siddoway, seconded by Senator Buckner-Webb, [HCR 58](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

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

### Third Reading of Bills

[H 672](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 672](#) passed, title was approved, and the bill ordered returned to the House.

[H 686](#) 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, Buckner-Webb, Crabtree, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 28.

NAYS—Bayer, Den Hartog, Foreman, Harris, Potts, Vick. Total - 6.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 686](#) passed, title was approved, and the bill ordered returned to the House.

[H 687](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 687](#) passed, title was approved, and the bill ordered returned to the House.

[H 688](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 688](#) passed, title was approved, and the bill ordered returned to the House.

[H 689](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 689](#) passed, title was approved, and the bill ordered returned to the House.

### Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1363](#) 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 1363](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

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

[S 1363](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [S 1363](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1364](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1364](#) was before the Senate for final consideration.

[S 1364](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [S 1364](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1365](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1365](#) was before the Senate for final consideration.

[S 1365](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [S 1365](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1366](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey,



Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1366](#) was before the Senate for final consideration.

[S 1366](#) 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, Bayer, Brackett, Buckner-Webb, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Nonini, Nye, Patrick, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 27.

NAYS—Bair, Foreman, Mortimer, Potts, Rice, Siddoway, Vick. Total - 7.

Absent and excused—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [S 1366](#) passed, title was approved, and the bill ordered transmitted to the House.

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

#### Reports of Standing Committees

March 20, 2018

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 658](#) have been correctly printed.

LODGE, Chairman

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

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

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

[H 658](#), as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

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

#### Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate recessed at 11:52 a.m. until the hour of 3 p.m. of this day.

#### RECESS AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Pro Tempore Hill presiding.

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

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

March 20, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1306](#), as amended in the House, [S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), and [S 1353](#) were delivered to the Office of the Governor at 11:45 a.m., March 20, 2018.

LODGE, Chairman

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

March 20, 2018

The JUDICIARY AND RULES Committee reports out [HCR 55](#), [HCR 56](#), and [HCR 57](#) with the recommendation that they do pass.

LODGE, Chairman

[HCR 55](#), [HCR 56](#), and [HCR 57](#) 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, 2018

The JUDICIARY AND RULES Committee reports out [H 599](#) with the recommendation that it do pass.

LODGE, Chairman

[H 599](#) was filed for second reading.

March 20, 2018

The FINANCE Committee reports out [H 695](#), [H 696](#), [H 697](#), [H 698](#), [H 699](#), [H 700](#), [H 701](#), [H 702](#), [H 703](#), [H 704](#), and [H 705](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 695](#), [H 696](#), [H 697](#), [H 698](#), [H 699](#), [H 700](#), [H 701](#), [H 702](#), [H 703](#), [H 704](#), and [H 705](#) were filed for second reading.

March 20, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 675](#) with the recommendation that it do pass.

JOHNSON, Chairman

[H 675](#) was filed for second reading.

March 20, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 594](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

JOHNSON, Chairman

There being no objection, [H 594](#) was referred to the Fourteenth Order of Business, General Calendar.

March 20, 2018

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1220](#), as amended in the House, with the recommendation that the Senate not concur in the House amendments.

JOHNSON, Chairman

[S 1220](#), as amended in the House, and the committee report were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

### Messages from the Governor

March 19, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1274](#), as amended, [S 1296](#), [S 1271](#), [S 1305](#),  
[S 1275](#), [S 1335](#), [S 1334](#), and [S 1333](#)

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.

March 20, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1207](#), as amended, [S 1228](#), [S 1229](#), [S 1235](#),  
[S 1240](#), [S 1242](#), [S 1243](#), [S 1253](#), [S 1257](#),  
[S 1258](#), [S 1265](#), [S 1280](#), [S 1285](#), [S 1288](#),  
[S 1302](#), [S 1309](#), as amended, [S 1318](#), [S 1321](#),  
[S 1331](#), [S 1338](#), [S 1339](#), [S 1340](#), and [S 1342](#)

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 20, 2018

Dear Mr. President:

I return herewith [S 1287](#), as amended, [S 1355](#), [S 1356](#),  
[S 1357](#), [S 1225](#), [S 1245](#), as amended, as amended, [S 1314](#), as  
amended, [S 1341](#), [S 1358](#), [S 1360](#), [S 1359](#), and [S 1361](#), which  
have passed the House.

MAULIN, Chief Clerk

[S 1287](#), as amended, [S 1355](#), [S 1356](#), [S 1357](#), [S 1225](#), [S 1245](#),  
as amended, as amended, [S 1314](#), as amended, [S 1341](#), [S 1358](#),  
[S 1360](#), [S 1359](#), and [S 1361](#) were referred to the Judiciary and  
Rules Committee for enrolling.

Senator Keough was recorded present at this order of business.

March 20, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 607](#), [H 620](#), [H 500](#), [H 582](#),  
[H 584](#), [H 586](#), [H 667](#), [H 443](#), [H 632](#), [H 634](#), [H 648](#), [H 618](#),  
[H 649](#), [H 626](#), [H 466](#), [H 501](#), [H 665](#), and [H 429](#), as amended in  
the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [H 607](#), [H 620](#),  
[H 500](#), [H 582](#), [H 584](#), [H 586](#), [H 667](#), [H 443](#), [H 632](#), [H 634](#),  
[H 648](#), [H 618](#), [H 649](#), [H 626](#), [H 466](#), [H 501](#), [H 665](#), and [H 429](#), as  
amended in the Senate, and ordered them returned to the House.

March 20, 2018

Dear Mr. President:

I return herewith Enrolled [S 1254](#), [S 1324](#), and [S 1346](#), which  
have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1254](#), [S 1324](#), and [S 1346](#) were referred to the  
Judiciary and Rules Committee for transmittal to the Office of  
the Governor.

March 20, 2018

Dear Mr. President:

I return herewith Enrolled [SCR 134](#) and [SJM 104](#), which  
have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 134](#) and [SJM 104](#) were referred to the  
Judiciary and Rules Committee for transmittal to the Office of  
the Secretary of State.

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

### Third Reading of Bills

#### Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1367](#) 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 1367](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 33.

NAYS—None.

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

Total - 35.

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

[S 1367](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Vick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1367](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1368](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Vick. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [S 1368](#) was before the Senate for final consideration.

[S 1368](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1368](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1369](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1369](#) was before the Senate for final consideration.

[S 1369](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Crabtree, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Ward-Engelking, Winder. Total - 28.

NAYS—Bayer, Den Hartog, Foreman, Nonini, Potts, Thayn, Vick. Total - 7.

Total - 35.

Whereupon the President Pro Tempore declared [S 1369](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1370](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1370](#) was before the Senate for final consideration.

[S 1370](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1370](#) 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 670](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 670](#) was before the Senate for final consideration.

[H 670](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 670](#) 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 [S 1371](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1371](#) was before the Senate for final consideration.

[S 1371](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1371](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1372](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1372](#) was before the Senate for final consideration.

[S 1372](#) 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, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Guthrie, Hagedorn, Johnson, Jordan, Keough, Lakey, Lodge, Nonini, Nye, Patrick, Rice, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 25.

NAYS—Bair, Foreman, Harris, Heider, Lee, Martin, Mortimer, Potts, Thayn. Total - 9.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1372](#) passed, title was approved, and the bill ordered transmitted to the House.

Acting President Keough assumed the Chair.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1373](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the Acting President declared the rules suspended and announced that [S 1373](#) was before the Senate for final consideration.

[S 1373](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the Acting President declared [S 1373](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1374](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the Acting President declared the rules suspended and announced that [S 1374](#) was before the Senate for final consideration.

[S 1374](#) 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, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 29.

NAYS—Bayer, Foreman, Guthrie, Potts. Total - 4.

Absent and excused—Rice, Vick. Total - 2.

Total - 35.

Whereupon the Acting President declared [S 1374](#) passed, title was approved, and the bill ordered transmitted to the House.

President Pro Tempore Hill returned to the Chair.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1375](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1375](#) was before the Senate for final consideration.

[S 1375](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1375](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1376](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1376](#) was before the Senate for final consideration.

[S 1376](#) 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, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nye, Patrick, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 27.

NAYS—Den Hartog, Foreman, Nonini, Potts, Vick. Total - 5.

Absent and excused—Bair, Rice, Siddoway. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1376](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1379](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1379](#) was before the Senate for final consideration.

[S 1379](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1379](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Vick, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1377](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1377](#) was before the Senate for final consideration.

[S 1377](#) 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1377](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Vick, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1378](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1378](#) was before the Senate for final consideration.

[S 1378](#) 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1378](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1380](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1380](#) was before the Senate for final consideration.

[S 1380](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1380](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1381](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [S 1381](#) was before the Senate for final consideration.

[S 1381](#) 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1381](#) passed, title was approved, and the bill ordered transmitted to the House.

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

#### **Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:39 p.m. until the hour of 9:30 a.m., Wednesday, March 21, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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SEVENTY-THIRD LEGISLATIVE DAY  
WEDNESDAY, MARCH 21, 2018

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Brenton Marcucci, 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, 2018 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 21, 2018

The JUDICIARY AND RULES Committee reports that [S 1287](#), as amended, [S 1355](#), [S 1356](#), [S 1357](#), [S 1225](#), [S 1245](#), as amended, as amended, [S 1314](#), as amended, [S 1341](#), [S 1358](#), [S 1360](#), [S 1359](#), and [S 1361](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1287](#), as amended, [S 1355](#), [S 1356](#), [S 1357](#), [S 1225](#), [S 1245](#), as amended, as amended, [S 1314](#), as amended, [S 1341](#), [S 1358](#), [S 1360](#), [S 1359](#), and [S 1361](#) and ordered them transmitted to the House for the signature of the Speaker.

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

March 20, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 134](#) and [SJM 104](#) were delivered to the Office of the Secretary of State at 4:32 p.m., March 20, 2018.

LODGE, Chairman

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

March 20, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1254](#), [S 1324](#), and [S 1346](#) were delivered to the Office of the Governor at 4:35 p.m., March 20, 2018.

LODGE, Chairman

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

March 21, 2018

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

SIDDOWAY, Chairman

[HP 1](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Thayn was recorded present at this order of business.

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

### Messages from the House

March 21, 2018

Dear Mr. President:

I transmit herewith [HCR 62](#) and [H 706](#), which have passed the House.

MAULIN, Chief Clerk

[HCR 62](#) and [H 706](#) were filed for first reading.

March 20, 2018

Dear Mr. President:

I return herewith Enrolled [S 1279](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1279](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

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

On motion by Senator Burgoyne, seconded by Senator Hagedorn, the Gubernatorial reappointment of Jean Fisher 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 [SCR 149](#) was before the Senate for final consideration.

Moved by Senator Siddoway, seconded by Senator Burgoyne, that [SCR 149](#) 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, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [SCR 149](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 150](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Siddoway, seconded by Senator Burgoyne, [SCR 150](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 55](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Stennett, [HCR 55](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 56](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Stennett, [HCR 56](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 57](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Stennett, [HCR 57](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate now has before it [S 1220](#), as amended in the House, and the Judiciary and Rules Committee report recommending that the Senate not concur in the House amendments.

Moved by Senator Siddoway, seconded by Senator Burgoyne, that the Judiciary and Rules Committee report be adopted. The question being, "Shall the motion prevail?"

The President announced that, by voice vote, the motion did prevail, and [S 1220](#), as amended in the House, was 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

[HCR 62](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 706](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[H 554](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 658](#), as amended in the Senate, by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 599](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 695](#), [H 696](#), [H 697](#), [H 698](#), [H 699](#), [H 700](#), [H 701](#), [H 702](#), [H 703](#), [H 704](#), and [H 705](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 675](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

[H 666](#) 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, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

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

Total - 35.

Whereupon the President declared [H 666](#) passed, title was approved, and the bill ordered returned to the House.

[H 682](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 682](#) passed, title was approved, and the bill ordered returned to the House.

[H 690](#) 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [H 690](#) passed, title was approved, and the bill ordered returned to the House.

[H 691](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 691](#) passed, title was approved, and the bill ordered returned to the House.

[H 692](#) 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, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 692](#) passed, title was approved, and the bill ordered returned to the House.

[H 694](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 694](#) passed, title was approved, and the bill ordered returned to the House.

#### Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 658](#), 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 658](#), as amended in the Senate, be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

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

[H 658](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—Buckner-Webb, Burgoyne, Jordan, Nye, Stennett, Ward-Engelking. Total - 6.

Paired and voting included in roll call:

AYE - Crabtree                      NAY - Buckner-Webb

Total - 35.

Whereupon the President declared [H 658](#), as amended in the Senate, 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 675](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 675](#) was before the Senate for final consideration.

Moved by Senator Burgoyne, seconded by Senator Stennett, that [H 675](#) be referred to the Fourteenth Order of Business for amendment. The question being, "Shall the motion prevail?"

Senators Stennett, Ward-Engelking, and Jordan stood in support of the motion.

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

Roll call resulted as follows:

AYES—Burgoyne, Foreman, Jordan, Nye, Stennett, Ward-Engelking. Total - 6.

NAYS—Agenbroad, Anthon, Bair, Bayer, Brackett, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Potts, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 28.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared that the motion to refer [H 675](#) to the Fourteenth Order of Business for amendment did not prevail. The question being, "Shall [H 675](#) pass?"

[H 675](#) 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, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Burgoyne. Total - 1.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [H 675](#) 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 554](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 554](#) was before the Senate for final consideration.

Pursuant to Senate Rule 39(H), Senators Burgoyne, Mortimer, Nye, and Rice disclosed a possible conflict of interest under applicable law.

[H 554](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 554](#) 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 599](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 599](#) was before the Senate for final consideration.

[H 599](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Souza. Total - 2.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [H 599](#) 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 Sixth Order of Business.

### Reports of Standing Committees

March 21, 2018

The COMMERCE AND HUMAN RESOURCES Committee reports out [HCR 62](#) with the recommendation that it do pass.

PATRICK, Chairman

[HCR 62](#) 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 21, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 643](#), [H 551](#), [H 668](#), [H 669](#), [H 673](#), [H 674](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), [H 683](#), [H 685](#), [H 507](#), as amended, [HCR 50](#), [HCR 44](#), [HCR 58](#), [H 672](#), [H 686](#), [H 687](#), [H 688](#), and [H 689](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [H 643](#), [H 551](#), [H 668](#), [H 669](#), [H 673](#), [H 674](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), [H 683](#), [H 685](#), [H 507](#), as amended, [HCR 50](#), [HCR 44](#), [HCR 58](#), [H 672](#), [H 686](#), [H 687](#), [H 688](#), and [H 689](#) and ordered them returned to the House.

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

### Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:04 p.m. until the hour of 3 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Bayer, Brackett, Den Hartog, Lodge, and Rice, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

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

### General Calendar

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

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

### Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out [H 594](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO H 594 AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 28 through 30, and insert:

"SECTION 2. That Section 63-602EE, Idaho Code, be, and the same is hereby repealed.

SECTION 3. That Chapter 6, 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 63-602EE, Idaho Code, and to read as follows:

63-602EE. PROPERTY EXEMPT FROM TAXATION – CERTAIN TANGIBLE PERSONAL PROPERTY. The following property is exempt from taxation: class 2 property that is agricultural machinery and equipment and exclusively used in agriculture during the immediately preceding tax year. For purposes of this section:

(1) "Agricultural machinery and equipment" shall mean any machinery and equipment that is used in:

(a) Production of field crops including, but not limited to, grains, feed crops, fruits and vegetables or the production of or caring for nursery stock as defined in section 22-2302, Idaho Code; or

(b) The grazing, feeding or raising of livestock, fur-bearing animals, fish, fowl and bees to be sold or used as part of a net profit-making agricultural enterprise or dairy.

(2) Buildings shall not be considered to be agricultural machinery and equipment.

SECTION 4. An emergency existing therefor, which emergency is hereby declared to exist, Section 1 of this act shall be in full force and effect on and after passage and approval, and retroactively to January 1, 2018. Sections 2 and 3 of this act shall be in full force and effect on and after January 1, 2020."

#### CORRECTION TO TITLE

On page 1, delete lines 4 and 5, and insert: "EQUIPMENT"; REPEALING SECTION 63-602EE, Idaho Code, RELATING TO CERTAIN TANGIBLE PERSONAL PROPERTY EXEMPT FROM TAXATION; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602EE, IDAHO CODE, TO PROVIDE THAT CERTAIN TANGIBLE PERSONAL PROPERTY IS EXEMPT FROM TAXATION; AND DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES."

VICK, Chairman

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

[H 594](#), 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.

Senators Bayer, Brackett, Lodge, Den Hartog, and Rice were recorded present at this order of business.

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

#### Reports of Standing Committees

March 21, 2018

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 594](#) have been correctly printed.

LODGE, Chairman

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

March 21, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1279](#) was delivered to the Office of the Governor at 11:15 a.m., March 21, 2018.

LODGE, Chairman

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

March 21, 2018

The FINANCE Committee reports out [H 706](#) with the recommendation that it do pass.

KEOUGH, Chairman

[H 706](#) was filed for second reading.

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

#### Messages from the House

March 21, 2018

Dear Mr. President:

I transmit herewith [H 710](#), [H 712](#), [H 713](#), [H 714](#), [H 715](#), [H 716](#), [H 717](#), and [H 718](#), which have passed the House.

MAULIN, Chief Clerk

[H 710](#), [H 712](#), [H 713](#), [H 714](#), [H 715](#), [H 716](#), [H 717](#), and [H 718](#) were filed for first reading.

March 21, 2018

Dear Mr. President:

I return herewith [SCR 146](#) and [S 1269](#), which have passed the House.

MAULIN, Chief Clerk

[SCR 146](#) and [S 1269](#) were 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 594](#), as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

[H 710](#), [H 712](#), [H 713](#), [H 714](#), [H 715](#), [H 716](#), and [H 717](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 718](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

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

#### Third Reading of Bills

#### Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 695](#) 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 695](#) 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Foreman, Hill. Total - 2.

Total - 35.

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

[H 695](#) 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, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lee, Lodge, Mortimer, Nye, Souza, Stennett, Ward-Engelking, Winder. Total - 23.

NAYS—Den Hartog, Foreman, Lakey, Martin, Nonini, Patrick, Potts, Rice, Siddoway, Thayn, Vick. Total - 11.

Absent and excused—Hill. Total - 1.

Total - 35.

Whereupon the President declared [H 695](#) 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 696](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [H 696](#) was before the Senate for final consideration.

[H 696](#) 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 696](#) 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 697](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [H 697](#) was before the Senate for final consideration.

[H 697](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 697](#) 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 698](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 [H 698](#) was before the Senate for final consideration.

[H 698](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Crabtree, Foreman, 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—Bayer, Den Hartog, Guthrie, Potts. Total - 4.

Total - 35.

Whereupon the President declared [H 698](#) 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 699](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 699](#) was before the Senate for final consideration.

[H 699](#) 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, 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, Potts. Total - 2.

Total - 35.

Whereupon the President declared [H 699](#) 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 700](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 700](#) was before the Senate for final consideration.

[H 700](#) 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Buckner-Webb, Burgoyne, Foreman, Jordan, Stennett. Total - 5.

Total - 35.

Whereupon the President declared [H 700](#) 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 701](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 701](#) was before the Senate for final consideration.

[H 701](#) 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, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 701](#) 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 702](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 702](#) was before the Senate for final consideration.

[H 702](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Nonini, Nye, Patrick, Rice, Souza, Stennett, Thayn, Vick. Total - 27.

NAYS—Bair, Foreman, Martin, Mortimer, Potts, Siddoway, Winder. Total - 7.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [H 702](#) 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 703](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 703](#) was before the Senate for final consideration.

[H 703](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 703](#) 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 704](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 704](#) was before the Senate for final consideration.

[H 704](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 704](#) 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 705](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 705](#) was before the Senate for final consideration.

[H 705](#) 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 705](#) 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 Sixth Order of Business.

### Reports of Standing Committees

March 21, 2018

The FINANCE Committee reports out [H 710](#), [H 712](#), [H 713](#), [H 714](#), [H 715](#), [H 716](#), and [H 717](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 710](#), [H 712](#), [H 713](#), [H 714](#), [H 715](#), [H 716](#), and [H 717](#) were filed for second reading.



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

### **Second Reading of Bills**

#### **Motion to Suspend Rules**

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 594](#), 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 594](#), 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, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, 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 the rules suspended.

On request by Senator Winder, granted by unanimous consent, [H 594](#), as amended in the Senate, was placed before the Senate for consideration at this time.

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Hill, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [H 594](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

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

### **Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:25 p.m. until the hour of 9:30 a.m., Thursday, March 22, 2018 in honor of President Pro Tempore Hill's father, Harold Hill, who passed away at 1:00 a.m. of this day.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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SEVENTY-FOURTH LEGISLATIVE DAY  
THURSDAY, MARCH 22, 2018

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Micah Mensing, 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, 2018 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.

Acting President Keough assumed the Chair.

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

### Reports of Standing Committees

March 21, 2018

The JUDICIARY AND RULES Committee reports that [SCR 146](#) and [S 1269](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [SCR 146](#) and [S 1269](#) and ordered them transmitted to the House for the signature of the Speaker.

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

### Messages from the Governor

March 21, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I hereby 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:

### [S 1313](#)

as prescribed by the Constitution.

I believe people have the right to protect themselves and their loved ones. I firmly believe in the right to defend my home, my business and my car if I reasonably believe they are threatened with serious harm. I commend those portions of Senate Bill 1313 that codify existing case law and recognize the sanctity of private property. However, a thorough review of this bill reveals some concerns that warrant further review during the next legislative session.

Among my biggest concerns are the potential unintended consequences on our children. For instance, the following hypothetical acts likely would be criminal under current law but would be considered justifiable homicide under S1313:

- A juvenile enters a locked recreational vehicle through an open window in the neighbor's driveway to steal a soda. The owner comes out of his house to investigate and shoots the child in the RV. The owner is justified because the child unlawfully entered the RV. By sneaking in through the window the child is presumed to be committing a felony under S1313, and the owner's fear and action is deemed reasonable regardless of the child's age.

- Teenagers in rural Idaho sneak onto a 300-acre cornfield in the middle of the night. The cornfield is considered a commercial property. If the farmer shoots and kills one of the teenagers, he is presumed to have acted reasonably under S1313, and the owner's fear and action is deemed reasonable regardless of the child's age.

In short, if someone enters unlawfully and by force or stealth they are presumed to be committing a felony and the shooter is deemed reasonable in their actions. The statutory establishment of "reasonableness" by virtue of the unlawful entry by force or stealth will exonerating killings that otherwise would be considered unreasonable.

Furthermore, the language of S1313 allows its provisions to be invoked in places of employment, which is defined as commercial enterprises that are owned by a person as all or part of their livelihood. But does that mean a potato field has the same status as a home? Should a farmer be able to justifiably kill trespassers only because they sneak onto the farmer's property?

Instead of writing existing case law into Idaho Code, S1313 creates new presumptions that upend the longstanding "reasonable person" standard – a once bright line that is erased by this change.

The legislature should continue to carefully examine this important issue of criminal law and track its use by Idaho courts to ensure that the outcomes reflect its intentions.

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 21, 2018

Dear Mr. President:

I return herewith [S 1295](#), as amended in the House, and [S 1284](#), as amended in the House, which have passed the House.

MAULIN, Chief Clerk

On request by Senator Crabtree, granted by unanimous consent, [S 1295](#), 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 President Pro Tempore Hill, granted by unanimous consent, [S 1284](#), 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 21, 2018

Dear Mr. President:

I return herewith [S 1270](#), as amended, [S 1316](#), as amended, [S 1362](#), [S 1363](#), [S 1364](#), [S 1365](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1379](#), [S 1377](#), [S 1378](#), and [S 1380](#), which have passed the House.

MAULIN, Chief Clerk

[S 1270](#), as amended, [S 1316](#), as amended, [S 1362](#), [S 1363](#), [S 1364](#), [S 1365](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1379](#), [S 1377](#), [S 1378](#), and [S 1380](#) were referred to the Judiciary and Rules Committee for enrolling.

March 21, 2018

Dear Mr. President:

I transmit herewith Enrolled [H 670](#) for the signature of the President.

MAULIN, Chief Clerk

The Acting President announced that Enrolled [H 670](#) had been signed by the President Pro Tempore and ordered it returned to the House.

March 21, 2018

Dear Mr. President:

I return herewith Enrolled [S 1287](#), as amended, [S 1355](#), [S 1356](#), [S 1357](#), [S 1225](#), [S 1245](#), as amended, as amended, [S 1314](#), as amended, [S 1341](#), [S 1358](#), [S 1360](#), [S 1359](#), and [S 1361](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1287](#), as amended, [S 1355](#), [S 1356](#), [S 1357](#), [S 1225](#), [S 1245](#), as amended, as amended, [S 1314](#), as amended, [S 1341](#), [S 1358](#), [S 1360](#), [S 1359](#), and [S 1361](#) 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 Acting President announced that the House amendments to [S 1295](#), 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 1295](#), as amended in the House?"

On request by Senator Crabtree, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1295](#), as amended in the House.

[S 1295](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The Acting President announced that the House amendments to [S 1284](#), 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 1284](#), as amended in the House?"

On request by President Pro Tempore Hill, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1284](#), as amended in the House.

[S 1284](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

President Pro Tempore Hill returned to the Chair.

The President Pro Tempore announced that [HP 1](#) was before the Senate for final consideration.

Moved by Senator Siddoway, seconded by Senator Winder, that [HP 1](#) be adopted. The question being, "Shall the proclamation be adopted?"

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

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Crabtree, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Potts, Rice, Siddoway, Souza, Thayne, Vick, Ward-Engelking, Winder. Total - 28.

NAYS—Buckner-Webb, Burgoyne, Foreman, Jordan, Nye, Stennett. Total - 6.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [HP 1](#) adopted, title was approved, and the proclamation ordered returned to the House.

The President Pro Tempore announced that [HCR 62](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Guthrie, seconded by Senator Jordan, [HCR 62](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

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

### Second Reading of Bills

[H 706](#), [H 710](#), [H 712](#), [H 713](#), [H 714](#), [H 715](#), [H 716](#), and [H 717](#), 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 Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 706](#) 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 706](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

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

[H 706](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 706](#) 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 710](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 710](#) was before the Senate for final consideration.

[H 710](#) 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, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 710](#) 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 712](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 712](#) was before the Senate for final consideration.

[H 712](#) 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, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 712](#) 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 713](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 713](#) was before the Senate for final consideration.

[H 713](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Guthrie, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Foreman. Total - 1.

Absent and excused—Anthon, Hagedorn, Johnson. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 713](#) 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 714](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 714](#) was before the Senate for final consideration.

[H 714](#) 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, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 714](#) 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 715](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 715](#) was before the Senate for final consideration.

[H 715](#) 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, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 715](#) 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 716](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 716](#) was before the Senate for final consideration.

[H 716](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 716](#) 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 717](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 717](#) was before the Senate for final consideration.

[H 717](#) 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, Bair, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Nonini, Nye, Patrick, Potts, Siddoway, Souza, Stennett, Ward-Engelking, Winder. Total - 27.

NAYS—Bayer, Guthrie, Mortimer, Rice, Thayn, Vick. Total - 6.

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

Total - 35.

Whereupon the President Pro Tempore declared [H 717](#) passed, title was approved, and the bill ordered returned to the House.

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

### Messages from the House

March 22, 2018

Dear Mr. President:

I return herewith [S 1246](#), as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Lodge, granted by unanimous consent, [S 1246](#), 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 1246](#), 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 1246](#), as amended in the House?"

On request by Senator Lodge, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1246](#), as amended in the House.

[S 1246](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

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

#### Reports of Standing Committees

March 22, 2018

The JUDICIARY AND RULES Committee reports that [S 1295](#), as amended in the House, and [S 1284](#), as amended in the House, have been correctly engrossed.

LODGE, Chairman

[S 1295](#), as amended in the House, and [S 1284](#), as amended in the House, 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 1295](#), as amended in the House, and [S 1284](#), as amended in the House, by Transportation Committee, were read the first time at length and filed for second reading.

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

#### Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:14 p.m. until the hour of 2:30 p.m. of this day.

#### RECESS AFTERNOON SESSION

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

Roll call showed all members present except Senators Agenbroad, Anthon, and Ward-Engelking, absent and formally excused by the Chair; and Senators Johnson, Lakey, Nye, and Patrick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

March 22, 2018

The JUDICIARY AND RULES Committee reports that [S 1246](#), as amended in the House, has been correctly engrossed.

LODGE, Chairman

[S 1246](#), as amended in the House, was filed for first reading.

March 22, 2018

The JUDICIARY AND RULES Committee reports that [S 1270](#), as amended, [S 1316](#), as amended, [S 1362](#), [S 1363](#), [S 1364](#), [S 1365](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1379](#), [S 1377](#), [S 1378](#), and [S 1380](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1270](#), as amended, [S 1316](#), as amended, [S 1362](#), [S 1363](#), [S 1364](#), [S 1365](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1379](#), [S 1377](#), [S 1378](#), and [S 1380](#) and ordered them transmitted to the House for the signature of the Speaker.

March 22, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1287](#), as amended, [S 1355](#), [S 1356](#), [S 1357](#), [S 1225](#), [S 1245](#), as amended, as amended, [S 1314](#), as amended, [S 1341](#), [S 1358](#), [S 1360](#), [S 1359](#), and [S 1361](#) were delivered to the Office of the Governor at 10:45 a.m., March 22, 2018.

LODGE, Chairman

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

March 22, 2018

The RESOURCES AND ENVIRONMENT Committee reports out [H 718](#) with the recommendation that it do pass.

BAIR, Chairman

[H 718](#) was filed for second reading.

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

#### Messages from the Governor

March 22, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1254](#), [S 1324](#), [S 1347](#), [S 1348](#), [S 1350](#),  
[S 1351](#), [S 1352](#), and [S 1353](#)

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 22, 2018

Dear Mr. President:

I return herewith [S 1367](#), [S 1381](#), [SCR 149](#), [SCR 150](#), [S 1366](#), and [SCR 148](#), which have passed the House.

MAULIN, Chief Clerk

[S 1367](#), [S 1381](#), [SCR 149](#), [SCR 150](#), [S 1366](#), and [SCR 148](#) were referred to the Judiciary and Rules Committee for enrolling.

March 22, 2018

Dear Mr. President:

I transmit herewith Enrolled [HCR 55](#), [HCR 56](#), [HCR 57](#), [H 666](#), [H 682](#), [H 690](#), [H 691](#), [H 692](#), [H 694](#), [H 675](#), [H 554](#), [H 599](#), [H 695](#), [H 696](#), [H 697](#), [H 698](#), [H 699](#), [H 700](#), [H 701](#), [H 702](#), [H 703](#), [H 704](#), [H 705](#), [H 562](#), as amended in the Senate, [H 547](#), as amended in the Senate, [H 566](#), as amended in the Senate, and [H 658](#), as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 55](#), [HCR 56](#), [HCR 57](#), [H 666](#), [H 682](#), [H 690](#), [H 691](#), [H 692](#), [H 694](#), [H 675](#), [H 554](#), [H 599](#), [H 695](#), [H 696](#), [H 697](#), [H 698](#), [H 699](#), [H 700](#), [H 701](#), [H 702](#), [H 703](#), [H 704](#), [H 705](#), [H 562](#), as amended in the Senate, [H 547](#), as amended in the Senate, [H 566](#), as amended in the Senate, and [H 658](#), as amended in the Senate, and ordered them returned to the House.

March 22, 2018

Dear Mr. President:

I return herewith Enrolled [SCR 146](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 146](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 22, 2018

Dear Mr. President:

I return herewith Enrolled [S 1269](#), which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1269](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

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

[S 1246](#), as amended in the House, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

#### **Motion to Suspend Rules**

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 718](#) 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 718](#) 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—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Crabtree, Den Hartog, Foreman, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nye, Patrick, Potts, Rice, Siddoway, Stennett, Thayne, Vick, Winder. Total - 29.

NAYS—None.

Absent and excused—Agenbroad, Anthon, Johnson, Lakey, Souza, Ward-Engelking. Total - 6.

Total - 35.

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

[H 718](#) 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—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, Potts, Rice, Siddoway, Stennett, Thayne, Vick, Winder. Total - 31.

NAYS—None.

Absent and excused—Agenbroad, Anthon, Souza, Ward-Engelking. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared [H 718](#) passed, title was approved, and the bill ordered returned to the House.

Acting President Keough assumed the Chair.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1295](#), as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—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, Potts, Rice, Siddoway, Stennett, Thayne, Vick, Winder. Total - 31.

NAYS—None.

Absent and excused—Agenbroad, Anthon, Souza, Ward-Engelking. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the Acting President declared the rules suspended and announced that [S 1295](#), as amended in the House, was before the Senate for final consideration.

[S 1295](#), as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"



Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Stennett, Thayn, Vick, Winder. Total - 32.

NAYS—None.

Absent and excused—Anthon, Souza, Ward-Engelking. Total - 3.

Total - 35.

Whereupon the Acting President declared [S 1295](#), 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 Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1284](#), as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Stennett, Thayn, Vick, Winder. Total - 32.

NAYS—None.

Absent and excused—Anthon, Souza, Ward-Engelking. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the Acting President declared the rules suspended and announced that [S 1284](#), as amended in the House, was before the Senate for final consideration.

[S 1284](#), as amended in the House, 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, Brackett, Buckner-Webb, Crabtree, Den Hartog, Foreman, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Potts, Siddoway, Vick, Winder. Total - 22.

NAYS—Bair, Bayer, Burgoyne, Guthrie, Jordan, Nye, Patrick, Rice, Stennett, Thayn. Total - 10.

Absent and excused—Anthon, Souza, Ward-Engelking. Total - 3.

Total - 35.

Whereupon the Acting President declared [S 1284](#), as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

President Pro Tempore Hill returned to the Chair.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1246](#), as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Stennett, Thayn, Vick, Winder. Total - 32.

NAYS—None.

Absent and excused—Anthon, Souza, Ward-Engelking. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [S 1246](#), as amended in the House, was before the Senate for final consideration.

[S 1246](#), as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, 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, Potts, Rice, Siddoway, Stennett, Vick, Winder. Total - 31.

NAYS—Thayn. Total - 1.

Absent and excused—Anthon, Souza, Ward-Engelking. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1246](#), as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

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

### Reports of Standing Committees

March 22, 2018

The JUDICIARY AND RULES Committee reports that [S 1367](#), [S 1381](#), [SCR 149](#), [SCR 150](#), [S 1366](#), [SCR 148](#), [S 1295](#), as amended in the House, [S 1284](#), as amended in the House, and [S 1246](#), as amended in the House, have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1367](#), [S 1381](#), [SCR 149](#), [SCR 150](#), [S 1366](#), [SCR 148](#), [S 1295](#), as amended in the House, [S 1284](#), as amended in the House, and [S 1246](#), as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

March 22, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1269](#) was delivered to the Office of the Governor at 4:20 p.m., March 22, 2018.

LODGE, Chairman

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

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

#### Messages from the House

March 22, 2018

Dear Mr. President:

I transmit herewith Enrolled [HCR 62](#), [H 706](#), [H 710](#), [H 712](#), [H 713](#), [H 714](#), [H 715](#), [H 716](#), [H 717](#), [H 594](#), as amended in the Senate, and [H 718](#) for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 62](#), [H 706](#), [H 710](#), [H 712](#), [H 713](#), [H 714](#), [H 715](#), [H 716](#), [H 717](#), [H 594](#), as amended in the Senate, and [H 718](#) and ordered them returned to the House.

March 22, 2018

Dear Mr. President:

I return herewith Enrolled [S 1270](#), as amended, [S 1316](#), as amended, [S 1362](#), [S 1363](#), [S 1364](#), [S 1365](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1379](#), [S 1377](#), [S 1378](#), [S 1380](#), [S 1367](#), [S 1381](#), [S 1366](#), [S 1295](#), as amended in the House, [S 1284](#), as amended in the House, and [S 1246](#), as amended in the House, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1270](#), as amended, [S 1316](#), as amended, [S 1362](#), [S 1363](#), [S 1364](#), [S 1365](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1379](#), [S 1377](#), [S 1378](#), [S 1380](#), [S 1367](#), [S 1381](#), [S 1366](#), [S 1295](#), as amended in the House, [S 1284](#), as amended in the House, and [S 1246](#), as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 22, 2018

Dear Mr. President:

I return herewith Enrolled [SCR 149](#), [SCR 150](#), and [SCR 148](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [SCR 149](#), [SCR 150](#), and [SCR 148](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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

#### Reports of Standing Committees

Senator Anthon was recorded present at this order of business.

March 22, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [S 1270](#), as amended, [S 1316](#), as amended, [S 1362](#), [S 1363](#), [S 1364](#), [S 1365](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1379](#), [S 1377](#), [S 1378](#), [S 1380](#), [S 1367](#), [S 1381](#), [S 1366](#), [S 1295](#), as amended in the House, [S 1284](#), as amended in the House, and [S 1246](#), as amended in the House, were delivered to the Office of the Governor at 5:26 p.m., March 22, 2018.

LODGE, Chairman

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

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

#### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned in honor of the distinguished service of Senators Hagedorn, Keough, Nonini, and Siddoway at 5:44 p.m. until the hour of 1 p.m., Monday, March 26, 2018.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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SEVENTY-EIGHTH LEGISLATIVE DAY  
MONDAY, MARCH 26, 2018

Senate Chamber

At the request of the President Pro Tempore, Acting President Keough called the Senate to order at 1 p.m.

Roll call showed all members present except President Pro Tempore Hill and Senators Lakey, Siddoway, and Winder, absent and formally excused by the Chair; and Senators Anthon, Bair, and Ward-Engelking, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Jessie Page, 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, 2018 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 Vick, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 26, 2018

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 146](#), [SCR 149](#), [SCR 150](#), and [SCR 148](#) were delivered to the Office of the Secretary of State at 9:57 a.m., March 26, 2018.

LODGE, Chairman

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

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

### Messages from the Governor

March 22, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Joan "Joni" Burtenshaw of Terretton, Idaho, to be Acting State Senator for Legislative District 35, Butte, Clark, Fremont & Jefferson Counties, State of Idaho.

This appointment commences Monday, March 26, 2018, and lasting through the duration of the 2018 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 Siddoway, State Senator, District 35, Butte, Clark, Fremont & Jefferson Counties, State of Idaho, has nominated Joan "Joni" Burtenshaw of Terretton, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 35, Butte, Clark, Fremont & 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 Joan "Joni" Burtenshaw of Terretton, Idaho, to the office of State Senator, District 35, for a term commencing Monday, March 26, 2018, and continuing through the duration the 2018 session.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capital in Boise this 22nd day of March, in the year of our Lord two thousand and eighteen and of the Independence of the United States of America, the two hundred and forty-second year and of the Statehood of Idaho the one hundred twenty-eighth.

/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 the Oath of Office had been administered previously to Acting Senator Burtenshaw, and she was recorded present at this order of business.

March 23, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1232](#), [S 1277](#), [S 1279](#), [S 1306](#), as amended  
in the House, and [S 1344](#)

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.

March 26, 2018

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 will be allowed to become law without my signature:

[S 1346](#)

as prescribed by the Constitution.

This appropriations bill uses legislative intent language to place unnecessary and irresponsible restrictions on how the Public Defense Commission can use its budget allocation.

Training for attorneys who represent indigent defendants is integral to meeting the constitutional requirement for providing adequate public defense in Idaho. Yet this bill provides insufficient funds for that training. What's more, the shortfall is exacerbated by the requirement that the Commission return money to the General Fund that was appropriated for disbursement to counties that are not currently participating in the indigent defense grant program.

Such a budgetary double-whammy is no more fiscally responsible than appropriating taxpayer dollars beyond what an agency's mission demands.

Idaho Code wisely provides tools for agency directors to use in reaction to exigent circumstances when the Legislature is not in session, including the ability to make some transfers between spending categories. This appropriation removes many of those tools at a time when this new agency is just getting fully staffed and operational – a time when it most needs flexibility as we learn more about what resources are necessary for it to fulfill its mission.

The Legislature should set policy and then let agencies execute those policies with the tools granted to them by law. I encourage lawmakers to avoid the temptation to micromanage, particularly when doing so has such an adverse effect on an agency's ability to fulfill its mission, and to remain good and responsible stewards of taxpayer dollars.

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 22, 2018

Dear Mr. President:

The House had under consideration the recommendations of the Joint Publishing Committee, and report them adopted.

MAULIN, Chief Clerk

The recommendation's were ordered filed in the office of the Secretary of the Senate.

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

**Miscellaneous Business**

On motion by Senator Vick, seconded by Senator Stennett, by voice vote, the Senate adjourned at 1:14 p.m. until the hour of 11:30 a.m., Tuesday, March 27, 2018.

SHAWN KEOUGH, Acting President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

March 26, 2018

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

SEVENTY-NINTH LEGISLATIVE DAY  
TUESDAY, MARCH 27, 2018

Senate Chamber

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

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

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Tessa Fronk, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 26, 2018 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 Eighth Order of Business.

### Messages from the Governor

March 26, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1225](#), [S 1245](#), as amended, as amended,  
[S 1314](#), as amended, [S 1341](#), [S 1355](#), [S 1356](#),  
[S 1357](#), [S 1358](#), [S 1359](#), [S 1360](#), and [S 1361](#)

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 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 will be allowed to become law without my signature:

### [S 1349](#)

as prescribed by the Constitution.

I appreciate the great legislative support for our public schools that Senate Bill 1349 represents, and I emphasize that withholding my signature in no way diminishes the significance of this appropriation. Unfortunately, the process used by the legislature in this case undermines the intent of Article 4, Section 11 of the Idaho Constitution, which authorizes the Governor “to disapprove of any item or items of any bill making appropriations of money embracing distinct items . . .”

The Legislature has – at various times and for various reasons – lumped large appropriations together. I do not question lawmakers’ intentions, but in the case of S1349, congregating the public schools operations budget served to protect from my line-item veto an increase of more that \$11 million in discretionary funding, which I neither recommended nor support.

I am not suggesting that anyone ran roughshod over the Idaho Constitution. However, I sincerely hope that legislative budget writers in the future will remember the Governor’s constitutional role as they assemble complex and multifunctional appropriations bills.

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

### Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:42 a.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 assumed the Chair.

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

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:10 p.m. until the hour of 9:30 a.m., Wednesday, March 28, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FOURTH LEGISLATURE

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**EIGHTIETH LEGISLATIVE DAY  
WEDNESDAY, MARCH 28, 2018**

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; and Senators Johnson and Ward-Engelking, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Isaac Meyer, 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, 2018 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 Eighth Order of Business.

### Messages from the Governor

March 27, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1246](#), as amended in the House, [S 1269](#),  
[S 1270](#), as amended, [S 1284](#), as amended in  
the House, [S 1363](#), [S 1365](#), [S 1370](#), [S 1371](#),  
[S 1372](#), [S 1373](#), [S 1374](#), [S 1376](#), [S 1377](#),  
[S 1378](#), [S 1379](#), [S 1380](#), and [S 1381](#)

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

### Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate recessed at 9:44 a.m. until the hour of 1:30 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., President Little assumed the Chair.

Roll call showed all members present except Senator Ward-Engelking, 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.

Senator Keough was recorded present at this order of business.

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

### Messages from the Governor

March 28, 2018

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

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

[S 1295](#), as amended in the House, [S 1362](#),  
[S 1364](#), [S 1366](#), [S 1367](#), [S 1368](#), and [S 1369](#)

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.

March 28, 2018

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 1316](#), as amended

as prescribed by the Constitution.

I commend the Legislature's effort to ensure that the investigatory and administrative proceedings of our licensing authorities are thorough, efficient and fair. To the extent that Senate Bill 1316 promotes those ends, I fully support its

intentions. However, the bill unfortunately creates a distinction without a difference by singling out boards while excluding commissions, divisions and bureaus.

The legislation draws a bright but unwarranted line in Idaho Code by defining "licensing authority" to include only boards. In attempting to address bias the bill creates inequality, requiring accountability and sound decision making of some State government licensing authorities while ignoring others. This cherry picking among boards, commissions, divisions and bureaus will result in an inconsistent application of policy among State licensing authorities for no discernible reason.

S1316 impacts the budgets and operating procedures of only boards by requiring them to pay attorney's fees when they do not prevail in a licensure action. That certainly provides an incentive for sound and thorough board actions, but it is a policy that should be applied uniformly across licensing authorities.

It is my sincere hope that the Legislature addresses this inequity-by-omission when it reconvenes in 2019, before the problem becomes manifest in Idaho's licensing oversight.

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.

March 28, 2018

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 1375](#)

as prescribed by the Constitution.

My concern with this appropriation were originally expressed in February 14 memo from my Division of Financial Management to the Joint Finance-Appropriations Committee. It detailed my opposition to language in the enabling legislation, House Bill 612. I remain concerned that hiring consultants to review proposed technology projects could hurt our State procurement process.

Having a consultant review proposed technology projects before a request for proposals (RFP) is issued could lead to attempted or perceived influence on vendors, the agency, and legislators. Transparency, the benefits of open competition, and public confidence all could be compromised as a result of broad legislative language allowing consultants to influence "major technology projects" and "other state technology projects, needs or issues."

The State Procurement Act exists to ensure the awarding of State contracts is free from political influence. Since consultants funded by this appropriation will be selected outside the State procurement process, close cooperation between the Executive and Legislative branches will be necessary to ensure the process remains fair and unbiased.

To mitigate the impact of this appropriation, I ask that the Legislative Service Office provide the Division of Purchasing a list of individuals or companies contracted to consult on State technology projects. That will enable the Division of Purchasing to exclude any companies with ties to a project consultant from bidding on that project, as required by Idaho Code 67-9230(8). It is a small but essential step toward achieving our goals without undermining the integrity of an important public process.

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.

March 28, 2018

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 1287](#), as amended

as prescribed by the Constitution.

There is no consensus within the business community, or even within the community of technology-driven businesses, for this second change within two years to Idaho Code regarding non-compete agreements between employers and key employees or key independent contractors. As was the case with the 2016 changes to the law that are reversed by this bill, the importance placed on S1287 varies with the nature of each company's business plan, and whether management considers a "dynamic" workforce featuring regular turnover of high-level employees to be energizing or detrimental.

This bill essentially restores Idaho Code to the pre-2016 standard of proof for whether a key employee or key independent contractor has violated the terms of a non-compete agreement. The 2016 change put the onus on employees and contractors to prove in court that they have "no ability to adversely affect the employer's legitimate business interests." S1287 strikes that language, ostensibly shifting the burden back to employers to show that their business interests were harmed by the employee's competitive actions.

I would suggest that when the Legislature returns in 2019 it consider another alternative to resolving the issue – restoring the language of Idaho Code 44-2704, Subsection (6) that was added in 2016 but changing the standard for key employees and key contractors from having "no ability to adversely affect" to "has adversely affected" the employer's business.

In the meantime, since it my understanding that the 2016 language has never been tested in court, there seems to be little risk in removing it until consensus is reached on a better solution.

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

**Motions and Resolutions**

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 Second Regular Session of the Sixty-fourth Legislature of the State of Idaho. The flag was then presented to Acting Senator Burtenshaw on behalf of Senator Siddoway to honor his exemplary service to the Senate.

On request by Senator Winder, granted by unanimous consent, the President appointed a committee consisting of Senator Nonini, Chairman, and Senators Crabtree and Buckner-Webb to notify the House of Representatives that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

On request by Senator Winder, granted by unanimous consent, the President appointed a committee consisting of Senator Keough, Chairman, and Senators Mortimer and Stennett to notify the Governor that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

The committee appointed to wait upon the House of Representatives returned and reported that it had delivered the Senate's message. The committee conveyed the Speaker's response to the President and the members of the Senate.

The President thanked and discharged the committee.

The committee appointed to wait upon the Governor returned and reported that it had delivered the Senate's message. The committee conveyed the Governor's response to the President and the members of the Senate.

The President thanked and discharged the committee.

On request by Senator Winder, granted by unanimous consent, the President appointed a committee consisting of Senator Hagedorn, Chairman, and Senator Jordan to escort the committee from the House of Representatives into the Senate Chamber.

Representatives Burtenshaw, Cheatham, and Toone informed the Senate that the House was ready to adjourn *Sine Die*.

The President thanked and discharged the committee.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Second Regular Session of the Sixty-fourth Legislature of the Idaho Senate adjourned *Sine Die* at 5:55 p.m., Wednesday, March 28, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

\*\*\*\*\*

**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 28th, 2018, 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 28th day of March, 2018.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

\*\*\*\*\*



**SENATE JOURNAL INDEX**

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**SIXTY-FOURTH IDAHO LEGISLATURE - 2018**

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## SECTION I

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**OFFICERS AND ADMINISTRATION OF THE SENATE**

<b>Name</b>	<b>Address</b>
LITTLE, BRAD ..... Lieutenant Governor/President of the Senate	Emmett
HILL, BRENT ..... President Pro Tempore	Rexburg
WINDER, CHUCK ..... Majority Leader	Boise
VICK, STEVE ..... Assistant Majority Leader	Dalton Gardens
ANTHON, KELLY ARTHUR ..... Majority Caucus Chair	Burley
STENNETT, MICHELLE ..... Minority Leader	Ketchum
BUCKNER-WEBB, CHERIE ..... Assistant Minority Leader	Boise
JORDAN, MARYANNE ..... Minority Caucus Chair	Boise
NOVAK, JENNIFER ..... Secretary of the Senate	Boise
COLLINS, ANNALIESE ..... Secretary to the Secretary of the Senate	Boise
BARNES, JASON ..... Journal Clerk	Boise
CARNLINE, AAREN ..... Assistant Clerk	Boise
JONES, MARY SUE ..... Chief of Staff to President Pro Tem	Boise
KUKLA, LIZZIE ..... Assistant to the Majority Leader	Melba
PENNINGTON, SHARON ..... Assistant to the Assistant Majority Leader	Boise
MOYER, PEGGY ..... 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
RALSTIN, MONTIE ..... Chaplain	Boise

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AGENBROAD, JEFF ..... Finance Health and Welfare	Nampa .....	13
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DEN HARTOG, LORI ..... Agricultural Affairs - Vice Chair Education Transportation	Meridian.....	22
FOREMAN, DAN ..... Agricultural Affairs Health and Welfare Judiciary and Rules	Moscow .....	5

Name	Address	District
GUTHRIE, JIM .....	Inkom .....	28
Commerce and Human Resources - Vice Chair		
Agricultural Affairs		
Education		
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State Affairs - Vice Chair		
Judiciary and Rules		
Transportation		
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Health and Welfare		
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Health and Welfare - Chair		
Resources and Environment		
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President Pro Tempore		
Local Government and Taxation		
State Affairs		
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Local Government and Taxation - Chair		
Resources and Environment		
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Minority Caucus Chair		
Agricultural Affairs		
Health and Welfare		
Resources and Environment		
KEOUGH, SHAWN .....	Sandpoint .....	1
Finance - Chair		
Transportation		
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Commerce and Human Resources		
Judiciary and Rules		
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Judiciary and Rules - Vice Chair		
Finance		
Health and Welfare		
LODGE, PATTI ANNE .....	Huston .....	11
Judiciary and Rules - Chair		
State Affairs		
Transportation		

Name	Address	District
MARTIN, FRED S. .... Finance - Vice Chair Commerce and Human Resources Health and Welfare	Boise.....	15
MORTIMER, DEAN M. .... Education - Chair Finance	Idaho Falls.....	30
NONINI, ROBERT P. .... Transportation - Vice Chair Education	Coeur d'Alene.....	3
NYE, MARK ..... Finance Judiciary and Rules Local Government and Taxation	Pocatello.....	29
PATRICK, JIM L. .... Commerce and Human Resources - Chair Agricultural Affairs Local Government and Taxation	Twin Falls.....	25
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SIDDOWAY, JEFF C. .... State Affairs - Chair Resources and Environment - Vice Chair Local Government and Taxation	Terreton.....	35
SOUZA, MARY ..... Health and Welfare - Vice Chair Commerce and Human Resources Finance	Coeur d'Alene.....	4
STENNETT, MICHELLE ..... Minority Leader Resources and Environment State Affairs	Ketchum.....	26
THAYN, STEVEN P. .... Education - Vice Chair Agricultural Affairs Commerce and Human Resources	Emmett.....	8

Name	Address	District
VICK, STEVE ..... Assistant Majority Leader Local Government and Taxation Resources and Environment State Affairs	Dalton Gardens .....	2
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2018 LEGISLATURE

**Agricultural Affairs (9)**

Rice, Chairman  
Den Hartog, Vice Chairman

Patrick  
Bayer  
Guthrie  
Thayn  
Harris  
Foreman

Jordan

**Judiciary and Rules (9)**

Lodge, Chairman  
Lee, Vice Chairman

Hagedorn  
Lakey  
Anthon  
Foreman  
Potts

Burgoyne  
Nye

**Commerce and Human Resources (9)**

Patrick, Chairman  
Guthrie, Vice Chairman

Martin  
Lakey  
Thayn  
Souza  
Potts

Ward-Engelking  
Burgoyne

**Local Government and Taxation (9)**

Johnson, Chairman  
Bayer, Vice Chairman

Hill  
Siddoway  
Rice  
Vick  
Patrick

Burgoyne  
Nye

**Education (9)**

Mortimer, Chairman  
Thayn, Vice Chairman

Winder  
Nonini  
Den Hartog  
Guthrie  
Crabtree

Buckner-Webb  
Ward-Engelking

**Resources and Environment (9)**

Bair, Chairman  
Siddoway, Vice Chairman

Brackett  
Heider  
Vick  
Bayer  
Johnson

Stennett  
Jordan

**Finance (10)**

Keough, Chairman  
Martin, Vice Chairman

Bair  
Mortimer  
Souza  
Lee  
Agenbroad  
Crabtree

Ward-Engelking  
Nye

**State Affairs (9)**

Siddoway, Chairman  
Hagedorn, Vice Chairman

Hill  
Winder  
Lodge  
Vick  
Anthon

Stennett  
Buckner-Webb

**Health and Welfare (9)**

Heider, Chairman  
Souza, Vice Chairman

Martin  
Lee  
Harris  
Agenbroad  
Foreman  
Potts

Jordan

**Transportation (9)**

Brackett, Chairman  
Nonini, Vice Chairman

Keough  
Winder  
Hagedorn  
Den Hartog  
Lodge  
Harris

Buckner-Webb

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<u>Name</u>	<u>Position</u>
BARNES, JASON .....	Journal Clerk
BENNETT, GAYE .....	Transportation Committee Secretary
BUDELL, JUANITA .....	Resources and Environment Committee Secretary
BUSH, JOSIE .....	Page
CAMARA, LAUREN .....	Majority Staff Assistant
CARNLINE, AAREN .....	Assistant Clerk
CARR, JENNIFER .....	Local Government and Taxation Committee Secretary
COLLINS, ANNALIESE .....	Secretary to the Secretary of the Senate
CORNWALL, CAROL .....	Majority Staff Assistant
CSUTORAS, JERRY .....	Assistant Sergeant-at-Arms
DEIS, CAROL .....	Agricultural Affairs Committee Secretary
FRONK, TESSA .....	*Page
GOODMAN, RACHEL .....	Health and Welfare Committee Secretary
GRIFFIN, SAM .....	Majority Staff Assistant
HALE, SHELBY .....	Page
HAYES-FUGAL, JOSHUA .....	Minority Staff Assistant
HONSAKER, AMBERLEE .....	Committee Secretary
HUNTER, ABIGAIL .....	Page
HUSTON, JAYDEN .....	*Page
JAMES, DIANE .....	Majority Staff Assistant
JONES, MARY SUE .....	**Chief of Staff to President Pro Tem
KAMBEITZ, LINDA .....	Commerce and Human Resources Committee Secretary
KOFOED, HEIDI .....	Page
KOPYDLOWSKI, MATT .....	Minority Staff Assistant
KUKLA, LIZZIE .....	Assistant to the Majority Leader
LARSEN, ALEXA .....	Page
LISTER, CAITLIN .....	**Minority Chief of Staff
LOVELAND, LYNDI .....	Page
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MCDONALD, SARAH JANE .....	Sergeant-at-Arms
MCPHERSON, PORTER .....	Page
MELTON, TWYLA .....	State Affairs Committee Secretary
MENSING, MICAH .....	*Page
MEYER, ISAAC .....	*Page

<u>Name</u>	<u>Position</u>
MILLER, KATY .....	Majority Staff Assistant
MOHR, LEANN .....	Education Committee Secretary
MOYER, PEGGY .....	Assistant to the Majority Caucus Chairman
NELSON, PAIGE .....	*Page
NOVAK, JENNIFER .....	**Secretary of the Senate
OMOTOWA, ARAOLUWA .....	Page
PAGE, JESSIE .....	*Page
PENNINGTON, SHARON .....	Assistant to the Asst. Maj. Leader
PETERSON, CHRISTINE .....	Page
RALSTIN, MONTIE .....	Chaplain
RAUVOLA, MEGAN .....	*Page
SHERLOCK, JACK .....	Page
UPADHAYA, PRASCILLA .....	Minority Staff Assistant
WOODLAND, HARRISON .....	*Page
WROBLEWSKI-JONES, ANNA .....	Judiciary and Rules Committee Secretary
ZECKMANN, AMBER .....	*Page

Attache sworn in January 10, 2018

\* Attache sworn in February 23, 2018

\*\* Permanent Employees

## SECTION IV

TOPICAL INDEX  
[ALPHABETICALLY ARRANGED]

This Topical Index alphabetically lists subject matter for **ALL** Senate bills, and **ONLY** those House bills introduced in the Senate. Nonlegislative subject matter is included and referred to by page number only.

Since the Senate Journal **only** covers the actions of House bills transmitted to the Senate, this topical index does not refer to every House bill introduced in the House. Separate indices in this volume list, in numerical order, all House bills, memorials, resolutions, and proclamations received by the Senate and show action taken by the Senate thereon. If a particular subject matter does not appear in this index, refer to the House Journal Alphabetical Index. Session law numbers for legislation passing both Senate and House, and becoming law, are included for all Senate bills within the Numerical Index Section V.

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1218	Agricultural Affairs	LAW	ENVIRONMENTAL QUALITY - Amends and adds to existing law regarding poultry animal feeding operations; to provide that specified law shall not affect the authority of the Department of Environmental Quality to administer and enforce an Idaho NPDES program; to provide that the director of the Department of Environmental Quality shall consult with the director of the Idaho State Department of Agriculture before certifying discharges from poultry operations; and to provide for the Idaho Pollutant Discharge Elimination System Program and fund. .... <b>Session Law Chapter No. 22</b>	37	78	165
1219	Commerce and Human Resources	LAW	INSURANCE - Amends existing law to provide a definition, an exception, and a certain waiver. .... <b>Session Law Chapter No. 61</b>	38	90	217
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1222	Education	LAW	EDUCATION - Adds to existing law to establish provisions regarding a quality funding mechanism for career technical education secondary programs and incentive funding for workforce readiness. .... <b>Session Law Chapter No. 16</b>	38	55	130
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1231	Local Government and Taxation	LAW	PROPERTY TAXES - Amends existing law to provide for the assessment of late charges and interest on delinquent accounts for property tax on the supplemental or missed property roll. .... <b>Session Law Chapter No. 69</b>	49	78	217
1232	Judiciary and Rules	LAW	STATE PENITENTIARY - Amends existing law to revise a provision regarding consent to the transfer or exchange of foreign offenders. .... <b>Session Law Chapter No. 243</b>	49	146	285
1233	Education	LAW	SCIENCE, TECHNOLOGY, ENGINEERING AND MATH EDUCATION - Amends existing law to provide for the STEM Action Center Advisory Board, to revise the terms of certain members of the board, to provide for staggered terms, to revise the duties of the STEM Action Center and to provide that the administrator shall report the progress of the STEM Action Center. .... <b>Session Law Chapter No. 23</b>	49	83	165
1234	Commerce and Human Resources	LAW	IDAHO STATE TAX COMMISSION - Adds to existing law to require that employees, employment applicants, contractors and subcontractors have a criminal background check if they will have access to federal tax information. .... <b>Session Law Chapter No. 68</b>	52	108	217
1235	Health and Welfare	LAW	NURSES - Amends existing law to revise provisions regarding the Idaho Board of Nursing. .... <b>Session Law Chapter No. 156</b>	52	109	260
1236	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Appropriates an additional \$209,900 to the Department of Agriculture for fiscal year 2018 for organic inspections; and authorizes 2.00 additional full-time equivalent positions for FY 2018. .... <b>Session Law Chapter No. 13</b>	54	70	118
1237	Finance	LAW	APPROPRIATIONS - DEFICIENCY WARRANTS - Appropriates and transfers \$209,700 from the General Fund to the Pest Control Deficiency Fund for fiscal year 2018. .... <b>Session Law Chapter No. 12</b>	54	70	118
1238	Judiciary and Rules	S Jud	PRETRIAL RELEASE - Adds to existing law to authorize a court to determine whether a pretrial supervision program is appropriate and to provide for a pretrial supervision fee. ....	54	-	57
1239	Judiciary and Rules	S Jud	JUVENILE CORRECTIONS - Amends existing law to remove a provision regarding court review of a certain report and to remove reference to detention in a jail facility. ....	54	-	57

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1240	Judiciary and Rules	LAW	JUVENILE CORRECTIONS ACT - Amends existing law to provide that notice shall be given to certain parties upon actual release of a juvenile offender. .... <b>Session Law Chapter No. 157</b>	54	116	260
1241	Judiciary and Rules	S Jud	CRIMINAL PROCEDURE - Adds to existing law to provide that certain persons are eligible for a refund from the court and to provide for the Idaho Vacated Conviction Fund. ....	55	-	98
1242	Judiciary and Rules	LAW	JUVENILE CORRECTIONS - Amends existing law to provide a reference to describe an escaped juvenile offender. .... <b>Session Law Chapter No. 158</b>	55	116	260
1243	State Affairs	LAW	ABORTION - Amends existing law to require certain information about abortion to be posted on the Department of Health and Welfare website. .... <b>Session Law Chapter No. 159</b>	55	115	260
1244	Judiciary and Rules	S FAILED	LEGAL IMMUNITY - Adds to existing law to provide certain immunity from civil and criminal liability for a person rendering certain aid to a pet in a vehicle. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> .....	57 153 184	-  190	190
1245	Judiciary and Rules	LAW	LEGAL IMMUNITY - Adds to existing law to provide certain immunity from civil and criminal liability for persons rendering certain aid to a person in a motor vehicle. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 285</b>	58 153 185	-  191	287
1246	Judiciary and Rules	LAW	CORRECTIONAL FACILITIES - Amends existing law to provide that privatized medical providers shall make certain payments and to provide for inpatient and outpatient hospitalizations and emergency services. .... <b>Amended in the House (See House Journal)</b> ..... <b>Session Law Chapter No. 321</b>	58	88 283	289
1247	Judiciary and Rules	H Jud	PEACE OFFICER STANDARDS AND TRAINING COUNCIL - Amends existing law to revise the membership of the Council. ....	58	146	146
1248	Health and Welfare	H Health/Wel	ORGAN DONORS - Amends existing law to revise provisions regarding notification in the event of a donor's death. .... <b>Amended in the Senate</b> .....	58 98	- 115	115
1249	Health and Welfare	LAW	EDUCATION - Amends existing law to require public institutions of higher education to notify students of the option to register as an organ donor. .... <b>Session Law Chapter No. 97</b>	58	91	227
1250	Health and Welfare	LAW	STATE OFFICERS AND EMPLOYEES - Amends existing law to require annual notice of leave for organ donation offered to state officers and employees..... <b>Session Law Chapter No. 98</b>	58	91	227

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1251	Finance	LAW	APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates an additional \$400,000 to the Industrial Commission for the Crime Victims Compensation Program for fiscal year 2018; appropriates an additional \$16,900 to the Industrial Commission for the Adjudication Program for fiscal year 2018; and reduces the appropriation to the Industrial Commission for the Adjudication Program by \$16,900 for fiscal year 2018. .... <b>Session Law Chapter No. 14</b>	60	70	118
1252	Commerce and Human Resources	LAW	ENGINEERS AND SURVEYORS - Amends existing law to revise certain requirements for examination and licensure and to remove provisions regarding failed examinations. .... <b>Session Law Chapter No. 67</b>	60	109	217
1253	Local Government and Taxation	LAW	INCOME TAX CREDIT - Repeals an obsolete statute relating to an incentive income tax investment credit. .... <b>Session Law Chapter No. 160</b>	60	108	260
1254	Health and Welfare	LAW	WIRELESS TELEPHONE SERVICE - Adds to existing law to authorize a court to issue an order to transfer wireless telephone service, billing responsibility and telephone numbers to a party that is not the account holder. .... <b>Session Law Chapter No. 227</b>	60	83	281
1255	State Affairs	S St Aff	TOBACCO - Amends existing law to change the legal age of tobacco possession from 18 to 21. ....	60	-	63
1256	Finance	LAW	APPROPRIATIONS - REGULATORY BOARDS - Appropriates an additional \$30,000 to the Regulatory Boards for fiscal year 2018. .... <b>Session Law Chapter No. 15</b>	64	79	122
1257	Judiciary and Rules	LAW	PUBLIC DEFENSE - Amends existing law to revise the membership of the Public Defense Commission. .... <b>Session Law Chapter No. 161</b>	64	120	260
1258	Judiciary and Rules	LAW	PUBLIC DEFENSE - Amends existing law to provide that a board of county commissioners may apply for funds for extraordinary litigation costs. .... <b>Session Law Chapter No. 162</b>	64	120	260
1259	Judiciary and Rules	H Jud	PEACE OFFICERS STANDARDS AND TRAINING FUND - Amends existing law to provide that certain moneys shall be distributed to the Peace Officers Standards and Training Fund and that certain moneys shall revert to the General Fund. .... <b>Amended in the Senate</b> .....	64 174	- 190	190
1260	Resources and Environment	LAW	LAKE PEND OREILLE, PEND OREILLE RIVER, PRIEST LAKE AND PRIEST RIVER COMMISSION - Amends existing law to provide that the commission shall have the authority to designate representatives to participate in proceedings regarding the Columbia River Basin; and to provide that moneys in the commission fund may also be used to provide for participation in proceedings regarding the Columbia River Basin. .... <b>Session Law Chapter No. 63</b>	64	102	217

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1261	Resources and Environment	LAW	PRIEST LAKE - Amends existing law to provide that the Priest Lake outlet control structure shall be under the supervision and control of the Idaho Water Resource Board; to revise provisions regarding the operation and maintenance of the structure; and to revise provisions regarding the maintenance and regulation of the water surface level of Priest Lake. .... <b>Session Law Chapter No. 62</b>	64	108	217
1262	Health and Welfare	S Health/Wel	PATIENT CAREGIVER SUPPORT ACT - Adds to existing law to enact the Patient Caregiver Support Act. ....	64	-	67
1263	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding severance allowance at retirement for a public school employee. .... <b>Session Law Chapter No. 91</b>	65	101	221
1264	Transportation	H Transp	MOTOR VEHICLES - Amends and adds to existing law to provide that former military vehicles may be titled and registered under certain circumstances. ....	67	115	115
1265	Commerce and Human Resources	LAW	FINANCIAL TRANSACTIONS - Amends existing law to prohibit the charging of a fee by a consumer credit reporting agency for a placement of a security freeze during a twelve-month period and for each temporary lift of a security freeze during a twelve-month period and to provide a fee for a second or subsequent placement or lift of a security freeze. .... <b>Session Law Chapter No. 163</b>	67	132	260
1266	Education	LAW	EDUCATION - Amends existing law to remove the requirement that two semester credits of mathematics must be taken in the final year of high school. .... <b>Session Law Chapter No. 110</b>	68	101	227
1267	Education	LAW	EDUCATION - Adds to existing law to establish provisions regarding a STEM diploma. .... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 60</b>	68 98	- 116	217
1268	Resources and Environment	LAW	DRAINAGE DISTRICTS - Amends and adds to existing law to revise drainage commissioner compensation provisions; to provide for assessment for the payment or retirement of any bonds or warrants; to revise provisions regarding the sale of personal property of a drainage district; and to provide for the trade-in or exchange of personal property of the district. .... <b>Session Law Chapter No. 92</b>	74	109	221
1269	Judiciary and Rules	LAW	BATTERY - Adds to and amends existing law to provide for the crimes of sexual battery and aggravated sexual battery, to provide punishments and to provide that the Sexual Offender Registration Notification and Community Right-to-Know Act shall apply to any person who commits aggravated sexual battery. .... <b>Session Law Chapter No. 322</b>	74	146	289
1270	Judiciary and Rules	LAW	FORCIBLE PENETRATION - Amends existing law to revise the conditions for committing the crime of forcible penetration by a foreign object. .... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 323</b>	74 153	- 176	289

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1271	Health and Welfare	LAW	HEALTH CARE - Amends existing law to revise the definition of "health care organization" and to revise provisions regarding exceptions to privilege and confidentiality. .... <b>Session Law Chapter No. 145</b>	74	116	260
1272	Agricultural Affairs	S Agric Aff	POISONOUS PLANTS - Adds to existing law to require labeling on poisonous plants offered for sale; to provide labeling requirements; and to provide for public outreach and the compilation of a list of poisonous plants by the director of the Idaho State Department of Agriculture. ....	74	-	76
1273	Commerce and Human Resources	S Com/HuRes	INSURANCE - Adds to existing law to establish provisions regarding coverage of anticancer medications under health benefit plans. ....	77	-	81
1274	State Affairs	LAW	PUBLIC RECORDS - Amends existing law to revise a definition, to provide that bonuses, severance packages, other compensation, or vouchered and unvouchered expenses for which reimbursement was paid to a public official are not exempt from disclosure, to provide that social security numbers and driver's license numbers shall be exempt from disclosure, and to provide that public agencies shall designate one person as custodian to receive public records requests and shall provide an alternate custodian or alternate custodians for contingencies. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 143</b>	77 126 142	- 154 156	260
1275	Resources and Environment	LAW	WOLVES - Amends existing law to provide that wolf collaring will be continued as a management tool for certain packs. .... <b>Session Law Chapter No. 147</b>	82	116	260
1276	Resources and Environment	S Res/Env	WOLF DEPREDATION CONTROL BOARD - Repeals a sunset date and amends existing law to remove effective date provisions. ....	82	-	85
1277	Judiciary and Rules	LAW	CIVIL ACTIONS - Amends existing law to revise provisions regarding claims for damages. .... <b>Session Law Chapter No. 244</b>	82	125	285
1278	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding wireless technology standards. .... <b>Session Law Chapter No. 99</b>	82	120	227
1279	Education	LAW	IDAHO OPPORTUNITY SCHOLARSHIP - Amends existing law to provide that certain funds may be used for scholarship awards to adults meeting certain criteria. .... <b>Session Law Chapter No. 245</b>	82	147	285
1280	Education	LAW	SCHOOL DISTRICTS - Amends existing law to revise provisions regarding school district trustees. .... <b>Session Law Chapter No. 164</b>	82	155	260
1281	Health and Welfare	S Com/HuRes	INSURANCE - Adds to existing law to provide for availability of a twelve-month supply of contraceptives under certain health benefit plans. ....	82	-	85

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1282	Transportation	LAW	COUNTIES - Amends existing law to clarify terminology regarding sheriffs. .... <b>Session Law Chapter No. 93</b>	86	132	221
1283	Transportation	S FAILED	MOTOR VEHICLES - Repeals and adds to existing law to prohibit persons from operating a motor vehicle while using a mobile electronic device. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> .....	86 101 128	- 123 154	154
1284	Transportation	LAW	BOOTING COMPANIES - Amends and adds to existing law to provide for regulation of booting companies by local governments and to allow booting of motor vehicles on private property..... <b>Amended in the House (See House Journal)</b> ..... <b>Session Law Chapter No. 324</b>	86	132 283	289
1285	Commerce and Human Resources	LAW	BANKING - Repeals, amends and adds to existing law to revise provisions regarding credit unions. .... <b>Session Law Chapter No. 165</b>	86	147	260
1286	Commerce and Human Resources	S Com/HuRes	MOTOR VEHICLES AND FINANCIAL RESPONSIBILITY - Amends existing law to revise the definition of "proof of financial responsibility." .....	87	-	89
1287	Commerce and Human Resources	LAW	COVENANTS NOT TO COMPETE - Amends existing law to provide applicability and to remove a provision regarding rebuttable presumptions..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 349</b>	87 153	- 168	290
1288	Commerce and Human Resources	LAW	OUT-OF-STATE INSURERS - Adds to and amends existing law to provide for interstate health insurance sales and to authorize out-of-state insurers to sell health insurance in Idaho under certain conditions. .... <b>Session Law Chapter No. 166</b>	87	147	260
1289	Commerce and Human Resources	S Com/HuRes	PHARMACIES - Adds to existing law to provide for transparency for pharmacy benefit managers.....	87	-	89
1290	Commerce and Human Resources	S Com/HuRes	FIREFIGHTERS - Amends existing law to revise a definition and to provide for the payment of costs for certain medical examinations. ....	87	-	89
1291	Education	H Educ	SCHOOL TURNAROUND ACT - Adds to existing law to enact the School Turnaround Act..... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> .....	87 117 175	- 142 186	186
1292	Education	LAW	ADVANCED OPPORTUNITIES SCHOLARSHIP - Amends existing law to revise eligibility and reimbursement requirements for courses and credits that qualify for the Advanced Opportunities Scholarship. .... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 100</b>	87 126	- 154	227
1293	Education	H Educ	EDUCATION - Amends and adds to existing law to provide a code reference and to establish provisions regarding limited contracts for certain employees.....	87	123	123

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1294	Education	LAW	TAXATION - Amends existing law to revise provisions regarding the cigarette tax and the tobacco tax. .... <b>Session Law Chapter No. 94</b>	88	120	221
1295	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding funding for career technical schools. .... <b>Amended in the House (See House Journal) .....</b> <b>Session Law Chapter No. 341</b>	88	133 282	289
1296	Health and Welfare	LAW	PERSONS WITH DISABILITIES - Amends existing law to revise certain definitions regarding disabilities to include persons with mental disabilities. .... <b>Session Law Chapter No. 144</b>	88	147	260
1297	State Affairs	S St Aff	CONCEALED WEAPONS - Amends existing law to revise a provision regarding who may carry a concealed weapon. ....	88	-	89
1298	Judiciary and Rules	H Jud	CRIMINAL HISTORY RECORDS - Amends and adds to existing law to provide for fingerprint-based criminal background checks of certain applicants and licensees, to provide for the retention and destruction of certain fingerprints and to provide rights for certain fingerprinted individuals. ....	90	156	156
1299	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. ....	90	-	97
1300	Judiciary and Rules	H Gen Ord	PRETRIAL RELEASE - Adds to existing law to authorize a court to determine whether a pretrial supervision program is appropriate and to provide for a pretrial supervision fee. ....	90	162	162
1301	State Affairs	S St Aff	INSPECTOR GENERAL - Adds to existing law to establish the Office of the Inspector General. ....	95	-	97
1302	State Affairs	LAW	INSURANCE - Adds to existing law to define a term, to prohibit discrimination against living organ donors, and to provide for enforcement. .... <b>Session Law Chapter No. 167</b>	95	146	260
1303	Education	S Educ	STATE BOARD OF EDUCATION - Amends existing law to provide that the State Board of Education may appoint executive staff. ....	95	-	97
1304	Education	S Educ	PUBLIC SCHOOL TRANSPORTATION - Amends existing law to increase the state's share of the public school transportation program, to remove language regarding state Department of Education training and fee assessments and depreciation and maintenance, to provide for a phase out and to provide for distribution of savings. ....	95	-	97
1305	Resources and Environment	LAW	STOCKWATER - Amends existing law to provide that for rights to the use of water for in-stream or out-of-stream livestock purposes associated with grazing on federally owned or managed land established under the diversion and application to beneficial use method of appropriation, the water right shall be an appurtenance to the base property. .... <b>Session Law Chapter No. 146</b>	95	123	260



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1306	Resources and Environment	LAW	LOCAL LAND USE PLANNING - Amends existing law to provide for notice to irrigation districts, ground water districts, Carey Act operating companies, nonprofit irrigation entities, lateral ditch associations and drainage districts that have requested to receive notice whenever a county or city considers a proposed subdivision or any other site-specific land development application. .... <b>Amended in the House (See House Journal) .....</b> <b>Session Law Chapter No. 246</b>	95	140 230	285
1307	Judiciary and Rules	S Jud	LABOR - Adds to existing law to provide certain requirements for employers regarding job applicants with a criminal conviction. ....	95	-	97
1308	Judiciary and Rules	S Jud	PROTECTION OF PUBLIC EMPLOYEES - Amends existing law to revise a provision regarding employees who bring a civil action. ....	96	-	97
1309	Judiciary and Rules	LAW	FIRE DISTRICTS - Amends and repeals existing law to clarify that certain notice shall be required for temporary vacancy of a commissioner; to revise provisions regarding filling a vacancy; to provide a procedure if available seats on a fire protection board become vacant; and to authorize the Bureau of Emergency Medical Services to make grants to fire districts. .... <b>Amended in the Senate .....</b> <b>Amended in the Senate .....</b> <b>Session Law Chapter No. 168</b>	96 153 175	- 168 181	260
1310	Health and Welfare	LAW	EMERGENCY MEDICAL SERVICES - Amends existing law to revise provisions regarding minimum standards for EMS agencies. .... <b>Session Law Chapter No. 101</b>	96	124	227
1311	Health and Welfare	H Health/Wel	DIRECT PRIMARY CARE PILOT PROGRAM - Adds to existing law to establish the program and to provide a sunset date. ....	96	124	124
1312	Health and Welfare	S Health/Wel	INDIVIDUALS WITH DISABILITIES - Amends existing law to revise provisions regarding crimes against individuals with disabilities and rights of individuals with disabilities. ....	96	-	97
1313	State Affairs	LAW	SELF-DEFENSE - Amends and adds to existing law to revise provisions regarding defense of self, others, a habitation, place of business or employment, or an occupied vehicle. .... <b>Session Law Chapter No. 222</b>	106	162	276
1314	Judiciary and Rules	LAW	CRIMINAL HISTORY RECORDS - Amends existing law to provide for the expungement of fingerprint and criminal history records in certain instances and to provide that a court file may be sealed in certain instances. .... <b>Amended in the Senate .....</b> <b>Session Law Chapter No. 286</b>	106 175	- 186	287
1315	Finance	LAW	APPROPRIATIONS - LAVA HOT SPRINGS FOUNDATION - Appropriates an additional \$25,000 to the Lava Hot Springs Foundation for fiscal year 2018. .... <b>Session Law Chapter No. 64</b>	111	132	217

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1316	Judiciary and Rules	LAW	ATTORNEY'S FEES - Amends existing law to provide that a prevailing party in an administrative proceeding between a licensing authority and a licensee shall be entitled to reasonable attorney's fees and costs. .... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 348</b>	114 194	- 207	289
1317	Finance	LAW	APPROPRIATIONS - MILITARY DIVISION - Appropriates an additional \$52,000 to the Military Division for FY 2018..... <b>Session Law Chapter No. 90</b>	119	154	221
1318	State Affairs	LAW	CODIFIER'S CORRECTIONS - Amends existing law to make codifier's corrections, to provide correct code references and to remove obsolete language. .... <b>Session Law Chapter No. 169</b>	119	172	260
1319	State Affairs	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 expressly authorized by the agreement creating the debt. ....	119	-	121
1320	Judiciary and Rules	S Jud	INDIAN TRIBES - Adds to existing law to provide for retrocession of civil or criminal jurisdiction for Indian tribes, to provide a process for retrocession and to provide limits for retrocession. ....	122	-	129
1321	Judiciary and Rules	LAW	DENTISTS - Amends existing law to revise provisions regarding licensure by credentials. .... <b>Session Law Chapter No. 170</b>	123	168	260
1322	Finance	LAW	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Appropriates additional moneys to the Idaho Transportation Department for fiscal year 2018. .... <b>Session Law Chapter No. 102</b>	131	162	227
1323	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF CORRECTION - Appropriates additional moneys to the Department of Correction for fiscal year 2018; and reduces the appropriation to the Department of Correction for fiscal year 2018. .... <b>Session Law Chapter No. 103</b>	131	162	227
1324	State Affairs	LAW	BARBERS AND COSMETOLOGY - Repeals and adds to existing law to create the Barber and Cosmetology Services Act..... <b>Session Law Chapter No. 228</b>	137	172	281
1325	State Affairs	S St Aff	UNCLAIMED PROPERTY - Repeals, amends and adds to existing law regarding the Idaho Unclaimed Property Act. ....	137	-	143
1326	Finance	LAW	APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER - Appropriates \$2,948,100 to the State Appellate Public Defender for fiscal year 2019; limits the number of authorized full-time equivalent positions to 24.00; provides legislative intent for the payment of outside counsel costs; and provides legislative intent for the payment of capital representation costs. .... <b>Session Law Chapter No. 104</b>	145	162	227

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1327	Finance	LAW	APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Appropriates \$34,239,400 to the Division of Veterans Services for fiscal year 2019; limits the number of authorized full-time equivalent positions to 346.00; and provides reappropriation authority for the second veterans cemetery for fiscal year 2019. .... <b>Session Law Chapter No. 105</b>	145	162	227
1328	Finance	LAW	APPROPRIATIONS - OFFICE OF ENERGY AND MINERAL RESOURCES - Appropriates \$1,308,700 to the Office of Energy and Mineral Resources for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 8.00. .... <b>Session Law Chapter No. 106</b>	145	163	227
1329	Finance	LAW	APPROPRIATIONS - LAVA HOT SPRINGS FOUNDATION - Appropriates \$2,312,300 to the Lava Hot Springs Foundation for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 15.80..... <b>Session Law Chapter No. 107</b>	145	163	227
1330	Finance	LAW	APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION - Appropriates \$3,324,400 to the Soil and Water Conservation Commission for fiscal year 2019; limits the number of authorized full-time equivalent positions to 21.75; and provides legislative intent regarding trustee and benefit payments distribution. .... <b>Session Law Chapter No. 108</b>	146	163	227
1331	State Affairs	LAW	CONCEALED WEAPONS - Amends existing law to provide that senior or emeritus members of the Idaho State Bar may provide certain instruction. .... <b>Session Law Chapter No. 171</b>	150	173	260
1332	State Affairs	S St Aff	ALCOHOL - Amends, repeals and adds to existing law to revise provisions regarding the retail sale of liquor by the drink; to revise provisions governing the sale of beer; to revise provisions governing the County Option Kitchen and Table Wine Act; and to provide for clerk and server training. ....	150	-	154
1333	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF INSURANCE - Appropriates \$10,209,400 to the Department of Insurance for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 76.50..... <b>Session Law Chapter No. 150</b>	155	172	260
1334	Finance	LAW	APPROPRIATIONS - COMMISSION FOR LIBRARIES - Appropriates \$5,900,700 to the Idaho Commission for Libraries for fiscal year 2019; limits the number of authorized full-time equivalent positions to 37.50; and provides legislative intent for the payment of talking book service costs. .... <b>Session Law Chapter No. 149</b>	155	172	260
1335	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF FINANCE - Appropriates \$8,648,100 to the Department of Finance for fiscal year 2019; limits the number of authorized full-time equivalent positions to 67.00; and provides legislative intent regarding certain continuous appropriations. .... <b>Session Law Chapter No. 148</b>	155	172	260

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1336	State Affairs	S Health/Wel	PHARMACIES - Adds to existing law to provide for applicability, to provide for required practices for pharmacy benefit managers, to provide for enforcement, and to provide maximum allowable cost transparency requirements for pharmacy benefit managers. ....	166	-	170
1337	State Affairs	S St Aff	CAMPAIGN FINANCE - Amends existing law to revise campaign finance reporting requirements for candidates, lobbyists and public officials, and to revise duties of the Secretary of State and county clerks with respect to campaign finance reporting. ....	166	-	170
1338	Finance	LAW	APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Appropriates \$10,139,600 to the Public Health Districts for fiscal year 2019. .... <b>Session Law Chapter No. 172</b>	167	189	260
1339	Finance	LAW	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Appropriates \$697,800 to the State Independent Living Council for fiscal year 2019; and limits the number of full-time equivalent positions to 4.00. .... <b>Session Law Chapter No. 173</b>	167	190	260
1340	Finance	LAW	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Appropriates \$6,682,600 to the Public Utilities Commission for fiscal year 2019; limits the number of authorized full-time equivalent positions to 52.00; and increases the salaries of the Public Utilities Commissioners. .... <b>Session Law Chapter No. 174</b>	167	190	260
1341	Judiciary and Rules	LAW	CHILD PROTECTIVE ACT - Amends and adds to existing law to provide more review and oversight for the foster care system in Idaho and to establish Citizen Review Panels and a Child Protection Legislative Review Panel. .... <b>Session Law Chapter No. 287</b>	167	192	287
1342	Finance	LAW	APPROPRIATIONS - ATTORNEY GENERAL - Appropriates \$25,312,600 to the Attorney General for fiscal year 2019; limits the number of authorized full-time equivalent positions to 210.60; and exempts the Attorney General from object and program transfer limitations. .... <b>Session Law Chapter No. 175</b>	171	191	260
1343	State Affairs	H Bus	BARBER AND COSMETOLOGY SERVICES ACT - Amends S.B. 1324 to revise the definitions of "cosmetology" and "esthetics".....	180	203	203
1344	Finance	LAW	APPROPRIATIONS - COLLEGE AND UNIVERSITIES - Appropriates \$576,786,400 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 2019; provides certain reappropriation authority; exempts the appropriation from object and program transfer limitations; and provides legislative intent for systemwide needs. .... <b>Session Law Chapter No. 247</b>	187	203	285

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1345	Judiciary and Rules	S Jud	JUDICIAL REVIEW - Amends existing law to revise provisions regarding judicial review of decisions of boards of county commissioners; and to specify procedural provisions regarding judicial review of certain local government decisions. ....	187	-	188
1346	Finance	LAW	APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Appropriates \$5,804,800 to the Public Defense Commission for fiscal year 2019; limits the number of authorized full-time equivalent positions to 6.00; provides legislative intent regarding the allocation of trustee and benefit payments in fiscal years 2018 and 2019; and provides legislative intent regarding encumbrances in fiscal years 2018 and 2019. .... <b>Session Law Chapter No. 248</b>	193	219	285
1347	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - ADMINISTRATORS DIVISION - Appropriates \$93,724,700 to the Public Schools Educational Support Program/Division of Administrators for fiscal year 2019; and amends existing law to increase the salary-based apportionment for administrators. .... <b>Session Law Chapter No. 229</b>	201	224	281
1348	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION - Appropriates \$970,079,600 to the Public Schools Educational Support Program/Division of Teachers for fiscal year 2019; directs the use of moneys for professional development; defines the term "distributed"; and provides legislative intent regarding the College and Career Advisors and Student Mentors Program. .... <b>Session Law Chapter No. 230</b>	202	225	281
1349	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - OPERATIONS DIVISION - Appropriates \$687,765,800 for the Public Schools Educational Support Program/Division of Operations for fiscal year 2019; 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"; allows for transfers among other divisions; and makes a General Fund transfer.... <b>Session Law Chapter No. 283</b>	202	225	287
1350	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CHILDREN'S PROGRAMS DIVISION - Appropriates \$310,044,600 to the Public Schools Educational Support Program/Division of Children's Programs for fiscal year 2019; and provides legislative intent. .... <b>Session Law Chapter No. 231</b>	202	225	281
1351	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - FACILITIES DIVISION - Appropriates \$53,545,700 to the Public Schools Educational Support Program/Division of Facilities for fiscal year 2019; provides moneys for the Bond Levy Equalization Fund; specifies the amount of revenue to be distributed to the General Fund; and makes a transfer to the Public School Income Fund. .... <b>Session Law Chapter No. 232</b>	202	225	281

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1352	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CENTRAL SERVICES DIVISION - Appropriates \$14,475,300 for the Public Schools Educational Support Program/Division of Central Services for fiscal year 2019; and provides legislative intent. .... <b>Session Law Chapter No. 233</b>	202	225	281
1353	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND - Appropriates \$10,979,400 to the Public Schools Educational Support Program/Division of Educational Services for the Deaf and the Blind for fiscal year 2019. .... <b>Session Law Chapter No. 234</b>	203	225	281
1354	Finance	H FAILED	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Appropriates \$39,273,000 to the Superintendent of Public Instruction for fiscal year 2019; limits the number of authorized full-time equivalent positions to 142.00; and provides direction on distributions. ....	203	225	236
1355	Finance	LAW	APPROPRIATIONS - COMMISSION OF PARDONS AND PAROLE - Appropriates \$3,388,100 to the Commission of Pardons and Parole for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 37.00. .... <b>Session Law Chapter No. 288</b>	203	226	287
1356	Finance	LAW	APPROPRIATIONS - COMMISSION ON THE ARTS - Appropriates \$2,021,200 to the Commission on the Arts for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 10.00. .... <b>Session Law Chapter No. 289</b>	207	226	287
1357	Finance	LAW	APPROPRIATIONS - CAREER TECHNICAL EDUCATION - Appropriates \$75,963,200 to the Division of Career Technical Education for fiscal year 2019; exempts the appropriation from object transfer limitations; provides legislative intent regarding repurposing of an appropriation; reappropriates certain unexpended and unencumbered fund balances; and transfers a cash balance. .... <b>Session Law Chapter No. 290</b>	207	226	287
1358	Finance	LAW	APPROPRIATIONS - CAPITOL COMMISSION - Appropriates \$2,342,000 to the Department of Administration for the Idaho State Capitol Commission for fiscal year 2019; and provides for a cash transfer. .... <b>Session Law Chapter No. 291</b>	211	228	287
1359	Finance	LAW	APPROPRIATIONS - COMMUNITY COLLEGES - Appropriates \$46,926,600 to the State Board of Education for Community Colleges for fiscal year 2019; and exempts the appropriation from object and program transfer limitations. .... <b>Session Law Chapter No. 292</b>	211	229	287

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1360	Finance	LAW	<p>APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Appropriates \$66,620,100 to the Department of Environmental Quality for fiscal year 2019; limits the number of authorized full-time equivalent positions to 386.00; transfers \$1.5 million from the Water Pollution Control Fund to the Environmental Remediation Basin Fund; provides legislative intent regarding the Environmental Remediation Basin Fund and requires an annual report; provides legislative intent regarding uses of the Water Pollution Control Fund; provides legislative intent regarding certain moneys appropriated for agricultural best management practices; and provides reappropriation authority for moneys associated with agricultural best management practices. ....</p> <p><b>Session Law Chapter No. 293</b></p>	218	228	287
1361	Finance	LAW	<p>APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Appropriates \$175,037,800 for the Welfare Division in the Department of Health and Welfare for fiscal year 2019; limits the number of authorized full-time equivalent positions to 619.50 for fiscal year 2019; 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; and reduces the number of authorized full-time equivalent positions by 9.00 for fiscal year 2018. ....</p> <p><b>Session Law Chapter No. 294</b></p>	218	229	287
1362	Finance	LAW	<p>APPROPRIATIONS - HEALTH AND WELFARE - CHILD WELFARE/DEVELOPMENTALLY DISABLED SERVICES/SERVICE INTEGRATION - Appropriates \$115,770,100 to the Department of Health and Welfare for the divisions of Child Welfare, Services for the Developmentally Disabled, and Service Integration for fiscal year 2019; limits the number of authorized full-time equivalent positions for the three divisions to 744.51 for fiscal year 2019; provides legislative intent for fiscal year 2019; appropriates an additional \$1,781,400 to the Department of Health and Welfare for the Child Welfare Program for fiscal year 2018; provides an additional 9.00 full-time equivalent positions for fiscal year 2018; requires a plan on foster care improvements; and allocates funding to the Public Health Districts for the Home Visitation Program. ....</p> <p><b>Session Law Chapter No. 342</b></p>	221	245	289
1363	Finance	LAW	<p>APPROPRIATIONS - SUPREME COURT - Appropriates an additional \$756,500 to the Supreme Court for fiscal year 2019; and exempts the Supreme Court's appropriation from object and program transfer limitations. ....</p> <p><b>Session Law Chapter No. 325</b></p>	239	258	289
1364	Finance	LAW	<p>APPROPRIATIONS - PERSI - Appropriates \$8,111,700 to the Public Employee Retirement System of Idaho for fiscal year 2019; limits the number of authorized full-time equivalent positions to 68.00; and provides continuous appropriation authority. ....</p> <p><b>Session Law Chapter No. 343</b></p>	239	258	289

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1365	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF LABOR - Appropriates \$88,276,300 to the Department of Labor for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 681.58. .... <b>Session Law Chapter No. 326</b>	239	258	289
1366	Finance	LAW	APPROPRIATIONS - HEALTH EDUCATION PROGRAMS - Appropriates \$19,035,500 to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs for fiscal year 2019; limits the number of authorized full-time equivalent positions to 30.15; exempts the appropriation from object transfer limitations; and reappropriates unexpended and unencumbered dedicated fund balances. .... <b>Session Law Chapter No. 344</b>	239	259	289
1367	Finance	LAW	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Appropriates \$700,814,600 for fiscal year 2019; limits the number of authorized full-time equivalent positions to 1,648.00; and provides legislative intent. .... <b>Session Law Chapter No. 345</b>	239	261	289
1368	Finance	LAW	APPROPRIATIONS - VOCATIONAL REHABILITATION - Appropriates \$28,306,100 to the Division of Vocational Rehabilitation for fiscal year 2019; limits the number of authorized full-time equivalent positions to 154.00; prohibits certain transfers; requires a report; and reappropriates certain unexpended and unencumbered balances. .... <b>Session Law Chapter No. 346</b>	239	261	289
1369	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - INDEPENDENT COUNCILS/INDIRECT SUPPORT SERVICES/HEALTHCARE POLICY INITIATIVES/LICENSING AND CERTIFICATION - Appropriates \$83,069,100 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 2019; limits the number of authorized full-time equivalent positions to 389.10; and provides legislative intent. .... <b>Session Law Chapter No. 353</b>	239	261	289
1370	Finance	LAW	APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Appropriates an additional \$10,000 to the Public Defense Commission for fiscal year 2019. .... <b>Session Law Chapter No. 327</b>	240	262	289
1371	Finance	LAW	APPROPRIATIONS - CONSTITUTIONAL OFFICERS - Appropriates additional moneys to the Governor, Lieutenant Governor, Secretary of State, State Controller, State Treasurer, Superintendent of Public Instruction, and Attorney General for fiscal year 2019. .... <b>Session Law Chapter No. 328</b>	240	262	289
1372	Finance	LAW	APPROPRIATIONS - STATE LIQUOR DIVISION - Appropriates \$21,410,900 to the State Liquor Division for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 229.00. .... <b>Session Law Chapter No. 329</b>	240	262	289



SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1373	Finance	LAW	<p>APPROPRIATIONS - STATE CONTROLLER - Appropriates \$18,811,500 to the State Controller for fiscal year 2019; limits the number of authorized full-time equivalent positions to 95.00; provides for the recovery of State Controller service costs to the Indirect Cost Recovery Fund; and provides certain dedicated fund reappropriation authority. ....</p> <p><b>Session Law Chapter No. 330</b></p>	240	263	289
1374	Finance	LAW	<p>APPROPRIATIONS - HEALTH AND WELFARE - PHYSICAL HEALTH SERVICES - Appropriates an additional \$640,000 to the Department of Health and Welfare for the Physical Health Services Program for fiscal year 2019; provides for a transfer from the Cooperative Welfare (General) Fund to the Rural Physician Incentive Fund for fiscal year 2019; and provides for a report on the use of certain funds. ....</p> <p><b>Session Law Chapter No. 331</b></p>	240	263	289
1375	Finance	LAW	<p>APPROPRIATIONS - LEGISLATIVE BRANCH - Appropriates an additional \$150,000 to the Legislative Branch for fiscal year 2019; and provides reappropriation from fiscal year 2018 into fiscal year 2019. ....</p> <p><b>Session Law Chapter No. 347</b></p>	240	263	290
1376	Finance	LAW	<p>APPROPRIATIONS - HEALTH AND WELFARE - BASIC MEDICAID PLAN - Appropriates an additional \$3,800,000 to the Department of Health and Welfare for the Basic Medicaid Plan Program for fiscal year 2019. ....</p> <p><b>Session Law Chapter No. 332</b></p>	240	264	289
1377	Finance	LAW	<p>APPROPRIATIONS - IDAHO STATE POLICE - Appropriates an additional \$394,000 to the Idaho State Police for fiscal year 2019. ....</p> <p><b>Session Law Chapter No. 333</b></p>	240	264	289
1378	Finance	LAW	<p>APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Appropriates an additional \$290,000 to the Department of Environmental Quality for fiscal year 2019. ....</p> <p><b>Session Law Chapter No. 334</b></p>	240	264	289
1379	Finance	LAW	<p>APPROPRIATIONS - OFFICE OF INFORMATION TECHNOLOGY SERVICES - Appropriates \$5,870,200 to the Office of Information Technology Services for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 30.00. ....</p> <p><b>Session Law Chapter No. 335</b></p>	240	264	289
1380	Finance	LAW	<p>APPROPRIATIONS - STATE TAX COMMISSION - Appropriates \$43,750,200 to the Idaho State Tax Commission for fiscal year 2019; limits the number of authorized full-time equivalent positions to 459.00; amends existing law to increase the salaries of the State Tax Commissioners; and provides reappropriation authority for moving expenses. ....</p> <p><b>Session Law Chapter No. 336</b></p>	241	265	289

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Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1381	Finance	LAW	APPROPRIATIONS - WORKFORCE DEVELOPMENT COUNCIL - Appropriates \$8,553,100 to the Workforce Development Council for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 5.00..... <b>Session Law Chapter No. 337</b>	241	265	289
1382	State Affairs	S St Aff	INITIATIVE AND REFERENDUM ELECTIONS - Repeals, adds to and amends existing law to establish provisions regarding unlawful tactics for obtaining signatures to an initiative or referendum petition. ....	243	-	246

SECTION VI

SENATE JOINT RESOLUTIONS

Senate Joint Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
104	Judiciary and Rules	S St Aff	BAIL - Proposing an amendment to Section 6, Article I of the Constitution of the State of Idaho regarding the right to bail, and to allow a court to deny bail for dangerous crimes in certain instances. ....	89	-	97

## SECTION VII

## SENATE JOINT MEMORIALS

<b>Senate Joint Memor- ial</b>	<b>Introduced by</b>	<b>Final Action</b>	<b>Subject Matter</b>	<b>Intro- duction Page</b>	<b>Senate Vote Page</b>	<b>Final Disp. Page</b>
103	Resources and Environment	H Res/Con	NATIONAL MONUMENTS AND WILDERNESS DESIGNATIONS - Stating findings of the Legislature and stating opposition to any new federal national monument designations, or further designations of wilderness, in the State of Idaho without the approval of the United States Congress and the Idaho Legislature. ....	80	97	97
104	Transportation	ADOPTED	AGRICULTURAL TRANSPORTERS - Requesting Congress and USDOT and the Federal Motor Carrier Safety Administration to grant exemption to agricultural commodity transporters from electronic log book requirements. ....	93	166	266

SECTION VIII

SENATE PROCLAMATIONS

Senate Proclamation	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	ADOPTED	SENATOR BART M. DAVIS - A proclamation honoring and commending Bart M. Davis for his years of service to the Legislature of the State of Idaho and for his leadership, sound judgment and integrity. ....	66	74	100

## SECTION IX

## SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
125	Judiciary and Rules	ADOPTED	JOINT RULE 4 - Amends Joint Rule 4 to confirm existing practice of enrolling and engrossing bills. ....	26	34	73
126	Education	ADOPTED	CONCURRENT RESOLUTION - Stating findings of the Legislature and recognizing and honoring Lewis-Clark State College for its historical roots, educational accomplishments past and present and lifelong learning opportunities for the students of today and tomorrow. ....	26	34	53
127	State Affairs	ADOPTED	IDAHO COMMUNITY FOUNDATION - Stating findings of the Legislature and honoring the Idaho Community Foundation for its outstanding charitable and philanthropic endeavors and services to the people of Idaho. ....	53	60	195
128	State Affairs	ADOPTED	CENTENNIAL OF THE PASSAGE OF THE 19TH AMENDMENT - Stating findings of the Legislature and encouraging Idahoans to use March 1, 2018, through March 2, 2020, as a period of preparation for the centennial of the passage of the 19th Amendment and to plan commemoration activities that will honor and recognize women leaders of the past and present, foster women leaders of the future, advance women's leadership in business and politics, and encourage women to vote. ....	66	97	216
129	Health and Welfare	ADOPTED	FAMILIES - Stating findings of the Legislature and encouraging the adoption of policies that build the capacity of the family to be self-sufficient rather than increase government programs. ....	72	85	195
130	Transportation	ADOPTED	COMMERCIAL VEHICLES - Stating findings of the Legislature and requesting that the Idaho Transportation Department initiate negotiated rulemaking for the purpose of consolidating annual permits issued to certain commercial vehicles. ....	84	97	188
131	Health and Welfare	ADOPTED	CMV AWARENESS MONTH - Stating findings of the Legislature and recognizing June as Cytomegalovirus Awareness Month in Idaho. ....	84	98	206
132	Resources and Environment	ADOPTED	WILD AND SCENIC RIVERS - Stating findings of the Legislature and recognizing the 50th Anniversary of the Wild and Scenic Rivers Act, and celebrating the contributions that Idahoans have made to protect and appreciate rivers and streams in Idaho, and across the nation. ....	91	114	216
133	Resources and Environment	H Res/Con	FISH AND GAME RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Department of Fish and Game relating to Rules Governing Licensing. ....	92	114	114

SENATE INDEX

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
134	Transportation	ADOPTED	TRANSPORTATION - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the imposition of registration and operating fees for commercial vehicles and farm vehicles weighing over 60,000 pounds. ....	93	114	266
135	Health and Welfare	ADOPTED	EMERGENCY MEDICAL SERVICES - Stating findings of the Legislature and encouraging the Department of Health and Welfare to conduct town hall meetings throughout the state to collect feedback on how to retain and recruit volunteer EMS providers. ....	93	118	206
136	State Affairs	ADOPTED	SOCIAL WORK MONTH - Proclaiming March 2018 as National Social Work Month and calling upon citizens in celebration and support of the social work profession. ...	103	118	216
137	Judiciary and Rules	ADOPTED	IDAHO STATE POLICE - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Idaho State Police relating to Rules of the Idaho Peace Officer Standards and Training Council. ....	121	137	246
138	State Affairs	ADOPTED	MOUNTAIN STANDARD TIME ZONE - Urging that the people of the State of Idaho and its state and county officials carefully monitor the State of Washington's actions regarding its time zone and be prepared to consider requesting that the United States Department of Transportation include Idaho's northern ten counties consisting of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone within the Mountain Standard Time Zone and exempt those counties from Daylight Savings Time. ....	135	150	216
139	Judiciary and Rules	ADOPTED	IDAHO STATE POLICE - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Idaho State Police relating to Rules of the Idaho Peace Officer Standards and Training Council. ....	143	161	246
140	State Affairs	ADOPTED	STATE HOSPITAL SOUTH - Stating findings of the Legislature and authorizing the Department of Health and Welfare to enter into an agreement with the Idaho State Building Authority to finance a new skilled nursing facility on the Idaho State Hospital South campus. ....	148	171	233
141	State Affairs	H Bus	DIVISION OF BUILDING SAFETY - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Division of Building Safety relating to Safety and Health Rules for Places of Public Employment. ....	164	180	180
142	State Affairs	H Bus	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 Governing Safety Inspections. ....	164	180	180
143	State Affairs	ADOPTED	CAMPAIGN FINANCE - Stating findings of the Legislature and authorizing a legislative study committee on campaign finance issues. ....	164	180	238

## SENATE INDEX

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
144	State Affairs	S St Aff	STATE PROCUREMENT - State findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of issues relating to information technology procurement by the State of Idaho. ....	179	-	195
145	State Affairs	S Com/HuRes	PHARMACY BENEFIT MANAGERS - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of pharmacy benefit manager transparency. ....	200	-	218
146	State Affairs	ADOPTED	OCCUPATIONAL LICENSING - Stating findings of the Legislature and the Legislative Council to appoint a committee to undertake and complete a study of occupational licensing and certification laws and rules in Idaho. ....	205	218	285
147	State Affairs	H Educ	DIVISION OF CAREER-TECHNICAL EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Division of Career-Technical Education relating to Rules of Career Technical Schools. ....	216	224	224
148	Judiciary and Rules	ADOPTED	SESSION LAWS - Stating findings of the Legislature and endorsing the limitation of printing a total of 150 copies, given the accessibility associated with online access to the Idaho Session Laws. ....	223	234	285
149	State Affairs	ADOPTED	ADMINISTRATIVE RULES - Stating findings of the Legislature and approving administrative rules that impose a fee or charge. ....	241	267	285
150	State Affairs	ADOPTED	ADMINISTRATIVE TEMPORARY RULES - Stating findings of the Legislature and approving and extending temporary rules reviewed by the Legislature. ....	241	267	285



## SECTION X

## ENROLLED 2018 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)
1207aa	153	Agricultural Affairs	03/20/2018	07/01/2018
1209	21	Commerce and Human Resources	03/01/2018	07/01/2018
1210	17	Education	02/22/2018	07/01/2018
1212	95	Education	03/15/2018	07/01/2018
1213	65	State Affairs	03/13/2018	07/01/2018
1214	66	State Affairs	03/13/2018	07/01/2018
1215	19	Local Government and Taxation	02/26/2018	02/26/2018
1216	18	Local Government and Taxation	02/26/2018	07/01/2018
1217	4	Resources and Environment	02/12/2018	07/01/2018
1218	22	Agricultural Affairs	03/01/2018	03/01/2018
1219	61	Commerce and Human Resources	03/13/2018	07/01/2018
1221	96	Education	03/15/2018	07/01/2018
1222	16	Education	02/22/2018	07/01/2018 SECTION 2 (Sunset Clause 07/01/2019); 07/01/2019 SECTION 3
1225	284	Judiciary and Rules	03/26/2018	07/01/2018
1226	71	Commerce and Human Resources	03/13/2018	07/01/2018
1228	154	State Affairs	03/20/2018	07/01/2018
1229	155	State Affairs	03/20/2018	07/01/2018
1230	70	Local Government and Taxation	03/13/2018	07/01/2018
1231	69	Local Government and Taxation	03/13/2018	07/01/2018
1232	243	Judiciary and Rules	03/23/2018	07/01/2018
1233	23	Education	03/01/2018	07/01/2018
1234	68	Commerce and Human Resources	03/13/2018	07/01/2018
1235	156	Health and Welfare	03/20/2018	07/01/2018
1236	13	Finance	02/20/2018	02/20/2018
1237	12	Finance	02/20/2018	02/20/2018
1240	157	Judiciary and Rules	03/20/2018	07/01/2018
1242	158	Judiciary and Rules	03/20/2018	07/01/2018
1243	159	State Affairs	03/20/2018	07/01/2018
1245aa,aa	285	Judiciary and Rules	03/26/2018	03/26/2018
1246aaH	321	Judiciary and Rules	03/27/2018	03/27/2018
1249	97	Health and Welfare	03/15/2018	07/01/2018
1250	98	Health and Welfare	03/15/2018	07/01/2018

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1251	14	Finance	02/20/2018	02/20/2018
1252	67	Commerce and Human Resources	03/13/2018	07/01/2018
1253	160	Local Government and Taxation	03/20/2018	07/01/2018
1254	227	Health and Welfare	03/22/2018	07/01/2018
1256	15	Finance	02/21/2018	02/21/2018
1257	161	Judiciary and Rules	03/20/2018	07/01/2018
1258	162	Judiciary and Rules	03/20/2018	07/01/2018
1260	63	Resources and Environment	03/13/2018	03/13/2018
1261	62	Resources and Environment	03/13/2018	07/01/2018
1263	91	Education	03/14/2018	07/01/2018
1265	163	Commerce and Human Resources	03/20/2018	07/01/2018
1266	110	Education	law w/o signature	07/01/2018
1267aa	60	Education	03/13/2018	03/13/2018
1268	92	Resources and Environment	03/14/2018	07/01/2018
1269	322	Judiciary and Rules	03/27/2018	07/01/2018
1270aa	323	Judiciary and Rules	03/27/2018	07/01/2018
1271	145	Health and Welfare	03/19/2018	07/01/2018
1274aa	143	State Affairs	03/19/2018	07/01/2018
1275	147	Resources and Environment	03/19/2018	07/01/2018
1277	244	Judiciary and Rules	03/23/2018	07/01/2018
1278	99	Education	03/15/2018	07/01/2018
1279	245	Education	03/23/2018	07/01/2018
1280	164	Education	03/20/2018	07/01/2018
1282	93	Transportation	03/14/2018	07/01/2018
1284aaH	324	Transportation	03/27/2018	03/27/2018
1285	165	Commerce and Human Resources	03/20/2018	07/01/2018
1287aa	349	Commerce and Human Resources	law w/o signature	07/01/2018
1288	166	Commerce and Human Resources	03/20/2018	07/01/2018
1292aa	100	Education	03/15/2018	07/01/2018
1294	94	Education	03/14/2018	07/01/2018
1295aaH	341	Education	03/28/2018	07/01/2018
1296	144	Health and Welfare	03/19/2018	07/01/2018
1302	167	State Affairs	03/20/2018	07/01/2018
1305	146	Resources and Environment	03/19/2018	07/01/2018
1306aaH	246	Resources and Environment	03/23/2018	07/01/2018
1309aa	168	Judiciary and Rules	03/20/2018	07/01/2018
1310	101	Health and Welfare	03/15/2018	07/01/2018

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1313	222	State Affairs	law w/o signature	07/01/2018
1314aa	286	Judiciary and Rules	03/26/2018	07/01/2018
1315	64	Finance	03/13/2018	03/13/2018
1316aa	348	Judiciary and Rules	law w/o signature	07/01/2018
1317	90	Finance	03/14/2018	03/14/2018
1318	169	State Affairs	03/20/2018	07/01/2020 SECTION 5; 07/01/2018 all other SECTIONS
1321	170	Judiciary and Rules	03/20/2018	07/01/2018
1322	102	Finance	03/15/2018	03/15/2018
1323	103	Finance	03/15/2018	03/15/2018
1324	228	State Affairs	03/22/2018	07/01/2018
1326	104	Finance	03/15/2018	07/01/2018
1327	105	Finance	03/15/2018	07/01/2018
1328	106	Finance	03/15/2018	07/01/2018
1329	107	Finance	03/15/2018	07/01/2018
1330	108	Finance	03/15/2018	07/01/2018
1331	171	State Affairs	03/20/2018	07/01/2018
1333	150	Finance	03/19/2018	07/01/2018
1334	149	Finance	03/19/2018	07/01/2018
1335	148	Finance	03/19/2018	07/01/2018
1338	172	Finance	03/20/2018	07/01/2018
1339	173	Finance	03/20/2018	07/01/2018
1340	174	Finance	03/20/2018	07/01/2018
1341	287	Judiciary and Rules	03/26/2018	07/01/2018
1342	175	Finance	03/20/2018	07/01/2018
1344	247	Finance	03/23/2018	07/01/2018
1346	248	Finance	law w/o signature	03/26/2018 SECTION 5 & 6; 07/01/2018 all other SECTIONS
1347	229	Finance	03/22/2018	07/01/2018
1348	230	Finance	03/22/2018	07/01/2018
1349	283	Finance	law w/o signature	07/01/2018
1350	231	Finance	03/22/2018	07/01/2018
1351	232	Finance	03/22/2018	07/01/2018
1352	233	Finance	03/22/2018	07/01/2018
1353	234	Finance	03/22/2018	07/01/2018
1355	288	Finance	03/26/2018	07/01/2018
1356	289	Finance	03/26/2018	07/01/2018

## SENATE INDEX

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1357	290	Finance	03/26/2018	03/26/2018 SECTION 3; 07/01/2018 all other SECTIONS
1358	291	Finance	03/26/2018	07/01/2018
1359	292	Finance	03/26/2018	07/01/2018
1360	293	Finance	03/26/2018	07/01/2018
1361	294	Finance	03/26/2018	03/26/2018 SECTION 7; 07/01/2018 all other SECTIONS
1362	342	Finance	03/28/2018	03/28/2018 SECTIONS 8-11; 07/01/2018 all other SECTIONS
1363	325	Finance	03/27/2018	07/01/2018
1364	343	Finance	03/28/2018	07/01/2018
1365	326	Finance	03/27/2018	07/01/2018
1366	344	Finance	03/28/2018	07/01/2018
1367	345	Finance	03/28/2018	07/01/2018
1368	346	Finance	03/28/2018	07/01/2018
1369	353	Finance	03/28/2018	07/01/2018
1370	327	Finance	03/27/2018	07/01/2018
1371	328	Finance	03/27/2018	07/01/2018
1372	329	Finance	03/27/2018	07/01/2018
1373	330	Finance	03/27/2018	07/01/2018
1374	331	Finance	03/27/2018	07/01/2018
1375	347	Finance	law w/o signature	07/01/2018
1376	332	Finance	03/27/2018	07/01/2018
1377	333	Finance	03/27/2018	07/01/2018
1378	334	Finance	03/27/2018	07/01/2018
1379	335	Finance	03/27/2018	07/01/2018
1380	336	Finance	03/27/2018	07/01/2018
1381	337	Finance	03/27/2018	07/01/2018

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
335	Revenue and Taxation	LAW	EMPLOYMENT SECURITY LAW - Amends existing law to revise the calculation of the taxable wage rate by reducing the fund size multiplier and to provide for the issuance of adjusted taxable wage rates by the director under certain circumstances. ....	32	41	49
336	Health and Welfare	LAW	MEDICAID - Amends existing law to revise provisions regarding nursing facility adjustment payments. ....	90	156	166
337	Health and Welfare	LAW	HEALTH - Amends existing law to define terms and to revise provisions regarding the state Behavioral Health Planning Council and regional behavioral health boards. ....	75	133	149
339	Health and Welfare	LAW	PHARMACY - Adds to existing law to establish provisions regarding certain drug product substitutions. ....	65	134	149
340	Health and Welfare	LAW	CONTROLLED SUBSTANCES - Amends and repeals existing law to revise provisions regarding controlled substances. ....	65	134	149
343	Health and Welfare	LAW	DENTISTS - Amends existing law to revise a definition. ....	65	156	166
344	Health and Welfare	LAW	DENTISTS - Amends existing law to revise definitions and provisions regarding certain procedures performed by dental hygienists and to revise terminology. ....	65	157	166
345	Health and Welfare	LAW	DENTISTS - Amends existing law to revise a definition. ....	65	157	166
346	Health and Welfare	LAW	DENTISTS - Amends existing law to revise provisions regarding compensation for members of the Idaho State Board of Dentistry. ....	65	157	166
347	Health and Welfare	LAW	STATE GOVERNMENT - Amends existing law to revise provisions regarding the Office of Ombudsman for the Elderly. ....	75	156	166
348	Health and Welfare	LAW	BOARD OF ACUPUNCTURISTS - Amends existing law to increase the honorarium for members of the State Board of Acupuncture. ....	65	156	166
349	Health and Welfare	LAW	OCCUPATIONAL THERAPISTS - Amends existing law to remove obsolete language and clarify the type of licensure required in occupational therapy and for board appointments. ....	65	156	166
350	Health and Welfare	LAW	COUNSELORS AND THERAPISTS - Amends existing law to revise licensure requirements for marriage and family therapists and associate marriage and family therapists. ....	65	168	180
351	Health and Welfare	LAW	PHARMACY - Amends existing law to revise provisions regarding pharmacy licensing and registration. ....	65	141	155

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
352	Health and Welfare	LAW	OCCUPATIONAL LICENSING - Amends existing law to provide licensure exemptions for physicians, physician assistants, dietitians and athletic trainers under certain circumstances. ....	58	124	144
353	Health and Welfare	LAW	HEALTH CARE - Amends existing law to revise provisions regarding immunity for volunteer health care providers. ....	58	141	155
354	Health and Welfare	LAW	UNIFORM CONTROLLED SUBSTANCES - Amends existing law to provide that opioid antagonists dispensed for humans shall be filed with the board electronically. ....	58	91	104
355	Revenue and Taxation	LAW	INCOME TAXATION - Amends existing law to clarify what the term "Internal Revenue Code" means for state income tax purposes and to provide adjustments to taxable income for corporations. ....	50	70	81
357	Judiciary, Rules and Administration	LAW	COURTS - Amends existing law to revise provisions regarding when an answer must be filed for certain claims. ....	58	182	201
358	Judiciary, Rules and Administration	LAW	SUSPENSION OF JUDGMENT AND SENTENCE - Amends existing law to provide that the court may retain jurisdiction over certain prisoners for a certain period of time. ....	58	182	201
359	Judiciary, Rules and Administration	LAW	ACTION FOR POSSESSION - Amends existing law to revise a provision regarding what shall be stated in a verified complaint. ....	58	182	201
360	Judiciary, Rules and Administration	LAW	ASSAULT AND BATTERY - Amends existing law to revise a provision regarding counseling, to provide that the supreme court shall establish a certain rule and to provide that a person guilty of attempted strangulation shall undergo a certain evaluation, counseling and other treatment. ....	58	182	201
361	State Affairs	LAW	SECRETARY OF STATE - Amends existing law to remove and clarify certain filing fees for business organizations. ....	68	124	144
362	Transportation and Defense	LAW	GASOLINE TAXES - Amends existing law to allow greater flexibility in the timing of gasoline tax refund claims by those who are not required to file an income tax return. ....	111	177	193
363	Transportation and Defense	LAW	FUELS TAXES - Amends existing law to revise the definition of a "distributor" and to provide for the taxation of gaseous special fuels when delivered into a bulk fuel tank upon agreement between the seller and the customer. ....	111	177	193
364	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law to provide that certain permits may be in hard copy or digital format. ....	75	124	144
365	Education	LAW	ALCOHOL - Amends existing law to revise provisions regarding distribution of moneys in the liquor account. ....	90	173	193
366	Education	LAW	WORKER'S COMPENSATION - Amends existing law to revise provisions regarding public employment. ....	65	133	149
368	Education	LAW	HIGHER EDUCATION - Amends existing law to revise provisions regarding optional retirement programs for state institutions of higher education and community colleges. ....	158	205	224

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
369	Resources and Conservation	LAW	IDAHO ROADLESS RULE IMPLEMENTATION COMMISSION - Adds to existing law to provide for the Idaho Roadless Rule Implementation Commission. ....	61	125	144
370	Resources and Conservation	LAW	WATER DISTRICTS - Amends existing law to revise provisions regarding water district meetings and elections and to provide that absentee and proxy voting is prohibited unless authorized by specified law. ....	75	141	155
371	Resources and Conservation	LAW	CRITICAL GROUND WATER AREAS - Amends existing law to revise provisions regarding certain administration on a time priority basis. ....	75	141	155
372	Resources and Conservation	LAW	WATER RIGHTS - Amends existing law to provide a fee for applications to change only the legal description for the place of use or the point of diversion under specified conditions. ....	75	141	155
374	Resources and Conservation	LAW	MINING - Amends existing law to revise notification provisions regarding placer and dredge exploration and regarding exploration operations to locate minerals. ....	58	178	193
375	Revenue and Taxation	S Loc Gov	INCOME TAXES - Adds to existing law to provide for a short line railroad nonrefundable tax credit for qualified railroad expenditures. ....	68	-	68
378	State Affairs	LAW	SECRETARY OF STATE - Amends existing law to update the duties of the Secretary of State. ....	46	62	69
379	State Affairs	LAW	NONPROFIT CORPORATIONS - Amends existing law to provide that only one incorporator of a nonprofit corporation need sign the articles of incorporation when filing with the Secretary of State. ....	74	124	144
381	Revenue and Taxation	LAW	INCOME TAXES - Amends existing law to provide a correct code reference regarding charitable contribution deduction calculations for part-year residents or nonresidents. ....	58	78	89
382	Revenue and Taxation	LAW	INCOME TAXES - Amends existing law to provide a date by which a taxpayer must notify the Idaho Tax Commission of a change to his federal taxable income or to the tax he pays to another state, and provides a penalty for a violation. ....	58	78	89
383	Revenue and Taxation	LAW	CIGARETTE AND TOBACCO TAXES - Amends existing law to provide for collection and enforcement. .... <b>Amended in the Senate</b> .....	58 98	- 124	176
384	Revenue and Taxation	LAW	INCOME TAXES - Amends existing law to allow for the use of net operating losses, Idaho credits and capital loss carryovers to offset an increase in taxable income due to a bonus depreciation adjustment. ....	58	78	89
386	State Affairs	LAW	ELECTIONS - Amends existing law to revise the county election records that shall be retained for a specified number of years and provides that the statewide voter registration database shall constitute the register of electors.....	108	177	193
387	Transportation and Defense	LAW	TRANSPORTATION - Amends existing law to provide license plate fee exemptions for certain Purple Heart recipients. ....	75	133	149

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
388	Transportation and Defense	LAW	MOTOR VEHICLES - Amends existing law to revise provisions regarding operation of vehicles on approach of authorized emergency or police vehicles. ....	119	178	193
390	Revenue and Taxation	LAW	PROPERTY TAXES - Amends existing law to remove the requirement that county assessment roll abstracts be sent to the Idaho State Tax Commission by certified mail. ....	58	125	144
391	Revenue and Taxation	LAW	PROPERTY TAXES - Amends existing law to revise the date by which the Idaho State Tax Commission must correct and report property assessment errors to the county auditor and the county tax collector. ....	58	125	144
392	Revenue and Taxation	LAW	ENERGY TAX - Amends existing law to provide and revise dates by which notification shall be made of an electrical, gas, solar, wind and geothermal energy producer's tax allotment and apportionment. ....	58	126	144
393	Health and Welfare	LAW	INSURANCE - Amends existing law to revise provisions regarding the Idaho Immunization Assessment Board and to extend a sunset date. ....	75	125	144
399	Commerce and Human Resources	S FAILED	PUBLIC EMPLOYEE RETIREMENT SYSTEM - Amends existing law to designate certain employees as police officer members, to remove a provision regarding retirement eligibility and to provide that certain employees must elect to remain under certain contributions. ....	106	204	204
400	Commerce and Human Resources	LAW	PUBLIC EMPLOYEE RETIREMENT SYSTEM - Amends existing law to revise a provision regarding an initial retirement allowance, to provide for how a certain early retirement benefit is determined and to provide for how a certain accrued retirement allowance is determined. ....	98	205	224
401	Commerce and Human Resources	LAW	PUBLIC EMPLOYEE RETIREMENT SYSTEM - Amends existing law to revise and add definitions. ....	98	226	239
402	Commerce and Human Resources	LAW	FIREMEN'S RETIREMENT FUND - Amends existing law to provide that certain payments and duties shall transfer to an annexing city or fire district. ....	98	205	224
403	State Affairs	LAW	STATE TREASURER - Amends existing law to revise provisions regarding additional allowable investments by the State Treasurer. ....	90	173	193
404	State Affairs	LAW	STATE TREASURER - Amends existing law to provide a date change for reports by the Credit Rating Enhancement Committee. ....	90	173	193
405	State Affairs	LAW	UNFAIR SALES ACT - Repeals existing law relating to the Unfair Sales Act. ....	82	212	224
407	Agricultural Affairs	LAW	GOATS - Amends existing law to provide that goats may be assessed by the Idaho Sheep and Goat Health Board on a per head basis and to remove the condition that such assessment be comparable to the assessment on wool. ....	100	177	193



SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
409	Health and Welfare	LAW	NURSING HOME ADMINISTRATORS - Amends existing law to revise the time that a nursing home administrator-in-training shall serve under the direct supervision of a licensed nursing home administrator and to revise the frequency of reports.....	90	173	193
411	Health and Welfare	LAW	SIGN LANGUAGE INTERPRETERS - Amends existing law to revise the minimum age required for licensure and to provide an exemption for a person working in an Idaho public school setting who engages in the practice of sign language interpreting and meets the requirements of and is interpreting within the scope of the Idaho Educational Interpreter Act. ....	90	178	193
415	Education	S Educ	EXCUSED ABSENCE FROM SCHOOL - Adds to existing law to provide that a student sounding taps at a military honors funeral held in this state for a deceased veteran shall be allowed an excused absence, to provide for notice, to provide for the effect on the calculation of daily attendance and compulsory attendance and to provide for the completion of school work. ....	106	-	106
416	State Affairs	LAW	STATE HISTORICAL SOCIETY - Amends existing law to provide that certain artifacts, materials and buildings are held in trust for the people of the state of Idaho; to provide for the treatment of such collections; and to provide that such collections shall not be capitalized, defined as financial assets or sold to finance debt or infrastructure.....	90	173	193
419	State Affairs	S St Aff	FOREIGN LAWS - Adds to existing law to prohibit the application of foreign laws in Idaho courts in certain instances.....	119	-	119
429	Judiciary, Rules and Administration	LAW	CRIME VICTIMS COMPENSATION - Amends existing law to revise a provision regarding payment for the costs of forensic and medical examinations of alleged victims of sexual assault. .... <b>Amended in the Senate</b> .....	123 175	- 190	260
430	Judiciary, Rules and Administration	LAW	CRIME VICTIMS CONFIDENTIALITY - Amends existing law to provide that the office of the Secretary of State shall forward all first class, priority and other mail as deemed necessary by the Secretary of State to the appropriate program participant. ....	115	181	201
431	Commerce and Human Resources	LAW	STATE PERSONNEL SYSTEM - Amends existing law to provide that medical directors employed at state hospitals shall be nonclassified employees. ....	106	182	201
432	Commerce and Human Resources	LAW	WORKFORCE DEVELOPMENT COUNCIL - Repeals, amends and adds to existing law to revise the makeup, composition and duties of the Workforce Development Council in the Department of Labor. ....	106	169	180
433	Commerce and Human Resources	LAW	DEPARTMENT OF ADMINISTRATION - Amends existing law to provide that the director shall have exclusive control over certain multi-agency facilities, to revise terminology, to remove reference to the State Building Authority and to provide that certain funds deposited to the Permanent Building Account shall be accounted for separately. ....	106	212	224

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
434	Commerce and Human Resources	LAW	DEPARTMENT OF ADMINISTRATION - Amends existing law to provide a code reference. ....	106	183	201
441	Appropriations	LAW	APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION - Appropriates an additional \$25,000 to the Soil and Water Conservation Commission for fiscal year 2018. ....	68	83	89
442	Appropriations	LAW	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Appropriates and transfers moneys from the General Fund to the Strategic Initiatives Program Fund; appropriates additional moneys to the Idaho Transportation Department for fiscal year 2018; and reduces the appropriation to the Idaho Transportation Department for fiscal year 2018. ....	68	79	89
443	Education	LAW	EDUCATION - Adds to existing law to authorize a school district to offer a firearms safety education course to primary and secondary school students. ....	161	235	260
446	State Affairs	LAW	NOTARIES PUBLIC - Amends existing law to provide requirements for a notary public stamping device, to provide for the reappointment of a notary public and to remove reference to renewals of a notary public commission. ....	115	177	193
447	Judiciary, Rules and Administration	LAW	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 certain costs, to provide for disposition of the seized property and to establish reporting requirements. ....	123	204	224
448	Judiciary, Rules and Administration	LAW	BREASTFEEDING - Amends existing law to provide exemptions from indecent exposure and obscenity for breastfeeding mothers. ....	132	204	224
449	Revenue and Taxation	S Loc Gov	INCOME TAXATION - Amends existing law to provide that capital gains and losses on precious metal bullion and monetized bullion sales be added to or subtracted from Idaho taxable income under certain circumstances. ....	98	-	98
450	Revenue and Taxation	S Loc Gov	BUDGETS - Amends existing law to provide that a taxing district wishing to disclaim the right to recover a forgone budget increase shall provide notice, hold a hearing and adopt a resolution, a copy of which shall go to the county clerk and the State Tax Commission. ....	98	-	98
451	Revenue and Taxation	LAW	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 Association or their designated nonprofit support organizations based in Idaho and devoted to training residents in Idaho. ....	82	125	144
452	Revenue and Taxation	LAW	SHORT-TERM RENTALS AND VACATION RENTALS - Amends existing law to revise how cities and counties may regulate short-term rentals or vacation rentals. ....	100	177	193

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
453	Revenue and Taxation	LAW	ADOPTION EXPENSES - Amends existing law to increase the amount of the income tax deduction for adoption expenses to a maximum of \$10,000. ....	100	214	224
454	Business	LAW	INSURANCE - Amends existing law to revise provisions regarding dividends and other distributions. ....	98	173	193
458	Business	LAW	ARCHITECTS - Repeals existing law and enacts the Idaho Architecture Practice Act. ....	115	181	201
459	Business	LAW	APPRAISALS - Amends existing law to add a definition and to provide requirements for certain appraisal reviews. ....	115	181	201
462	Revenue and Taxation	LAW	FOREST LANDS TAXATION - Amends existing law to provide for a productivity classification of a forest land parcel to remain or revert to a certain classification status and to require a process by which a county assessor may seek to change the productivity classification in the future. ....	90	177	193
463	Revenue and Taxation	LAW	TAXES - Repeals, adds to and amends existing law to provide for applicability of the Internal Revenue Code to different tax years; to revise the calculation of a net operating loss; to revise the calculation of net taxable income for corporations; to reduce the individual and corporate income tax rate; and to provide for a child tax credit. ....	82	159	166
465	Health and Welfare	LAW	MEDICAID - Amends existing law to revise provisions regarding dental services. ....	98	203	224
466	Business	LAW	MINIMUM WAGE - Amends existing law to provide an exemption to the applicability of minimum wage law for any employee under the age of eighteen years who is employed by an immediate family member or the family member's business. ....	100	236	260
467	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON HISPANIC AFFAIRS - Appropriates an additional \$26,000 to the Commission on Hispanic Affairs for fiscal year 2018. ....	77	101	110
468	Appropriations	LAW	APPROPRIATIONS - MEDICAL BOARDS - Appropriates an additional \$37,300 to the Medical Boards for fiscal year 2018. ....	77	102	110
469	Transportation and Defense	LAW	MOTOR VEHICLES - Amends existing law to revise provisions regarding school safety patrols. ....	111	178	193
471	Transportation and Defense	LAW	MINIMUM SPEED REGULATION - Amends existing law to prohibit operating a vehicle in the extreme left-hand lane for a period of time that impedes the flow of other traffic. ....	111	181	201
472	Health and Welfare	LAW	EDUCATION - Amends existing law to provide a state match for student contributions to the Rural Physician Incentive Fund. ....	119	197	218
473	State Affairs	S St Aff	RESTORING CONSTITUTIONAL GOVERNANCE ACT OF IDAHO - Adds to existing law to provide legislative determination and to provide for the prohibition on the detention and disposition of Idaho citizens. ....	146	-	146

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
474	State Affairs	LAW	SESSION LAWS - Repeals and adds to existing law to redesignate the code section regarding the publication of session laws. .... <b>Amended in the Senate</b> .....	123 185	- 191	242
475	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - MENTAL HEALTH SERVICES/PSYCHIATRIC HOSPITALIZATION - Appropriates an additional \$4,150,500 to the Department of Health and Welfare for the Children's Mental Health Program, Community Hospitalization Program, State Hospital North, and State Hospital South for fiscal year 2018; and reduces the appropriation to the Department of Health and Welfare by \$2,489,300 for the Adult Mental Health Program and State Hospital South for fiscal year 2018. ....	98	133	149
476	Resources and Conservation	LAW	FISH AND GAME - Amends existing law to revise a license class provision regarding certain disabled person licenses; and to provide that specified limitation of liability provisions shall apply to governmental entities, nongovernmental organizations and persons that take certain actions as to land made available to the public without charge for recreational purposes. ....	101	157	166
478	Business	LAW	ELECTRICAL CONTRACTORS AND JOURNEYMEN - Amends existing law to revise the qualifications of inspectors. ....	123	212	224
479	Business	LAW	ELECTRICAL CONTRACTORS AND JOURNEYMEN - Amends existing law to revise licensing and registration requirements for electrical contractors and journeymen. ....	123	219	227
480	Business	LAW	ELECTRICAL CONTRACTORS AND JOURNEYMEN - Amends existing law to change the names of specialty contractors, specialty journeymen and specialty trainees to limited electrical contractors, limited electrical installers and limited electrical installer trainees. ....	123	212	224
481	Business	S Com/HuRes	PLUMBING AND PLUMBERS - Amends existing law to revise certain exceptions for a certificate of competency requirement. ....	132	-	132
482	Business	S Com/HuRes	HEATING, VENTILATION AND AIR CONDITIONING SYSTEMS - Amends existing law to revise certain exceptions for a certificate of competency requirement. ....	132	-	132
483	Business	LAW	HEATING, VENTILATION AND AIR CONDITIONING SYSTEMS - Amends existing law to provide that a heating, ventilation and air conditioning apprentice may take a journeyman's examination in certain instances, to clarify terminology and to remove an obsolete provision. ....	132	212	224
484	Business	LAW	PLUMBING AND PLUMBERS - Amends existing law to remove a provision regarding inactive certificates of competency. ....	132	213	224
486	State Affairs	LAW	STATE HISTORICAL SOCIETY - Amends existing law to revise a definition. ....	152	197	218

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House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
489	Commerce and Human Resources	LAW	PERSONNEL SYSTEM - Amends existing law to remove a provision regarding rulemaking authority for provisional appointments. ....	115	183	201
490	Commerce and Human Resources	LAW	NONCLASSIFIED STATE OFFICERS AND EMPLOYEES - Amends existing law to clarify a provision regarding the salary or wage of certain nonclassified employees and to provide that department directors and the administrator of the Division of Human Resources are authorized to seek certain remedies from certain employees who resign after receiving a recruitment or retention bonus. ....	115	183	201
492	Revenue and Taxation	LAW	PROPERTY TAXES - Amends and adds to existing law to create a special property tax reduction for veterans who are 100% disabled. ....	108	208	224
493	Appropriations	LAW	STATE CONTROLLER - Adds to existing law to authorize the State Controller's business information infrastructure project to create a leadership council and to provide funding. ....	98	133	149
494	Health and Welfare	S Health/Wel	IMMUNIZATION - Amends existing law to revise provisions regarding certain notification. ....	146	-	146
497	Business	LAW	MOTOR VEHICLES - Amends existing law to provide that certain notice shall be mailed to a lienholder relating to the towing and storage of a motor vehicle. ....	115	209	224
499	Judiciary, Rules and Administration	LAW	COUNTY RECORDS - Amends existing law to provide for the classification, retention and destruction of law enforcement media recordings. ....	152	208	224
500	Judiciary, Rules and Administration	LAW	PUBLIC RECORDS - Amends existing law to provide an exemption from disclosure for certain records regarding child abuse. ....	158	234	260
501	Education	VETOED	EDUCATION - Amends existing law to revise a definition....	189	236	260
503	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding the career ladder. ....	161	207	224
505	Health and Welfare	LAW	PHYSICAL THERAPY - Amends existing law and adds to provide for the practice of dry needling by a qualified physical therapist. ....	131	204	224
506	Transportation and Defense	LAW	MOTOR VEHICLES - Adds to existing law to establish provisions regarding the registration and use of military vehicles. .... <b>Amended in the Senate</b> .....	123 175	- 190	242
507	Transportation and Defense	LAW	MOTOR VEHICLES - Amends and adds to existing law to provide Idaho Rotary International specialty license plates. .... <b>Amended in the House (See House Journal)</b>	211	- 245	270
509	Transportation and Defense	S FAILED	RECREATION - Amends, repeals, and adds to existing law to revise provisions regarding off-highway vehicles. ....	171	212	212
512	Transportation and Defense	LAW	DRIVER'S LICENSES - Amends existing law to revise fees for certain skills tests. ....	146	183	201

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
513	Revenue and Taxation	LAW	SALES TAX - Amends existing law to provide a sales tax exemption for the Idaho Association of Free and Charitable Clinics and its member clinics. ....	108	181	201
514	Revenue and Taxation	LAW	TAXATION - Amends existing law to revise provisions regarding certain qualified property held by an estate, trust, S corporation, partnership, limited liability company or an individual, to establish provisions regarding fair market valuation, to establish provisions regarding adjusted basis allocation and to establish provisions regarding certain part-year resident and nonresident owners of multistate entities. ....	111	204	224
515	Revenue and Taxation	LAW	INCOME TAXATION - Amends existing law to provide that the addition to taxable income for a nonqualified withdrawal from a college savings plan is limited to contributions previously exempt from Idaho state income tax and earnings generated from the program as long as the earnings are not already included in federal adjusted gross income. ....	115	197	218
518	Business	LAW	RECORDER'S FEES - Amends existing law to revise provisions regarding recording fees. ....	152	208	224
519	Business	LAW	TITLE INSURANCE - Amends existing law to provide that title insurers may provide a reimbursement or discount of escrow fees or title insurance premiums in certain instances and to provide that nothing shall prohibit title insurers from providing a certain reimbursement or discount of escrow fees or title insurance premiums. ....	152	213	224
521	Business	LAW	MOTOR VEHICLE SERVICE CONTRACTS - Repeals, adds to and amends existing law to provide service contract reimbursement policy requirements; to set forth provisions associated with the sale of motor vehicle service contracts; to provide for motor vehicle service contract requirements; to prohibit certain acts; to provide recordkeeping requirements for licensing; to provide that the Idaho Insurance Guaranty Association Act shall not apply to any motor vehicle service contract, mechanical breakdown insurance or motor vehicle service contract liability insurance policy; and to provide for enforcement and penalties. ....	123	183	201
522	Business	LAW	CERTIFICATES OF INSURANCE - Amends existing law to revise requirements regarding the content of certificates of insurance. ....	123	213	224
523	Business	S Jud	BAIL - Amends existing law to provide that certain notice shall be sent to the surety insurance company and to provide that failure to provide notice will exonerate the bail. ....	167	-	167
524	Business	LAW	FIRE PROTECTION DISTRICTS - Amends existing law to provide that real property may be exchanged for other real property of equivalent value as determined by the board or sold. ....	152	208	224
526	Business	LAW	FARM EQUIPMENT AGREEMENTS - Amends existing law to revise certain supplier violation provisions. ....	123	205	224

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527	Business	LAW	LABOR - Adds to existing law to provide definitions and to provide that neither a franchisee nor a franchisee's employee shall be considered an employee of a franchisor except under certain circumstances.....	172	213	224
530	Judiciary, Rules and Administration	LAW	COURTS - Amends and adds to existing law to provide for distribution of payments in criminal cases. ....	162	209	224
531	Judiciary, Rules and Administration	LAW	ALCOHOL - Amends existing law to limited immunity to minors seeking or needing emergency medical assistance.....	132	204	224
532	Judiciary, Rules and Administration	S Jud	CHILDREN AND FAMILIES LEGAL SERVICES FUND - Adds to existing law to create the Children and Families Legal Services Fund, to provide for what moneys shall be in the fund, to provide for how moneys in the fund may be expended and to provide for Children and Legal Services Fund Grants. ....	152	-	152
533	Judiciary, Rules and Administration	LAW	COUNTY JAILS - Amends existing law to revise a provision regarding per diem rates for prisoners. ....	132	182	201
534	Judiciary, Rules and Administration	S FAILED	BAIL ENFORCEMENT AGENTS - Amends and adds to existing law to provide requirements for bail enforcement agents. ....	132	209	209
535	Judiciary, Rules and Administration	LAW	SALES UNDER EXECUTION - Amends existing law to revise provisions regarding how sales are conducted.....	123	182	201
537	Agricultural Affairs	LAW	FOOD SAFETY - Amends and adds to existing law to revise provisions regarding the regulation of nonretail activities subject to the food and drug administration's Food Safety Modernization Act; to provide for the transition of existing contracts and contracting authority; to provide for administration and enforcement; to provide for inspections; to provide for violations and penalties; and to provide for produce that is in violation of specified law or rules. ....	146	209	224
538	Agricultural Affairs	LAW	IDAHO WOLF DEPREDATION CONTROL BOARD - Amends existing law to revise effective date provisions. ....	158	222	227
543	Commerce and Human Resources	LAW	SEAT BELTS - Amends existing law to revise the exemption from safety restraint use for mail carriers. ....	119	197	218
544	Commerce and Human Resources	LAW	STATE FACILITIES - Amends existing law to provide that rental rates at multiagency facilities shall include a provision sufficient to provide for the long-term maintenance and upkeep of the facilities, subject to the review and approval of the Permanent Building Fund Advisory Council. ....	123	182	201
545	State Affairs	S St Aff	WINE - Amends existing law to provide for personalized labels and customized private labels under certain conditions.....	211	-	211
			<b>Amended in the House (See House Journal)</b>			

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546	State Affairs	LAW	ANATOMICAL GIFTS - Amends existing law to provide that a person fifteen years of age or older may make an anatomical gift with a parent's or guardian's written consent. ....	152	219	227
547	Business	LAW	BUILDING CODES - Amends existing law to revise provisions governing the ability of a local government to adopt certain codes or parts of codes that have not been adopted by the Idaho Building Code Board. .... <b>Amended in the Senate</b> .....	167 230	- 245	282
548	Business	LAW	INSURANCE - Amends existing law to provide that benefits provided by a long-term care rider shall be considered the same type of benefits as the base life insurance policy or annuity contract to which it relates; to provide that the Idaho Life and Health Insurance Guaranty Association may terminate certain health benefit plans upon entry of an order of liquidation with approval of the director; and to provide for allocation of class B assessments for long-term care insurance. ....	152	205	224
549	Resources and Conservation	LAW	FISH AND GAME - Adds to existing law to provide for the salvage of certain animals unintentionally struck and killed by a vehicle on a roadway, to provide that certain severely injured animals may be dispatched, to provide reporting requirements and to provide exceptions to applicability. ....	123	178	193
550	Resources and Conservation	LAW	FLOOD CONTROL DISTRICTS - Amends existing law to provide for the removal of a commissioner by the director of the Department of Water Resources. .... <b>Amended in the House (See House Journal)</b>	161	- 208	224
551	Judiciary, Rules and Administration	LAW	DRIVING UNDER THE INFLUENCE - Adds to and amends existing law to provide for the installation of an ignition interlock system for certain persons who are convicted of driving under the influence. ....	180	243	270
554	Judiciary, Rules and Administration	LAW	SAFETY RESTRAINTS - Repeals and amends existing law to provide that failure to use a safety restraint shall not be considered as evidence of contributory or comparative negligence or in any civil action regarding negligence. ....	161	269	282
559	Revenue and Taxation	LAW	PROPERTY TAXATION - Amends and adds to existing law to provide for a provisional property tax exemption for property that is under construction for a tax-exempt purpose. ....	119	219	227
561	Revenue and Taxation	S Loc Gov	INCOME TAXES - Amends existing law to provide for an automatic reduction in individual and corporate income tax rates upon the occurrence of certain revenue growth.....	119	-	119
562	Health and Welfare	LAW	PUBLIC HEALTH DISTRICTS - Amends existing law to revise provisions regarding the district Boards of Health and the Board of Trustees of the district Boards of Health. .... <b>Amended in the Senate</b> .....	152 219	- 229	282
565	State Affairs	LAW	FIREARMS - Amends existing law to provide that retired law enforcement officers may carry a concealed weapon in certain places. ....	158	199	218



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566	Education	VETOED	EDUCATION - Amends existing law to establish provisions regarding certificates for charter school administrators. .... <b>Amended in the Senate</b> .....	162 231	- 245	282
567	Local Government	LAW	CEMETERY MAINTENANCE DISTRICTS - Amends and adds to existing law to revise procedures for the consolidation of districts. .... <b>Amended in the House (See House Journal)</b>	171	- 214	224
568	Local Government	LAW	INITIATIVES AND REFERENDA - Amends, repeals and adds to existing law to revise provisions regarding initiative or referendum elections, to provide that certain initiative and referendum procedures shall not apply to any local zoning legislation and to provide that counties shall follow certain procedures for an initiative and referendum. ....	146	231	239
577	Health and Welfare	S Health/Wel	CANNABIDIOL OIL - Adds to existing law to provide an exemption for lawful use and possession of cannabidiol oil.....	158	-	158
578	Revenue and Taxation	LAW	SALES AND USE TAX - Amends existing law to revise the definition of "retailer engaged in business in this state." .....	140	214	224
580	Education	LAW	EDUCATION - Amends existing law to retain certain sections of Idaho Code and to repeal replacement sections scheduled to go into effect on July 1, 2018. ....	161	208	224
581	Judiciary, Rules and Administration	S Jud	CONTROLLED SUBSTANCES - Amends existing law to revise provisions regarding sentences for trafficking of controlled substances. ....	211	-	211
582	Judiciary, Rules and Administration	LAW	JUDGES - Amends existing law to revise the salaries of justices and judges in Idaho. ....	180	234	260
584	Judiciary, Rules and Administration	LAW	SEX CRIMES - Amends existing law to revise the definition of "intimate areas," to define "sexual act," to revise provisions regarding when a person is guilty of video voyeurism and to provide exceptions. ....	171	234	260
586	Judiciary, Rules and Administration	LAW	JURORS - Amends and adds to existing law to provide for an increase in juror compensation for a trial exceeding five days. ....	162	235	260
587	Judiciary, Rules and Administration	S Jud	TORT CLAIMS - Amends existing law to provide that a certain exclusion regarding governmental liability shall not apply. ....	158	-	158
589	Education	S Educ	EDUCATION - Amends existing law to revise provisions regarding mastery-based education. ....	152	-	152
590	Education	S Educ	GUIDED EDUCATION MANAGEMENT ACT - Adds to existing law to enact the Guided Education Management Act. ....	172	-	172
591	Revenue and Taxation	LAW	TAX EXEMPTION FOR NEW CAPITAL INVESTMENTS - Amends existing law to revise definitions and to provide application to operating property for the tax exemption for new capital investments. ....	132	197	218
592	Revenue and Taxation	LAW	SALES TAX - Amends existing law to revise the sales and use tax exemption for the Idaho National Laboratory. ....	132	197	218

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593	Revenue and Taxation	S Loc Gov	PROPERTY TAX - Amends existing law to exempt church-owned properties from a certain management requirement in order to qualify for a property tax exemption.....	161	-	161
594	Revenue and Taxation	LAW	PROPERTY TAX EXEMPTION - Amends existing law to revise the definition of "agricultural equipment and machinery" for property tax-exemption purposes. .... <b>Amended in the Senate</b> .....	161 270	- 275	284
599	Judiciary, Rules and Administration	LAW	DRIVING WITHOUT PRIVILEGES - Amends existing law to revise the penalties for driving without privileges. ....	161	270	282
601	Health and Welfare	LAW	GOOD SAMARITANS - Amends existing law to provide that certain actions shall be without compensation and to provide for emergencies, emergency first aid and emergency medical attention. ....	152	204	224
603	Ways and Means	H Res/Con	STOCKWATER RIGHTS - Amends and adds to existing law to provide legislative intent regarding certain stockwater rights; to provide for the forfeiture of certain stockwater rights and to provide a procedure; and to clarify that if any agency of the federal government acquires a stockwater right, that right shall never be utilized for any purpose other than watering of livestock unless otherwise approved by the state. .... <b>Amended in the Senate</b> .....	146 193	- 207	207
604	Ways and Means	S Loc Gov	ANNEXATION - Amends existing law to provide a requirement regarding annexation of certain agricultural land..... <b>Amended in the House (See House Journal)</b>	161	- 179	161
605	State Affairs	LAW	ALCOHOL - Amends existing law to provide that licenses issued to waterfront resorts shall remain valid and may be transferred even if the body of water on which the resort is situated ceases to meet certain requirements. ....	161	208	224
606	State Affairs	LAW	OPEN MEETINGS LAW - Amends, adds to and repeals existing law to revise the definition of "public agency" and to provide a sunset clause. ....	146	198	218
607	Commerce and Human Resources	LAW	INFORMATION TECHNOLOGY SERVICES - Adds to and repeals existing law to provide for the Office of Information Technology Services in the Office of the Governor, to provide for the receipt of payment for services to units of state government, to provide for the general powers and duties of the authority and to provide for the transfer of responsibility for the integrated property records system. ....	172	234	260
611	State Affairs	LAW	TRANSPARENT AND ETHICAL GOVERNMENT - Amends existing law to revise provisions regarding open meeting notices and agendas. ....	158	204	224
612	Appropriations	LAW	APPROPRIATIONS - TECHNOLOGY INFRASTRUCTURE FUNDING - Creates the Technology Infrastructure Stabilization Fund; and appropriates and transfers \$22,000,000 from the General Fund to the Technology Infrastructure Stabilization Fund for FY 2019.....	131	168	180

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618	Health and Welfare	LAW	LEGEND DRUGS - Repeals existing law relating to code imprint of legend drugs. ....	161	235	260
620	State Affairs	LAW	ELECTIONS - Adds to existing law to prohibit the use of public funds to advocate for or against a candidate or certain ballot measures. ....	146	234	260
621	Ways and Means	S Res/Env	SURVEYORS - Amends existing law to provide procedures for access to private land for a professional land surveyor. ....	172	-	192
622	Education	S Educ	COLLEGES AND UNIVERSITIES - Adds to existing law to provide that, except as otherwise permitted by the First Amendment to the United States Constitution, no public institution of higher education shall abridge the constitutional freedom of any individual to speak on campus. ....	167	-	167
623	Revenue and Taxation	S Jud	IDAHO ADMINISTRATIVE PROCEDURE ACT - Repeals, amends and adds to existing law to revise procedures for contested cases and hearing officers. ....	180	-	180
624	Revenue and Taxation	LAW	TAXES - Amends existing law to provide for conformity of federal tax law. ....	152	209	224
626	Revenue and Taxation	LAW	BONDED INDEBTEDNESS ELECTIONS - Amends existing law to revise requirements for official statements in elections authorizing bonded indebtedness. ....	158	236	260
627	Appropriations	LAW	APPROPRIATIONS - DIVISION OF BUILDING SAFETY - Appropriates an additional \$60,200 in federal funds to the Division of Building Safety for fiscal year 2018. ....	158	183	201
628	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates additional moneys to the Idaho State Police Brand Inspection Division for fiscal year 2018. ....	158	183	201
629	Education	LAW	EDUCATION - Amends existing law to exempt high school students from apprenticeship registration requirements under certain circumstances. ....	161	208	224
631	Education	LAW	HIGHER EDUCATION - Amends existing law to revise provisions regarding residency requirements. ....	161	213	224
632	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding the Educational Support Program. ....	172	235	260
634	Education	LAW	EDUCATION - Adds to existing law to establish provisions regarding suicide prevention in schools. ....	172	235	260
635	Appropriations	LAW	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Appropriates \$4,986,400 to the Commission for the Blind and Visually Impaired for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 41.12. ....	161	198	218
638	State Affairs	LAW	ABORTION COMPLICATIONS REPORTING ACT - Adds to and amends existing law to enact the Abortion Complications Reporting Act. ....	161	222	227
639	State Affairs	S St Aff	BOND ELECTIONS - Amends existing law to provide that a taxing district may not run another bond election for eleven months after a failed bond election. ....	161	-	161

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642	Ways and Means	LAW	HOMEOWNER'S ASSOCIATIONS AND CONDOMINIUMS - Amends and adds to existing law to provide for statements of account and disclosure of fees. ....	172	213	224
643	Ways and Means	LAW	MAGISTRATE'S DIVISION OF THE DISTRICT COURT - Amends existing law to revise how funding is provided to magistrates. ....	180	235	270
644	Ways and Means	S Jud	CRIMES AND PUNISHMENTS - Amends and adds to existing law to establish provisions regarding criminal diversion programs. ....	180	-	180
645	Appropriations	LAW	APPROPRIATIONS - OFFICE OF DRUG POLICY - Appropriates \$4,823,500 to the Office of Drug Policy for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 6.00. ....	161	198	218
646	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF JUVENILE CORRECTIONS - Appropriates \$52,104,200 to the Department of Juvenile Corrections for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 414.00. ....	161	198	218
647	Education	LAW	SCHOOL DISTRICTS - Amends existing law to revise the length of time that a representative status of a professional employee will be valid for purposes of negotiations. ....	167	214	224
648	Education	LAW	EDUCATION - Adds to existing law to revise provisions regarding computer science courses. ....	172	235	260
649	Health and Welfare	LAW	UNIFORM CONTROLLED SUBSTANCES - Adds to existing law to provide that certain persons seeking or needing medical assistance for a drug-related overdose shall not be charged or prosecuted for certain crimes. ....	167	236	260
650	Appropriations	LAW	APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Appropriates \$722,700 to the Endowment Fund Investment Board for fiscal year 2019; limits the number of authorized full-time equivalent positions to 3.70; authorizes continuous appropriation authority for certain costs; and expresses legislative intent with regard to transfers from the earnings reserve funds to the income funds. ....	161	198	218
651	Appropriations	LAW	APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION - Appropriates \$14,245,000 to the Office of Species Conservation for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 14.00. ....	161	198	218
652	Appropriations	LAW	APPROPRIATIONS - BOARD OF TAX APPEALS - Appropriates \$608,600 to the Board of Tax Appeals for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 5.00. ....	161	199	218
653	Appropriations	LAW	APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT - Appropriates \$1,958,700 to the Division of Financial Management for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 15.00. ....	167	199	218

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654	Appropriations	LAW	APPROPRIATIONS - PUBLIC TELEVISION - Appropriates \$9,448,600 to Idaho Public Television for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 68.48. ....	167	199	218
655	Ways and Means	S Transp	COMMERCIAL VEHICLES - Amends existing law to revise the definitions of Class A and B driver's licenses and to revise the definition of a "commercial motor vehicle" to reflect actual weight of the vehicle, not manufacturer rating. ....	189	-	189
658	Ways and Means	LAW	PROPERTY - Amends and adds to existing law to provide for civil trespass, criminal trespass and recreational trespass, and to limit the liability of a landowner to a trespasser. .... <b>Amended in the Senate</b> .....	211 247	- 268	282
660	Appropriations	LAW	APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Appropriates and transfers \$9,999,700 from the General Fund to the Catastrophic Health Care Cost Fund for fiscal year 2019. ....	196	220	227
661	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON HISPANIC AFFAIRS - Appropriates \$330,600 to the Commission on Hispanic Affairs for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 3.00. ....	196	220	227
662	Appropriations	LAW	APPROPRIATIONS - AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE - Appropriates \$31,331,100 to the Agricultural Research and Cooperative Extension Service for fiscal year 2019; and exempts the appropriation from object transfer limitations. ....	196	220	227
665	Ways and Means	LAW	SCHOOLS - Amends existing law to revise provisions regarding threatening school violence and to provide that certain acts shall be a felony. ....	203	236	260
666	Ways and Means	LAW	ADMINISTRATIVE RULES - Adds to existing law to provide that administrative rules set to expire on July 1, 2018, will continue to be effective until July 1, 2019, to provide that administrative rules approved or extended by the adoption of a concurrent resolution shall be effective until July 1, 2019, 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. ....	218	267	282
667	Appropriations	LAW	APPROPRIATIONS - LEGISLATIVE BRANCH - Appropriates \$8,811,200 to the Legislative Branch for fiscal year 2019; reappropriates any unexpended and unencumbered balances of up to \$650,000 in personnel costs in the Professional Services Fund; and exempts the appropriation from object transfer limitations. ....	203	235	260
668	Appropriations	LAW	APPROPRIATIONS - SUPREME COURT - Appropriates \$72,935,400 to the Supreme Court for fiscal year 2019; exempts the appropriation from object and program transfer limitations; and provides for legislative intent regarding retirement contributions. ....	218	243	270

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669	Appropriations	LAW	APPROPRIATIONS - STEM ACTION CENTER - Appropriates \$4,676,600 to the STEM Action Center for fiscal year 2019; limits the number of authorized full-time equivalent positions to 6.00; and provides for an appropriation and transfer of moneys to the STEM Education Fund. ....	218	243	270
670	Ways and Means	LAW	STATE OFFICERS - Amends existing law to revise the salaries of the Governor, Lieutenant Governor, State Controller, Secretary of State, Attorney General, State Treasurer and Superintendent of Public Instruction. ....	218	262	277
671	Ways and Means	S Jud	JUVENILE OFFENDERS - Amends existing law to allow certain juvenile offenders to apply for the expungement of criminal records after three years of good behavior. ....	222	-	222
672	Appropriations	LAW	APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION - Appropriates \$15,961,200 to the Office of the State Board of Education for fiscal year 2019; limits the number of authorized full-time equivalent positions to 34.25; authorizes the reappropriation of the Federal Grant Fund; authorizes the reappropriation of the Public Charter School Authorizers Fund; provides legislative intent regarding dual credit students; and provides legislative intent regarding reporting annual payments to the Idaho State Building authority. ....	232	257	270
673	Appropriations	LAW	APPROPRIATIONS - DIVISION OF HUMAN RESOURCES - Appropriates \$2,164,000 to the Division of Human Resources for fiscal year 2019; limits the number of authorized full-time equivalent positions to 16.00; provides guidance for employee compensation; and provides guidance for the implementation of employee compensation. ....	222	243	270
674	Appropriations	LAW	APPROPRIATIONS - REGULATORY BOARDS - Appropriates \$9,001,900 to the Regulatory Boards for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 70.00. ....	222	243	270
675	Revenue and Taxation	LAW	TAXES - Amends H.B. 463 to revise the child tax credit and to provide legislative intent. ....	219	269	282
677	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Appropriates \$26,461,800 to the Department of Water Resources for fiscal year 2019; limits the number of authorized full-time equivalent positions to 163.00; provides for transfers; and provides legislative intent. ....	222	244	270
678	Appropriations	LAW	APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates \$17,181,100 to the Industrial Commission for fiscal year 2019; limits the number of authorized full-time equivalent positions to 138.25; and amends existing law to increase the salaries of the Industrial Commissioners. ....	222	244	270
679	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Appropriates \$112,704,300 to the Department of Fish and Game for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 569.00. ....	222	244	270

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680	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates \$83,748,600 to the Idaho State Police for fiscal year 2019; limits the number of authorized full-time equivalent positions to 600.85; provides legislative intent regarding transfers to the Idaho State Police from the Public School Income Fund; and provides legislative intent regarding transfers to the Public School Income Fund. ....	222	244	270
681	Appropriations	LAW	APPROPRIATIONS - LIEUTENANT GOVERNOR - Appropriates \$175,100 to the Office of the Lieutenant Governor for fiscal year 2019; limits the number of authorized full-time equivalent positions to 3.00; and provides exemptions from object transfer limitations. ....	222	244	270
682	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - MENTAL HEALTH SERVICES/PSYCHIATRIC HOSPITALIZATION/SUBSTANCE ABUSE TREATMENT AND PREVENTION - Appropriates \$109,093,800 to the divisions of Mental Health, Psychiatric Hospitalization, and Substance Abuse Treatment and Prevention for fiscal year 2019; limits the number of authorized full-time equivalent positions for the three divisions to 716.58; provides for General Fund transfers to the Cooperative Welfare Fund; provides legislative intent; and reduces the appropriation for the Adult Mental Health Program for fiscal year 2018. ....	241	267	282
683	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON AGING - Appropriates \$13,594,400 to the Commission on Aging for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 13.00. ....	222	244	270
684	Revenue and Taxation	S Loc Gov	INCOME TAXES - Amends H.B. 463 to revise conformity provisions to the IRS code regarding corporate income taxation. ....	222	-	222
685	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF LANDS - Appropriates \$59,362,800 to the Department of Lands for fiscal year 2019; limits the number of authorized full-time equivalent positions to 321.15; exempts certain appropriation object transfer limitations; appropriates and transfers \$20,000,000 from the General Fund to the Fire Suppression Deficiency Fund for fiscal year 2018; and provides legislative authorization for prior period adjustments. ....	222	245	270
686	Appropriations	LAW	APPROPRIATIONS - SPECIAL PROGRAMS - Appropriates \$23,366,800 to Special Programs under the State Board of Education for fiscal year 2019; limits the number of authorized full-time equivalent positions to 45.59; and provides legislative intent for the Opportunity Scholarship Program Account. ....	232	257	270
687	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION - Appropriates \$43,217,600 to the Idaho Department of Parks and Recreation for fiscal year 2019; limits the number of authorized full-time equivalent positions to 156.64; permits the department to exceed transfer limitations between programs for certain project grants; and provides reappropriation authority for the Capital Development Program. ....	232	257	270

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688	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - BOND PAYMENT PROGRAM - Appropriates \$11,877,000 to the Department of Administration for the Bond Payment Program for fiscal year 2019. ....	232	257	270
689	Appropriations	LAW	APPROPRIATIONS - MILITARY DIVISION - Appropriates \$104,971,900 to the Military Division for fiscal year 2019; limits the number of authorized full-time equivalent positions to 370.80; and grants a continuous appropriation for the Idaho Office of Emergency Management's Miscellaneous Revenue Fund for costs arising out of hazardous substance incidents.....	232	257	270
690	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF CORRECTION - Appropriates \$268,617,800 to the Department of Correction for fiscal year 2019; limits the number of authorized full-time equivalent positions to 2,002.85; and provides legislative intent regarding the offender management system replacement plan. ....	241	268	282
691	Appropriations	LAW	APPROPRIATIONS - PERMANENT BUILDING FUND - Appropriates \$77,772,000 from the Permanent Building Fund for fiscal year 2019; authorizes the allocation of funds for specific projects for fiscal year 2019; provides for a General Fund cash transfer; provides legislative intent regarding utilization of matching funds; provides legislative intent regarding reallocation of project savings; and provides direction on the timing of the use of funds for a specific project. ....	241	268	282
692	Appropriations	LAW	APPROPRIATIONS - STATE TREASURER - Appropriates \$4,232,100 to the State Treasurer for fiscal year 2019; limits the number of authorized full-time equivalent positions to 26.00; 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. ....	241	268	282
694	Appropriations	LAW	APPROPRIATIONS - MILLENNIUM FUND - Provides that certain unexpended and unencumbered moneys shall revert to the Idaho Millennium Income Fund at the end of fiscal year 2019; 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 2019. ....	241	268	282
695	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - MEDICAID - Appropriates \$2,445,650,500 for the Medicaid Division in the Department of Health and Welfare for fiscal year 2019; limits the number of authorized full-time equivalent positions to 216.00; provides for transfers to the Cooperative Welfare Fund; directs transfers from trustee and benefit payments; provides for program integrity; requires reports on Medicaid expenditures and forecasts, for managed care implementation, and flexible spending authority; limits program transfers; provides legislative intent for non-emergency medical transportation; requires cost-sharing; and appropriates an additional \$58,296,900 for the Medicaid Division for fiscal year 2018. ....	247	272	282



SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
696	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Appropriates an additional \$50,000 to the Department of Environmental Quality for fiscal year 2019. ....	247	272	282
697	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF CORRECTION - Appropriates an additional \$3,650,000 to the Department of Correction for fiscal year 2019. ....	247	272	282
698	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - Appropriates an additional \$32,700 to the Department of Health and Welfare for the State Hospital North Program for fiscal year 2019; and appropriates an additional \$32,700 to the Department of Health and Welfare for the State Hospital South Program for fiscal year 2019. ....	247	272	282
699	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY - Appropriates \$7,534,200 to the Idaho State Historical Society for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 55.00. ....	247	273	282
700	Appropriations	LAW	APPROPRIATIONS - WOLF DEPREDATION CONTROL BOARD - Appropriates and transfers \$400,000 from the General Fund to the Wolf Control Fund for fiscal year 2019. ....	247	273	282
701	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Appropriates \$44,815,300 to the Department of Agriculture for fiscal year 2019; limits the number of authorized full-time equivalent positions to 217.00; and provides legislative intent regarding the Watercraft Inspection Program. ....	247	273	282
702	Appropriations	LAW	APPROPRIATIONS - STATE LOTTERY - Appropriates \$6,057,700 to the Idaho State Lottery for fiscal year 2019; limits the number of authorized full-time equivalent positions to 45.00; and provides continuous appropriation authority. ....	247	274	282
703	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF COMMERCE - Appropriates \$42,314,000 to the Department of Commerce for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 43.00. ....	247	274	282
704	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Appropriates \$120,147,300 to the Department of Health and Welfare for the Public Health Services Division for fiscal year 2019; limits the number of authorized full-time equivalent positions to 237.02; 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 a plan on suicide prevention and awareness; transfers \$1,831,000 from trustee and benefit payments to operating expenditures for the Department of Health and Welfare Physical Health Services Program for fiscal year 2018; and provides for a cash transfer from the Idaho Immunization Dedicated Vaccine Fund to the General Fund. ....	247	274	282

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
705	Appropriations	LAW	APPROPRIATIONS - SECRETARY OF STATE - Appropriates \$4,963,800 to the Secretary of State for fiscal year 2019; limits the number of authorized full-time equivalent positions to 29.00; and provides legislative intent for the elections system upgrade. ....	247	274	282
706	Appropriations	LAW	APPROPRIATIONS - DIVISION OF BUILDING SAFETY - Appropriates \$14,304,200 to the Division of Building Safety for fiscal year 2019; limits the number of authorized full-time equivalent positions to 147.00; and provides reappropriation authorization. ....	267	278	284
710	Appropriations	LAW	APPROPRIATIONS - MEDICAL BOARDS - Appropriates \$6,466,800 to the Medical Boards for fiscal year 2019; and limits the number of authorized full-time equivalent positions to 49.20. ....	271	278	284
712	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Appropriates and transfers \$1,000,000 to the Water Management Fund for fiscal year 2018; provides legislative intent regarding the uses of the Water Management Fund; and provides legislative intent regarding project prioritization. ....	271	278	284
713	Appropriations	LAW	APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates an additional \$300,000 to the Industrial Commission for fiscal year 2019. ....	271	279	284
714	Appropriations	LAW	APPROPRIATIONS - EXECUTIVE OFFICE OF THE GOVERNOR - Appropriates \$2,421,200 to the Executive Office of the Governor for fiscal year 2019; limits the number of authorized full-time equivalent positions to 21.00; and exempts the appropriation from object and program transfer limitations. ....	271	279	284
715	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Appropriates \$23,698,200 to the Department of Administration for fiscal year 2019; limits the number of authorized full-time equivalent positions to 113.00; provides for a dedicated fund cash transfer; provides for a cash transfer to the General Fund; directs insurance premium holidays; and directs issuance of a request for proposals. ....	271	279	284
716	Appropriations	LAW	APPROPRIATIONS - FOSTER CARE - Appropriates an additional \$6,000 to the Department of Health and Welfare for the Child Welfare Program for fiscal year 2019; provides legislative intent on the use of certain funds; appropriates an additional \$50,000 to the Supreme Court for the Supreme Court Program for fiscal year 2019; provides an exemption for the Supreme Court from object and program transfers for fiscal year 2019; appropriates and transfers an additional \$32,000 to the Public Health Districts for fiscal year 2019; and provides legislative intent on the allocation of funds by the Public Health Districts. ....	271	280	284
717	Appropriations	LAW	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Appropriates \$39,656,800 to the Superintendent of Public Instruction for fiscal year 2019; limits the number of authorized full-time equivalent positions to 142.00; and provides direction on distributions. ....	271	280	284

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
718	Ways and Means	LAW	STOCKWATER RIGHTS - Amends and adds to existing law to provide legislative intent regarding certain stockwater rights; to provide for the forfeiture of certain stockwater rights and to provide a procedure; and to clarify that if any agency of the federal government acquires a stockwater right, that right shall never be utilized for any purpose other than watering of livestock unless otherwise approved by the state. ....	271	282	284

## SECTION XII

## NUMERICAL INDEX OF HOUSE JOINT MEMORIALS RECEIVED BY THE SENATE

<b>House Joint Memorial</b>	<b>Introduced by</b>	<b>Final Action</b>	<b>Subject Matter</b>	<b>Intro- duction Page</b>	<b>Senate Vote Page</b>	<b>Final Disp. Page</b>
10	Resources and Conservation	ADOPTED	MINING - Stating findings of the Legislature and supporting actions by the U.S. Forest Service and other federal agencies, in partnership with agencies of the State of Idaho and Valley County, to move forward to approve the Stibnite Gold Project.....	101	122	144
11	Resources and Conservation	ADOPTED	COLUMBIA RIVER TREATY - A joint memorial urging the U.S. Department of State to support specified positions in negotiations with Canada regarding any modification or future implementation of the Columbia River Treaty. ....	161	189	210
12	Transportation and Defense	ADOPTED	COMMERCIAL DRIVERS - Stating findings of the Legislature and urging the U.S. Secretary of Transportation to relax the requirements for obtaining a commercial driver's license under some circumstances. ....	132	171	193
14	Ways and Means	ADOPTED	NATIONAL MONUMENTS AND WILDERNESS DESIGNATIONS - Stating findings of the Legislature and stating opposition to any new federal national monument designations, or further designations of wilderness, in the State of Idaho without the approval of the United States Congress and the Idaho Legislature.....	161	189	210

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
30	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.....	4	4	18
33	Resources and Conservation	ADOPTED	DEPARTMENT OF FISH AND GAME - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Department of Fish and Game relating to Rules Governing the Taking of Big Game Animals in the State of Idaho. ....	101	118	136
34	Education	ADOPTED	BOUNDARY COUNTY LIBRARY DISTRICT - Stating findings of the Legislature and honoring the Boundary County Library District for being awarded Best Small Library in 2017 by the Library Journal. ....	77	118	136
36	Health and Welfare	ADOPTED	CHILDHOOD CANCER - Stating findings of the Legislature and designating May 17 as Diffuse Intrinsic Pontine Glioma (DIPG) Awareness Day in Idaho. ....	132	201	224
38	Health and Welfare	ADOPTED	EATING DISORDERS AWARENESS WEEK - Stating findings of the Legislature and recognizing February 26-March 4 as Eating Disorders Awareness Week.....	111	137	155
39	State Affairs	ADOPTED	2018 WINTER OLYMPICS - Stating findings of the Legislature and recognizing and extending congratulations and best wishes for success to the Idahoans selected to represent the United States at the 2018 Winter Olympics. ....	98	145	161
40	Judiciary, Rules and Administration	ADOPTED	JOINT RULE 16 - Stating findings of the Legislature and providing for the amendment of Joint Rule 16 of the Joint Rules of the Senate and the House of Representatives. ....	132	150	166
41	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 Health Plan structure and to make recommendations.....	132	196	218
43	State Affairs	ADOPTED	ORGAN DONATION - Stating findings of the Legislature and recognizing the importance of organ donation to public health and to support and encourage organ donation awareness.....	161	201	224
44	State Affairs	ADOPTED	THE DIOCESE OF BOISE -Stating findings of the Legislature and recognizing the contributions of Catholics in Idaho history and congratulating the Diocese of Boise and all Idahoans of Catholic faith on the one hundred twenty-fifth anniversary of the creation of the Diocese of Boise. ....	211	256	270
45	Health and Welfare	ADOPTED	HEARING DEVICES - Stating findings of the Legislature and requesting that the Department of Insurance consult with insurance industry leaders to determine how to make medically necessary hearing devices and related services and supplies available to Idaho children not currently covered by Medicaid. ....	161	196	218

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
46	Health and Welfare	ADOPTED	BOARD OF DENTISTRY - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Board of Dentistry relating to Rules of the Idaho State Board of Dentistry.....	132	171	193
47	Health and Welfare	ADOPTED	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 Temporary Assistance for Families in Idaho (TAFI) Program.....	132	171	193
48	State Affairs	ADOPTED	MARILYN SHULER - Stating findings of the Legislature and recognizing the many contributions and accomplishments of human rights activist Marilyn Shuler.....	123	166	180
49	Education	ADOPTED	PUBLIC SCHOOL FUNDING FORMULA - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the specific changes needed to implement the recommendations of the Public School Funding Formula Interim Committee. ...	167	196	218
50	State Affairs	ADOPTED	PORNOGRAPHY - Stating findings of the Legislature and recognizing that pornography is a public health hazard and encouraging all state and local government agencies to ensure that pornographic materials are not accessible from their Internet connections.....	196	256	270
51	Ways and Means	ADOPTED	STATE BUILDINGS - Stating findings of the Legislature and authorizing the formation of a study group to make recommendations regarding the locations of state government agencies. ....	172	211	224
52	Ways and Means	S Com/HuRes	DIVISION OF BUILDING SAFETY - Stating findings of the Legislature and rejecting certain rules of the Division of Building Safety relating to Rules of Building Safety.....	180	-	201
53	Ways and Means	ADOPTED	MICHAEL PATRICK NUGENT - Stating findings of the Legislature and recognizing, honoring and commending Michael Patrick Nugent for his years of service to the Idaho Legislature, for his positive contributions to the Idaho Legislature, its employees and the people of the State of Idaho, and wishing him well in his retirement.....	167	189	210
54	Ways and Means	ADOPTED	JERRY KRAMER - Stating findings of the Legislature and congratulating Jerry Kramer on his induction into the Pro Football Hall of Fame. ....	172	211	224
55	Ways and Means	ADOPTED	DEPARTMENT OF JUVENILE CORRECTIONS - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Department of Juvenile Corrections relating to Rules and Standards for Secure Juvenile Detention Centers. ....	218	267	281
56	Ways and Means	ADOPTED	STATE PUBLIC DEFENSE COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the State Public Defense Commission relating to Rules Governing Standards for Defending Attorneys that Utilize Idaho's Principles of an Indigent Defense Delivery System. ....	218	267	281

SENATE INDEX

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
57	Ways and Means	ADOPTED	COMMISSION OF PARDONS AND PAROLE - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Commission of Pardons and Parole relating to Rules of the Commission of Pardons and Parole. ....	218	267	281
58	Ways and Means	ADOPTED	SHEILA OLSEN - Stating findings of the Legislature and honoring Sheila Olsen for her commitment and contributions to the people and the State of Idaho. ....	218	257	270
62	Ways and Means	ADOPTED	PERSI RULE - REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Public Employee Retirement System of Idaho relating to PERSI Contribution Rules. ....	267	277	284

## SECTION XIV

## SENATE SPONSORS - SENATE LEGISLATION VOTED ON IN SENATE - 2018

BILL NO.	SPONSOR(S)
S 1207aa	Rice
S 1208	Lodge
S 1209	Nonini
S 1210	Mortimer
S 1211aa	Mortimer
S 1212	Crabtree
S 1213	Siddoway
S 1214	Hagedorn
S 1215	Johnson
S 1216	Johnson
S 1217	Jordan
S 1218	Bayer
S 1219	Anthon
S 1220	Siddoway
S 1221	Burgoyne
S 1222	Guthrie
S 1225	Burgoyne
S 1226	Stennett
S 1228	Hagedorn
S 1229	Hagedorn
S 1230	Patrick
S 1231	Bayer
S 1232	Lakey
S 1233	Nonini
S 1234	Potts
S 1235	Souza
S 1236	Bair
S 1237	Bair
S 1240	Burgoyne
S 1242	Lodge
S 1243	Den Hartog
S 1244aa,aa	Nye
S 1245aa,aa	Nye
S 1246aaH	Lodge
S 1247	Foreman
S 1248aa	Heider

BILL NO.	SPONSOR(S)
S 1249	Heider
S 1250	Heider
S 1251	Lee
S 1252	Potts
S 1253	Johnson
S 1254	Heider
S 1256	Mortimer
S 1257	Lakey
S 1258	Lakey
S 1259aa	Lee
S 1260	Keough
S 1261	Keough
S 1263	Ward-Engelking
S 1264	Siddoway
S 1265	Agenbroad
S 1266	Thayn
S 1267aa	Nonini
S 1268	Bair
S 1269	Anthon
S 1270aa	Potts
S 1271	Souza
S 1274aa	Souza
S 1275	Lee
S 1277	Hagedorn
S 1278	Mortimer
S 1279	Nonini
S 1280	Souza
S 1282	Crabtree
S 1283aa	Hagedorn
S 1284aaH	Hill
S 1285	Patrick
S 1287aa	Guthrie
S 1288	Foreman
S 1291aa	Mortimer
S 1292aa	Thayn
S 1293	Den Hartog



BILL NO.	SPONSOR(S)
S 1294	Den Hartog
S 1295aaH	Crabtree
S 1296	Hagedorn
S 1298	Burgoyne
S 1300	Lakey
S 1302	Buckner-Webb
S 1305	Harris
S 1306aaH	Anthon
S 1309aa	Lee
S 1310	Brackett
S 1311	Thayn
S 1313	Lakey
S 1314aa	Burgoyne
S 1315	Bair
S 1316aa	Burgoyne, Den Hartog
S 1317	Ward-Engelking
S 1318	Siddoway
S 1321	Heider
S 1322	Crabtree
S 1323	Agenbroad
S 1324	Den Hartog
S 1326	Agenbroad
S 1327	Agenbroad
S 1328	Ward-Engelking
S 1329	Nye
S 1330	Crabtree
S 1331	Potts
S 1333	Mortimer
S 1334	Martin
S 1335	Mortimer
S 1338	Agenbroad
S 1339	Martin
S 1340	Martin
S 1341	Lee
S 1342	Martin
S 1343	Den Hartog

BILL NO.	SPONSOR(S)
S 1344	Mortimer
S 1346	Agenbroad
S 1347	Mortimer
S 1348	Ward-Engelking
S 1349	Mortimer
S 1350	Ward-Engelking
S 1351	Mortimer
S 1352	Ward-Engelking
S 1353	Ward-Engelking
S 1354	Mortimer
S 1355	Agenbroad
S 1356	Ward-Engelking
S 1357	Mortimer
S 1358	Martin
S 1359	Mortimer
S 1360	Bair
S 1361	Agenbroad
S 1362	Souza
S 1363	Agenbroad
S 1364	Nye
S 1365	Mortimer
S 1366	Ward-Engelking
S 1367	Crabtree
S 1368	Nye
S 1369	Souza
S 1370	Agenbroad
S 1371	Agenbroad
S 1372	Agenbroad
S 1373	Crabtree
S 1374	Nye
S 1375	Crabtree
S 1376	Keough
S 1377	Bair
S 1378	Bair
S 1379	Martin
S 1380	Agenbroad

## SENATE INDEX

<b>BILL NO.</b>	<b>SPONSOR(S)</b>
S 1381	Mortimer
<b>SCR NO.</b>	<b>SPONSOR(S)</b>
SCR 125	Lodge
SCR 126	Johnson
SCR 127	Nye
SCR 128	Stennett
SCR 129	Thayn
SCR 130	Brackett
SCR 131	Lee
SCR 132	Johnson
SCR 133	Brackett
SCR 134	Brackett
SCR 135	Brackett
SCR 136	Buckner-Webb
SCR 137	Lee
SCR 138	Vick
SCR 139	Lee
SCR 140	Bair
SCR 141	Patrick
SCR 142	Patrick
SCR 143	Lodge
SCR 146	Lakey
SCR 147	Thayn
SCR 148	Lodge
SCR 149	Siddoway
SCR 150	Siddoway
<b>SJM NO.</b>	<b>SPONSOR(S)</b>
SJM 103	Siddoway
SJM 104	Harris

<b>SJM NO.</b>	<b>SPONSOR(S)</b>
<b>SP NO.</b>	<b>SPONSOR(S)</b>
SP 101	Winder

## SECTION XV

## SENATE SPONSORS - HOUSE LEGISLATION VOTED ON IN SENATE - 2018

BILL NO.	SPONSOR(S)
H 335	Johnson
H 336	Harris
H 337	Jordan
H 339	Harris
H 340	Souza
H 343	Martin
H 344	Jordan
H 345	Agenbroad
H 346	Martin
H 347	Heider
H 348	Martin
H 349	Guthrie
H 350	Thayn
H 351	Harris
H 352	Souza
H 353	Lee
H 354	Harris
H 355	Hill
H 357	Potts
H 358	Nye
H 359	Lakey
H 360	Lakey
H 361	Siddoway
H 362	Nye
H 363	Johnson
H 364	Harris
H 365	Mortimer
H 366	Mortimer
H 368	Ward-Engelking
H 369	Stennett
H 370	Bayer
H 371	Brackett
H 372	Vick
H 374	Siddoway
H 378	Lodge
H 379	Siddoway

BILL NO.	SPONSOR(S)
H 381	Bayer
H 382	Vick
H 383aaS	Johnson
H 384	Siddoway
H 386	Siddoway
H 387	Hagedorn
H 388	Den Hartog
H 390	Rice
H 391	Siddoway
H 392	Rice
H 393	Agenbroad
H 399	Thayn
H 400	Martin
H 401	Guthrie
H 402	Thayn
H 403	Siddoway
H 404	Siddoway
H 405	Burgoyne
H 407	Harris
H 409	Martin
H 411	Ward-Engelking
H 416	Winder
H 429aaS	Keough
H 430	Lakey
H 431	Ward-Engelking
H 432	Patrick
H 433	Martin
H 434	Martin
H 441	Crabtree
H 442	Crabtree
H 443	Nonini
H 446	Siddoway
H 447	Burgoyne
H 448	Den Hartog
H 451	Hill
H 452	Hill

BILL NO.	SPONSOR(S)
H 453	Vick
H 454	Winder
H 458	Martin
H 459	Guthrie
H 462	Rice
H 463	Hill
H 465	Jordan
H 466	Potts
H 467	Ward-Engelking
H 468	Souza
H 469	Lodge
H 471	Winder
H 472	Harris
H 474aaS	Lodge
H 475	Lee
H 476	Stennett
H 478	Ward-Engelking
H 479	Thayn
H 480	Ward-Engelking
H 483	Potts
H 484	Thayn
H 486	Winder
H 489	Lakey
H 490	Potts
H 492	Potts
H 493	Keough
H 497	Den Hartog
H 499	Lakey
H 500	Souza
H 501	Thayn
H 503	Thayn
H 505	Souza
H 506aaS	Harris
H 507aa	Martin
H 509	Hagedorn
H 512	Brackett

BILL NO.	SPONSOR(S)
H 513	Burgoyne
H 514	Hill
H 515	Burgoyne
H 518	Nonini
H 519	Nonini
H 521	Martin
H 522	Lakey
H 524	Den Hartog
H 526	Patrick
H 527	Guthrie
H 530	Hagedorn
H 531	Lodge
H 533	Foreman
H 534	Nye
H 535	Hagedorn
H 537	Lee
H 538	Heider
H 543	Buckner-Webb
H 544	Hagedorn
H 546	Bayer
H 547aaS	Guthrie
H 548	Lakey
H 549	Heider
H 550aa	Stennett
H 551	Burgoyne
H 554	Anthon
H 559	Hill
H 562aaS	Lee
H 565	Lodge
H 566aaS	Den Hartog
H 567aa	Johnson
H 568	Anthon
H 578	Siddoway
H 580	Mortimer
H 582	Anthon
H 584	Lakey

BILL NO.	SPONSOR(S)
H 586	Lakey
H 591	Rice
H 592	Bayer
H 599	Johnson
H 601	Jordan
H 603aaS	Harris
H 605	Thayn
H 606	Siddoway
H 607	Anthon
H 611	Winder
H 612	Keough
H 618	Potts
H 620	Den Hartog
H 624	Johnson
H 626	Burgoyne
H 627	Crabtree
H 628	Crabtree
H 629	Den Hartog
H 631	Crabtree
H 632	Guthrie
H 634	Ward-Engelking
H 635	Martin
H 638	Martin
H 642	Rice
H 643	Winder
H 645	Ward-Engelking
H 646	Martin
H 647	Thayn
H 648	Nonini
H 649	Jordan
H 650	Bair
H 651	Bair
H 652	Martin
H 653	Souza
H 654	Martin
H 658aaS	Harris

BILL NO.	SPONSOR(S)
H 660	Bair
H 661	Ward-Engelking
H 662	Crabtree
H 665	Lee
H 666	Hagedorn
H 667	Souza
H 668	Crabtree
H 669	Mortimer
H 670	Anthon
H 672	Ward-Engelking
H 673	Martin
H 674	Martin
H 675	Hill
H 677	Bair
H 678	Keough
H 679	Bair
H 680	Agenbroad
H 681	Crabtree
H 682	Lee
H 683	Lee
H 685	Bair
H 686	Agenbroad
H 687	Bair
H 688	Martin
H 689	Ward-Engelking
H 690	Agenbroad
H 691	Martin
H 692	Agenbroad
H 694	Martin
H 695	Lee
H 696	Bair
H 697	Agenbroad
H 698	Bair
H 699	Ward-Engelking
H 700	Crabtree
H 701	Bair

<b>BILL NO.</b>	<b>SPONSOR(S)</b>
H 702	Souza
H 703	Nye
H 704	Souza
H 705	Crabtree
H 706	Crabtree
H 710	Martin
H 712	Bair
H 713	Lee
H 714	Keough
H 715	Martin
H 716	Lee
H 717	Keough
H 718	Harris
<b>HCR NO.</b>	<b>SPONSOR(S)</b>
HCR 30	Winder
HCR 33	Siddoway
HCR 34	Keough
HCR 36	Souza
HCR 38	Jordan
HCR 39	Nye
HCR 40	Lee
HCR 41	Lakey
HCR 43	Bayer
HCR 44	Lodge, Stennett
HCR 45	Lee
HCR 46	Souza
HCR 47	Martin
HCR 48	Buckner-Webb
HCR 49	Winder
HCR 50	Hill
HCR 51	Winder
HCR 53	Buckner-Webb
HCR 54	Agenbroad
HCR 55	Lee
HCR 56	Lee

<b>HCR NO.</b>	<b>SPONSOR(S)</b>
HCR 57	Lee
HCR 58	Siddoway
HCR 62	Guthrie
<b>HJM NO.</b>	<b>SPONSOR(S)</b>
HJM 10	Thayn
HJM 11	Siddoway
HJM 12	Den Hartog
HJM 14	Siddoway
<b>HP NO.</b>	<b>SPONSOR(S)</b>
HP 1	Siddoway