HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 20, 2020

House of Representatives

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

Roll call showed 68 members present.
Absent and excused - Clow and Youngblood. Total - 2.
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Carson Snooks, Page.

3RD ORDER
Approval of Journal

February 20, 2020

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

CHANEY, Chairman

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

4TH ORDER
Consideration of Messages from the Governor and the Senate

February 19, 2020

Mr. Speaker:
I transmit herewith **SCR 128**, **S 1285**, **S 1283**, **S 1306**, and **S 1295** which have passed the Senate.

NOVAK, Secretary

SCR 128, **S 1285**, **S 1283**, **S 1306**, and **S 1295** were filed for first reading.

February 19, 2020

Mr. Speaker:
I return herewith **H 377** which has passed the Senate.

NOVAK, Secretary

H 377 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

5TH ORDER
Report of Standing Committees

February 20, 2020

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed **H 521**, **H 522**, **H 523**, and **H 524**.

CHANEY, Chairman

H 521 and **H 524** were referred to the Revenue and Taxation Committee.

H 522 and **H 523** were referred to the Education Committee.

February 20, 2020

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled **HJM 11**.

CHANEY, Chairman

The Speaker announced he was about to sign enrolled **HJM 11** and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 19, 2020

Mr. Speaker:
We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1263** and recommend that it do pass.

HOLTZCLAW, Chairman

S 1263 was filed for second reading.

February 20, 2020

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration **H 402**, **H 403**, and **H 455** and recommend that they do pass.

CHANEY, Chairman

H 402, **H 403**, and **H 455** were filed for second reading.

February 20, 2020

Mr. Speaker:
We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 515** and recommend that it do pass.

DIXON, Chairman

H 515 was filed for second reading.

February 20, 2020

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration **H 429** and report it back to be placed on General Orders.

CHANEY, Chairman

H 429 was placed on General Orders for consideration.

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

7TH ORDER
Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 14
BY WAYS AND MEANS COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixty-fifth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Idaho Legislature recognizes the profound role mining has played in the settlement of Idaho, its contemporary role, and the role it will play in our future; and

WHEREAS, Idaho, the forty-third state in the Union, was named the "Gem State" because of the immense role played by mining in the settlement of Idaho; and

WHEREAS, the Great Seal of the State of Idaho contains the symbolic representation of the miner because of the historical importance of mining in Idaho; and

WHEREAS, Idaho has diverse geologic and mineral resources within its boundaries, including world-class deposits of silver, phosphate, and cobalt as well as numerous and robust deposits of gold, molybdenum, antimony, rare earth elements, thorium, lead, copper, zinc, and numerous other minerals and gems; and

WHEREAS, the Idaho state song "Here We Have Idaho" references Idaho's vast resources of silver and gold; and

WHEREAS, mining in Idaho has shaped the state's political boundaries, built cities, and supplied the nation with minerals necessary for today's modern lifestyle; and

WHEREAS, the discovery of gold along Canal Gulch near Pierce, Idaho, in 1860 set off one of the largest migrations in American history; and

WHEREAS, the significant discovery of gold in the Boise Basin led to the founding of Boise City as a supply outpost for the Boise and Owyhee mining districts, thereby leading to the establishment of Boise as the capital of Idaho; and

WHEREAS, one hundred years after the discovery of silver in the world-renowned Coeur d'Alene mining district, the one billionth ounce of silver was produced there, as well as vast amounts of lead, zinc, and copper; and

WHEREAS, Idaho's world-class phosphate district plays a significant role in advancing the agricultural needs within our state and nation; and

WHEREAS, the Idaho Legislature recognizes the prevalent role mining plays in our modern lives and will play in our future; and

WHEREAS, Idaho's mining industry has played a significant role in national defense by providing the raw materials necessary to defend our nation in times of conflict; and

WHEREAS, the Idaho Legislature recognizes the vital part the mining industry plays in providing economic stability to the region, especially rural economies, through high-paying jobs, taxes, direct and indirect economic impacts, donations, and community sponsorships; and

WHEREAS, mining and mine processing provide more than 10,000 direct and indirect jobs throughout Idaho, with a payroll of $570 million, a total tax contribution of $88 million, and an economic impact of almost $1 billion to the gross state product; and

WHEREAS, the mining industry is dedicated to modern mining practices that promote the responsible extraction of minerals while being protective of the environment and emphasize land restoration as mine life progresses; and

WHEREAS, the Idaho Legislature recognizes the importance of domestically sourced minerals for national independence and defense, as it buffers reliance on imported minerals; and

WHEREAS, the Idaho Legislature recognizes the necessity and use of mined minerals in virtually every aspect of our modern lives, including computer chips, telephones, automobiles, medical devices, electricity, roads and bridges, public infrastructure, recreation, freight, buildings and dwellings, health and beauty products, recreational equipment, and renewable energy; and

WHEREAS, the Idaho Legislature recognizes the invaluable future the mining industry plays not only in Idaho but also the entire United States of America; and

WHEREAS, the Idaho Legislature recognizes the work that the Bureau of Land Management, the United States Forest Service, and other federal agencies are doing to simplify the permitting process for infrastructure and mining projects.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the State of Idaho supports the actions of the Bureau of Land Management and other federal agencies, in partnership with state agencies, to move forward and recognize the importance of mining in the history, development, and future of the Gem State.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Secretary of Agriculture, the Secretary of the Interior, the Administrator of the Environmental Protection Agency, 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.

HJM 14 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 128, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

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

HOUSE BILL NO. 525
BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PUBLIC MONEYS; AMENDING CHAPTER 16, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-1614, IDAHO CODE, TO PROHIBIT A COUNTY GOVERNMENT FROM EXPENDING FUNDS TO A PROVIDER OF ABORTION AND TO PROVIDE EXCEPTIONS; AMENDING CHAPTER 10, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-1050, IDAHO CODE, TO PROHIBIT A CITY GOVERNMENT FROM EXPENDING FUNDS TO A PROVIDER OF ABORTION AND TO PROVIDE EXCEPTIONS; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3533, IDAHO CODE, TO PROHIBIT THE STATE GOVERNMENT FROM EXPENDING FUNDS TO A PROVIDER OF ABORTION AND TO PROVIDE EXCEPTIONS; AMENDING CHAPTER 4, TITLE 39,

IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-427, IDAHO CODE, TO PROHIBIT A PUBLIC HEALTH DISTRICT FROM EXPENDING FUNDS TO A PROVIDER OF ABORTION AND TO PROVIDE EXCEPTIONS; AND PROVIDING SEVERABILITY.

HOUSE BILL NO. 526
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-1941, IDAHO CODE, TO REVISE PROVISIONS REGARDING ANNUITY SALES TO CONSUMERS AND DISCLOSURES; AMENDING CHAPTER 19, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1942, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING ADVERTISEMENT OF INTEREST-INDEXED ANNUITIES; AND AMENDING CHAPTER 19, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1943, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING STANDARDS FOR POLICY PROVISIONS FOR ANNUITIES.

HOUSE BILL NO. 527
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-701, IDAHO CODE, TO REVISE EXCEPTION PROVISIONS REGARDING CAPTIVE WILDLIFE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 528
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1401, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE UNLAWFUL KILLING, POSSESSION, OR WASTING OF WILDLIFE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 529
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO PARTIES TO ACTIONS; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-345, IDAHO CODE, TO PROVIDE CIVIL IMMUNITY FOR ARCHITECTS, ENGINEERS, AND CONTRACTORS IN CERTAIN INSTANCES AND TO PROVIDE APPLICABILITY.

H 525, **H 526**, **H 527**, **H 528**, and **H 529** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1285, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

S 1283, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

S 1306, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1295, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

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

10TH ORDER
Second Reading of Bills and Joint Resolutions

HJR 5, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 480, by Education Committee, was read the second time by title and filed for third reading.

SCR 120, by Education Committee, was read the second time by title and filed for third reading.

S 1249, by Transportation Committee, was read the second time by title and filed for third reading.

S 1255, by State Affairs Committee, was read the second time by title and filed for third reading.

SCR 125, by Transportation Committee, was read the second time by title and filed for third reading.

H 451, **H 488**, and **H 491**, by Local Government Committee, were read the second time by title and filed for third reading.

H 495 and **H 517**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

11TH ORDER
Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 409** retain its place on the Third Reading Calendar until Tuesday, February 25, 2020. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **H 420** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 449 - APPROPRIATIONS - BUDGET STABILIZATION FUND

H 449 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

Mrs. Horman asked unanimous consent that, pursuant to Rule 39, discussion of other pending legislation be allowed in debate of **H 449**. There being no objection it was so ordered.

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At this time, the Speaker introduced The Honorable Mike Crapo, United States Senator, and the Honorable James E. Risch, United States Senator, who spoke briefly to the members of the House.

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

The question being, "Shall H 449 pass?"

Roll call resulted as follows:
AYES–Abernathy, Addis, Amador, Anderson, Andrus, Armstrong, Barbieri, Blanksma, Boyle, Chaney, Chew, Christensen, Collins, Crane, Davis, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Kiska, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Necochea, Nichols, Palmer, Raybould, Raymond, Remington, Ricks, Rubel, Scott, Shepherd, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Zito, Zollinger, Mr. Speaker. Total - 64.
NAYS–Berch, Smith. Total - 2.
Absent–Anderst, Clow, Green, Youngblood. Total - 4.
Total - 70.

Whereupon the Speaker declared that H 449 passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 453 - APPROPRIATIONS - BUDGET SUBMISSIONS

H 453 was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall H 453 pass?"

Roll call resulted as follows:
AYES–Abernathy, Addis, Amador, Anderson, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Chaney, Chew, Christensen, Collins, Crane, Davis, DeMordaunt, Dixon, Ehardt, Ellis, Furniss, Gannon, Gestrin, Gibbs, Giddings, Goesling, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Kiska, Lickley, Marshall, Mason, McCrostie, Mendive, Monks, Moon, Moyle, Necochea, Nichols, Palmer, Raybould, Raymond, Remington, Ricks, Rubel, Scott, Shepherd, Smith, Stevenson, Syme, Toone, Troy, Vander Woude, Wagoner, Wintrow, Wisniewski, Wood, Young, Zito, Zollinger, Mr. Speaker. Total - 66.
NAYS–None.
Absent–Anderst, Clow, Green, Youngblood. Total - 4.
Total - 70.

Whereupon the Speaker declared that H 453 passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 408 - SALES TAX

H 408 was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall H 408 pass?"

Roll call resulted as follows:
AYES–Addis, Amador, Anderson, Anderst, Andrus, Barbieri, Blanksma, Boyle, Chaney, Collins, Crane, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Gibbs, Giddings, Goesling, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Kiska, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould, Raymond, Remington, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Wood, Young, Youngblood, Zito, Zollinger, Mr. Speaker. Total - 53.
NAYS–Abernathy, Armstrong, Berch, Chew, Christensen, Davis, Ellis, Gannon, Green, Mason, McCrostie, Necochea, Rubel, Smith, Toone, Wintrow. Total - 16.
Absent–Clow. Total - 1.
Paired Votes:

AYE - Crane	NAY - Green
AYE - Youngblood	NAY - McCrostie

(Pairs enumerated in roll call above.)
Total - 70.

Whereupon the Speaker declared that H 408 passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

15TH ORDER
Announcements

Announcements were made to the body.

16TH ORDER
Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Friday, February 21, 2020. Seconded by Ms. Rubel. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:08 p.m.

SCOTT BEDKE, Speaker

ATTEST:
CARRIE MAULIN, Chief Clerk