HOUSE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-FIFTH LEGISLATURE
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FIFTIETH LEGISLATIVE DAY
MONDAY, FEBRUARY 24, 2020

House of Representatives
The House convened at 10:30 a.m., the Speaker in the Chair.
Roll call showed 69 members present.
Absent and excused - Armstrong. Total - 1.
Total - 70.
Prayer was offered by Chaplain Tom Dougherty.
The Pledge of Allegiance was led by Ashlyn Young, Page.

3RD ORDER
Approval of Journal
February 24, 2020
Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-seventh Legislative Day and recommend that same be adopted as corrected.
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
THE OFFICE OF THE GOVERNOR
CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, that pursuant to the provisions of Section 59-917, Idaho Code, BRITT RAYBOULD, State Representative, District 34, Seat B, Bonneville & Madison Counties, State of Idaho, has nominated, HYRUM ERICKSON, of 457 Maple Drive, Rexburg, ID 83440, to perform the duties of this office temporarily as Acting State Representative, District 34, Seat B.
NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Hyrum Erickson of Rexburg, Idaho, to the office of Acting State Representative, District 34, Seat B, for a term commencing Monday, February 24, 2020 through Friday, February 28, 2020.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 24th day of February, in the year of our Lord two thousand and twenty, and of the Independence of the United States of America, the two hundred and forty-fourth year and of the Statehood of Idaho the one hundred thirtieth.
/s/ BRAD LITTLE
Governor

/s/ LAWERENCE DENNEY
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.
The Speaker announced the oath of office had previously been administered to Hyrum Erickson.

February 21, 2020
Mr. Speaker:
I return herewith enrolled HJM 11 which has been signed by the President.

NOVAK, Secretary

Enrolled HJM 11 was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 21, 2020
Mr. Speaker:
I transmit herewith S 1309, S 1310, S 1289, S 1290, S 1316, and S 1318 which have passed the Senate.

NOVAK, Secretary

S 1309, S 1310, S 1289, S 1290, S 1316, and S 1318 were filed for first reading.

5TH ORDER
Report of Standing Committees

Mr. Gestrin asked unanimous consent that H 517 be placed on General Orders for consideration. There being no objection, it was so ordered.

February 24, 2020
Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed H 530, H 531, H 532, H 533, H 534, H 535, H 536, H 537, and H 538.
CHANEY, Chairman

H 530 was referred to the State Affairs Committee.
H 531, H 532, H 533, and H 538 were referred to the Health and Welfare Committee.

H 534, H 535, H 536, and H 537 were filed for second reading.

February 21, 2020
Mr. Speaker:
We, your COMMITTEE ON EDUCATION, report that we have had under consideration H 501 and H 512 and recommend that they do pass.

CLOW, Chairman

H 501 and H 512 were filed for second reading.

February 21, 2020
Mr. Speaker:
We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration H 509 and recommend that it do pass.

HARRIS, Chairman
**H 509** was filed for second reading.

February 21, 2020

Mr. Speaker:
We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 442** and **H 484** and recommend that they do pass.

**H 442** and **H 484** were filed for second reading.

February 21, 2020

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration **H 431, H 459, H 461, H 462**, and **H 464** and recommend that they do pass.

**H 431, H 459, H 461, H 462, and H 464** were filed for second reading.

February 24, 2020

Mr. Speaker:
We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 516** and recommend that it do pass.

**H 516** was filed for second reading.

February 24, 2020

Mr. Speaker:
We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 518** and recommend that it do pass.

**H 518** was filed for second reading.

February 24, 2020

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration **H 460** and report it back to be placed on General Orders.

**H 460** was placed on General Orders for consideration.

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

**8TH ORDER**

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

**HOUSE BILL NO. 539**
**BY EDUCATION COMMITTEE**
**AN ACT**

Relating to Education; Amending Section 33-1609, Idaho Code, to define a term; and Amending Section 33-1611, Idaho Code, to Provide for Permission to Participate in Instruction Regarding Human Sexuality and to Make a Technical Correction.
THE FISH AND GAME COMMISSION Requires An UplAND GAME BIRD PERMIT.

HOUSE BILL NO. 545
BY WAYS AND MEANS COMMITTEE
AN ACT
RELATING TO FISH AND GAME; AMENDING SECTION 36-409, IDAHO CODE, TO PROVIDE FOR GAME TAGS FOR SWAN AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-416, IDAHO CODE, TO PROVIDE FEES FOR SPORT TAGS FOR SWAN.

HOUSE BILL NO. 546
BY WAYS AND MEANS COMMITTEE
AN ACT
RELATING TO CRIMES AND PUNISHMENTS; AMENDING SECTION 18-5614, IDAHO CODE, TO REVISE PROVISIONS REGARDING PATRONIZING A PROSTITUTE AND TO PROVIDE PENALTIES.

HOUSE BILL NO. 547
BY WAYS AND MEANS COMMITTEE
AN ACT
RELATING TO MINERAL RIGHTS; AMENDING SECTION 47-703, IDAHO CODE, TO REVISE PROVISIONS REGARDING LOCATOR WORK AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-704, IDAHO CODE, TO REVISE PROVISIONS REGARDING LEASES OF MINERAL RIGHTS IN STATE LANDS AND TO PROVIDE FOR TERMS AND CONDITIONS OF CERTAIN MINERAL LEASES; AMENDING SECTION 47-707, IDAHO CODE, TO REVISE PROVISIONS REGARDING FORFEITURE OF LEASES; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 548
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO INITIATIVES AND REFERENDUMS; AMENDING SECTION 34-1801A, IDAHO CODE, TO PROVIDE FOR CERTAIN INITIATIVE PETITION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-1803B, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE REMOVAL OF A SIGNATURE FROM A PETITION; AMENDING SECTION 34-1813, IDAHO CODE, TO REVISE PROVISIONS REGARDING EFFECTIVE DATES OF INITIATIVE AND REFERENDUM MEASURES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6612, IDAHO CODE, TO PROVIDE FOR THE DISCLOSURE OF PAYMENTS MADE TO SIGNATURE GATHERERS; AND PROVIDING SEVERABILITY.

HOUSE BILL NO. 549
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO DAYCARE FACILITIES; AMENDING SECTION 39-1105, IDAHO CODE, TO REVISE PROVISIONS REGARDING CRIMINAL HISTORY CHECKS; AMENDING SECTION 39-1106, IDAHO CODE, TO REMOVE A PROVISION REGARDING A CERTAIN CRIMINAL HISTORY CHECK; AMENDING SECTION 39-1110, IDAHO CODE, TO PROVIDE STANDARDS FOR INFANT SLEEP AREAS; AND AMENDING SECTION 39-1113, IDAHO CODE, TO PROVIDE THAT PERSONS FOUND GUILTY OF CERTAIN CRIMES SHALL BE INELIGIBLE FOR A LICENSE, TO PROVIDE FOR APPEALS OF A DENIAL, REVOCATION, OR SUSPENSION OF A LICENSE, AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 550
BY REVENUE AND TAXATION COMMITTEE
AN ACT
RELATING TO INCOME TAXES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029M, IDAHO CODE, TO PROVIDE FOR AN INCOME TAX CREDIT FOR EMPLOYER CONTRIBUTIONS TO AN IDAHO COLLEGE SAVINGS PROGRAM ACCOUNT; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 551
BY REVENUE AND TAXATION COMMITTEE
AN ACT
RELATING TO COLLEGE SAVINGS ACCOUNTS; AMENDING SECTION 33-5401, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5404, IDAHO CODE, TO REVISE PROVISIONS REGARDING COLLEGE SAVINGS PROGRAM REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5405, IDAHO CODE, TO REVISE PROVISIONS REGARDING TAXATION TO THE BENEFICIARY; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 552
BY REVENUE AND TAXATION COMMITTEE
AN ACT
RELATING TO VETERANS; AMENDING SECTION 63-704, IDAHO CODE, TO PROVIDE FOR THE APPLICATION OF A SPECIAL PROPERTY TAX REDUCTION FOR CERTAIN DISABLED VETERANS; AMENDING SECTION 63-705A, IDAHO CODE, TO PROVIDE FOR THE APPLICATION OF A SPECIAL PROPERTY TAX REDUCTION FOR CERTAIN DISABLED VETERANS; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 553
BY REVENUE AND TAXATION COMMITTEE
AN ACT
RELATING TO FOREST LAND TAXATION; AMENDING SECTION 63-1705, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ASSESSMENT OF FOREST LAND; AMENDING CHAPTER 17, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-1705A, IDAHO CODE, TO PROVIDE FOR CLASSIFICATION OF FOREST LANDS; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 539, H 540, H 541, H 542, H 543, H 544, H 545, H 546, H 547, H 548, H 549, H 550, H 551, H 552, and H 553 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.
S 1309 and S 1310, by State Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

S 1289, S 1290, and S 1316, by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1318, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules and Administration Committee.

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

10TH ORDER
Second Reading of Bills and Joint Resolutions

H 500, by Education Committee, was read the second time by title and filed for third reading.

H 436, by Health and Welfare Committee, was read the second time by title and filed for third reading.

S 1266, by Education Committee, was read the second time by title and filed for third reading.

H 486, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

H 513, by Ways and Means Committee, was read the second time by title and filed for third reading.

H 489, by Local Government Committee, was read the second time by title and filed for third reading.

H 497, by Health and Welfare Committee, was read the second time by title and filed for third reading.

S 1341, by Finance Committee, was read the second time by title and filed for third reading.

11TH ORDER
Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that HJR 5 be returned to the Revenue and Taxation Committee. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that H 488 and H 495 retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

SCR 120 - EDUCATION

SCR 120 was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall SCR 120 be adopted?"

Roll call resulted as follows:


NAYS–None.

Absent–Armstrong, McCrostie. Total - 2.

Total - 70.

Whereupon the Speaker declared SCR 120 adopted and ordered the resolution returned to the Senate.

S 1249 - TRANSPORTATION

S 1249 was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall S 1249 pass?"

Roll call resulted as follows:


Total - 70.

Whereupon the Speaker declared that S 1249 passed the House. Title was approved and the bill ordered returned to the Senate.

S 1255 - VETERANS SERVICES

S 1255 was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall S 1255 pass?"

Roll call resulted as follows:


NAYS–None.

Absent–Armstrong, McCrostie. Total - 2.

Total - 70.
Whereupon the Speaker declared that S 1255 passed the House. Title was approved and the bill ordered returned to the Senate.

**SCR 125 - AIR SERVICE STUDY COMMITTEE**

SCR 125 was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall SCR 125 be adopted?"

Roll call resulted as follows:
NAYS–Andrus, Green, Harris, Vander Woude. Total - 4.
Absent–Armstrong, McCrostie. Total - 2.
Total - 70.

Whereupon the Speaker declared SCR 125 adopted and ordered the resolution returned to the Senate.

**H 451 - ANNEXATION**

H 451 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. Wisniewski to open debate.

The question being, "Shall H 451 pass?"

Roll call resulted as follows:
NAYS–Berch. Total - 1.
Absent–Armstrong, McCrostie. Total - 2.
Total - 70.

Whereupon the Speaker declared that H 451 passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 491 - AMBULANCE DISTRICTS**

H 491 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Toone and Mr. Raymond to open debate.

The question being, "Shall H 491 pass?"

Roll call resulted as follows:
NAYS–None.
Absent–Armstrong, McCrostie. Total - 2.
Total - 70.

Whereupon the Speaker declared that H 491 passed the House. Title was approved and the bill ordered transmitted to the Senate.

**S 1263 - WORKER'S COMPENSATION**

S 1263 was read the third time at length, section by section, and placed before the House for final consideration.

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

Mr. Crane asked unanimous consent that, pursuant to Rule 39, discussion of other pending legislation be allowed in debate of S 1263. There being no objection it was so ordered.

Pursuant to Rule 80(3), Mr. Geistrin disclosed a conflict of interest regarding S 1263.

Pursuant to Rule 80(3), Mr. Ellis disclosed a conflict of interest regarding S 1263.

The question being, "Shall S 1263 pass?"

Roll call resulted as follows:
NAYS–None.
Absent–Armstrong, McCrostie. Total - 2.
Total - 70.

Whereupon the Speaker declared that S 1263 passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 402 - CHILD PROTECTION**

H 402 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Scott to open debate.
The question being, "Shall H 402 pass?"

Roll call resulted as follows:
AYES–Addis, Amador, Anderson, Anderst, Andrus, Barbieri, Blanksma, Boyle, Chaney, Christensen, Clow, Collins, Crane, DeMordaunt, Dixon, Ehardt, Furniss, Geastrin, Gibbs, Giddings, Goesling, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Kiska, Lickley, Marshall, Mendive, Monks, Moon, Moyle, Nichols, Palmer, Raybould(Erickson), Raymond, Remington, Ricks, Scott, Shepherd, Stevenson, Syme, Troy, Vander Woude, Wagoner, Wisniewski, Young, Yngblood, Zito, Zollinger, Mr. Speaker. Total - 54.


Absent–Armstrong. Total - 1.

Paired Votes:
AYE - Blanksma NAY - McCrostie
(Pairs enumerated in roll call above.)
Total - 70.

Whereupon the Speaker declared that H 402 passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 403 - CHILD PROTECTION

H 403 was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall H 403 pass?"

Roll call resulted as follows:


Absent–Armstrong. Total - 1.

Total - 70.

Whereupon the Speaker declared that H 403 passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 515 - DEBT COLLECTION

H 515 was read the third time at length, section by section, and placed before the House for final consideration.

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

Pursuant to Rule 80(3), Mr. Zollinger disclosed a conflict of interest regarding H 515.

Pursuant to Rule 80(3), Mr. Amador disclosed a conflict of interest regarding H 515.

Pursuant to Rule 80(3), Mrs. Horman disclosed a conflict of interest regarding H 515.

Ms. Giddings asked unanimous consent that H 515 be placed on General Orders for consideration. Mr. Monks objected.

Ms. Giddings moved that H 515 be placed on General Orders for consideration. Seconded by Ms. Zito.

The question being, "Shall the motion carry?"

Roll call resulted as follows:
AYES–Barbieri, Boyle, Christensen, Ehardt, Giddings, Moon, Nichols, Remington, Scott, Shepherd, Wisniewski, Young, Zito, Zollinger. Total - 14.


Total - 70.

Whereupon the Speaker declared the motion failed.

Pursuant to Rule 55, Ms. Troy moved the previous question. Seconded by Mr. Monks.

Roll call resulted as follows:

NAYS–Abernathy, Addis, Amador, Anderson, Barbieri, Blanksma, Chaney, Chew, Christensen, Clow, DeMordaunt, Dixon, Ehardt, Giddings, Horman, Kingsley, Mason, Mendive, Monks, Moon, Moyle, Nichols, Rubel, Scott, Shepherd, Stevenson, Smith, Vander Woude, Wisniewski, Young, Zito, Zollinger, Mr. Speaker. Total - 32.


Total - 70.

Whereupon the Speaker declared less than two-thirds of the members present having voted in the affirmative, the motion failed.

The question being, "Shall H 515 pass?"

Roll call resulted as follows:

NAYS–Addis, Andrus, Barbieri, Boyle, Christensen, Ehardt, Geastrin, Giddings, Kingsley, Mendive, Moon, Nichols,
Remington, Scott, Shepherd, Stevenson, Wisniewski, Young, Zito, Zollinger. Total - 20.

Absent-Armstrong. Total - 1.

Paired Votes:

AYE - Wintrow  NAY - Scott
(Pairs enumerated in roll call above.)
Total - 70.

Whereupon the Speaker declared that H 515 passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

**5TH ORDER**

**Report of Standing Committees**

February 24, 2020

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed H 539, H 540, H 541, H 542, H 543, H 544, H 545, H 546, H 547, H 548, H 549, H 550, H 551, H 552, and H 553.

CHANNEY, Chairman

H 541, H 542, and H 543 were filed for second reading.

H 539 was referred to the Education Committee.

H 540, H 550, H 551, H 552, and H 553 were referred to the Revenue and Taxation Committee.

H 544, H 545, and H 547 were referred to the Resources and Conservation Committee.

H 546 was referred to the Judiciary, Rules and Administration Committee.

H 548 was referred to the State Affairs Committee.

H 549 was referred to the Health and Welfare Committee.

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

**15TH ORDER**

**Announcements**

Mr. Wood asked unanimous consent that H 497 be placed on General Orders for consideration. There being no objection, it was so ordered.

Announcements were made to the body.

**16TH ORDER**

**Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Tuesday, February 25, 2020. Seconded by Ms. Rubel. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:56 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk