Mr. Order reading.

Committee, March Fifteenth

Remington.

Mr. Gannon.

Speaker: Mr. S Absent

The Prayer

T Prayer

House

House

Mr. Speaker:

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

CHANIEY, Chairman

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

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

10TH ORDER
Second Reading of Bills and Joint Resolutions

S 1318, as amended in the House, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

S 1325, as amended in the House, by Education Committee, was read the second time by title and filed for third reading.

H 462, as amended, by Judiciary, Rules and Administration Committee, was read the second time by title and filed for third reading.

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 Second Regular Session of the Sixty-fifth Legislature adjourn Sine Die. Seconded by Ms. Rubel.

The question being, "Shall the motion carry?"

AYES–Amador, Anderst, Blanksma, Chaney, Chew, Ellis, Gannon, Goesling, Green, Kauffman, Kerby, Lickley, Marshall, Mason, McCrostie, Monks, Moyle, Necochea, Palmer, Raybould, Raymond, Ricks, Rubel, Smith, Syme, Toone, Troy(Seegmiller), Wagoner, Wintrow, Wood, Youngblood, Mr. Speaker. Total - 32.

NAYS–Addis, Andrus, Armstrong, Barbieri, Boyle, Christensen, Clow, Crane, DeMordaunt, Dixon, Ehardt, Furniss, Gestrin, Giddings, Harris, Kingsley, Mendive, Moon, Nichols, Remington, Scott, Shepherd, Stevenson, Vander Woude, Winsniewski, Young, Zito, Zollinger. Total - 28.


Total - 70.

Prayer was offered by Representative Remington.

The Pledge of Allegiance was led by Representative Remington.

Whereupon the Speaker declared the motion carried and the Second Regular Session of the Sixty-fifth Legislature adjourned Sine Die at 9:17 a.m., Friday, March 20, 2020.

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The following actions were recorded after House Sine Die.

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

OFFICE OF THE GOVERNOR
Boise

March 20, 2020

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 19, 2020 and am transmitting to the Secretary of State the following House bills, to wit:

H 405, as amended in the Senate, H 422, H 473, as amended, H 518, as amended in the Senate, H 528, H 529, and H 544

Sincerely,
/s/ Brad Little
Governor of Idaho
OFFICE OF THE GOVERNOR
Boise
March 23, 2020

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 23, 2020 and am transmitting to the Secretary of State the following House bills, to wit:

H 597, H 605, and H 613

Sincerely,
/s/ Brad Little
Governor of Idaho

OFFICE OF THE GOVERNOR
Boise
March 25, 2020

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 24, 2020 and am transmitting to the Secretary of State the following House bills, to wit:


Sincerely,
/s/ Brad Little
Governor of Idaho

OFFICE OF THE GOVERNOR
Boise
March 25, 2020

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I have vetoed on March 24, 2020 and am transmitting to the Secretary of State the following House bill to wit:

H 325, as amended in the Senate, as amended in the Senate within the time limited by law, having arrived in the Office of the Governor at the hour of 4:15 p.m. on March 19, 2020.

Due to the uncertainty in the coming fiscal year and the ongoing COVID-19 crisis, I am vetoing this legislation because it results in a fiscal impact to Idaho's General Fund. The maintenance and growth of our transportation infrastructure remains a vital commitment of the State of Idaho, and I encourage the Idaho Legislature to pursue a comprehensive package when the state is facing a more positive economic outlook.

Sincerely,
/s/ Brad Little
Governor of Idaho

OFFICE OF THE GOVERNOR
Boise
March 25, 2020

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on March 24, 2020 and am transmitting to the Secretary of State the following House bills, to wit:


Sincerely,
/s/ Brad Little
Governor of Idaho
within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 2:40 p.m. on March 18, 2020.

This bill is an entirely sensible policy choice. However, it is not accurate to say, as the fiscal note does, that this bill has no fiscal impact to the State. The assistance the Idaho Department of Corrections provides for transitional housing for sex offenders upon release from prison is approximately double the cost for all other offenders because of already existing restrictions on where sex offenders can live. Because this bill further prohibits where sex offenders can live, the cost to the department for transitional housing for sex offenders will increase. At a minimum, the money currently appropriated for transitional housing will not be enough to assist as many offenders as the department currently can assist. To account for this policy change, when the department absorbs these new costs fewer offenders will receive transitional housing assistance.

Sincerely,
/s/ Brad Little
Governor of Idaho

The OFFICE OF THE GOVERNOR
Boise
March 25, 2020

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I have signed on March 25, 2020 and am transmitting to the Secretary of State the following House bill, to wit:

H 561, as amended in the Senate

Tax policy should be fair, simple and predictable. This legislation if passed has the potential to result in unintended tax shifts as well as a lack of uniformity in the process of property tax assessment. It is for these reasons that I'm choosing to veto this legislation.

Sincerely,
/s/ Brad Little
Governor of Idaho

OFFICE OF THE GOVERNOR
Boise
March 26, 2020

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I have signed on March 25, 2020 and am transmitting to the Secretary of State the following House bill, to wit:

H 516

Sincerely,
/s/ Brad Little
Governor of Idaho
OFFICE OF THE GOVERNOR  
Boise  
March 26, 2020

The Honorable Scott Bedke  
Speaker of the House  

Dear Mr. Speaker:  

I hereby advise you that I have signed on March 26, 2020 and transmitted to the Secretary of State, with my approval, the following House bill, to wit:  

H 538  
The accuracy of fiscal notes is paramount to setting sound budgets and ensuring Idaho meets its Constitutional obligation of maintaining a balanced budget. While the fiscal note states that the new permits will be covered by existing program appropriations, the Department has provided estimates that as much as $400,000 in ongoing funds may be necessary to carry out the intent of this legislation. We look forward to working with the Legislature on supplemental appropriation next session to ensure the Department can implement the legislation.  

Sincerely,  
/s/ Brad Little  
Governor of Idaho  

THE OFFICE OF THE GOVERNOR  
Boise  
March 26, 2020

The Honorable Scott Bedke  
Speaker of the House  

Dear Mr. Speaker:  

I hereby advise you that I have vetoed on March 26, 2020, and as the session has adjourned, am transmitting to the Secretary of State the following House bill to wit:  

H 487, as amended in the Senate  

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 2:25 p.m. on March 19, 2020.  

I did so reluctantly because I share the intent of the legislation in ensuring negotiated rulemaking for rules wherever feasible. The challenge with H 487aaS is that it mandates negotiated rulemaking, and therefore may preclude temporary rules when necessary. For the second straight year, the Legislature has chosen to not reauthorize fee rules, and as a result, my administration has had to republish rules as temporary to ensure they remain in full force and effect. Thus, the rules promulgated under this statute are currently being republished as temporary rules.  

In Executive Order 2020-01, I outlined my requirement that every rule chapter be repromulgated over the next five years. Each agency must hold at least two public hearings that are designed to maximize public participation in the rulemaking process. I believe the intent of H 487aaS will be carried out through my Executive Order.  

Sincerely,  
/s/ Brad Little  
Governor of Idaho  

OFFICE OF THE GOVERNOR  
Boise  
March 27, 2020

The Honorable Scott Bedke  
Speaker of the House  

Dear Mr. Speaker:  

I have the honor to advise you that I have signed on March 26, 2020 and am transmitting to the Secretary of State the following House bills, to wit:  

H 420, H 431, H 512, H 545, H 576, and H 599  

Sincerely,  
/s/ Brad Little  
Governor of Idaho  

OFFICE OF THE GOVERNOR  
Boise  
March 30, 2020

The Honorable Scott Bedke  
Speaker of the House  

Dear Mr. Speaker:  

I have the honor to advise you that I have signed on March 30, 2020 and am transmitting to the Secretary of State the following House bills, to wit:  

H 435, H 440, as amended in the Senate, H 442, H 500, as amended in the Senate, H 509, H 521, H 548, H 578, H 601, and H 651  

Sincerely,  
/s/ Brad Little  
Governor of Idaho  

OFFICE OF THE GOVERNOR  
Boise  
March 30, 2020

The Honorable Scott Bedke  
Speaker of the House  

Dear Mr. Speaker:  

I hereby advise you that I have signed on March 30, 2020 and am transmitting to the Secretary of State the following House bill, to wit:  

H 461, as amended in the Senate  

within the prescribed by law, the same having arrived in the Office of the Governor at the hour of 2:25 p.m. on March 19, 2020.  

If a landlord obtains a favorable verdict by a jury or a favorable finding by the judge, it should be clearly stated in code that, on good cause shown for cases of old age, illness, disability, or the like, the judge can delay filing the order for a some short period. That way, in the interest of equity, the judge could give such a renter an additional few days before starting the 72-hour timeline with the filing of the order. Most renters will not be represented by counsel and likely would not know they could even request the judge delay filing the order a few additional days.

Sincerely,  
/s/ Brad Little  
Governor of Idaho
I do not oppose standardizing the process statewide for evictions once the order is filed, which is why I will allow this bill to become law. My hope is that better protection for the most vulnerable renters I outlined above can be enacted next year and in the meantime that judges will exercise discretion on the timing of filing the order in cases of old age, illness, disability and the like.

Sincerely,

/s/ Brad Little
Governor of Idaho

OFFICE OF THE GOVERNOR
Boise

March 30, 2020

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I have signed on March 24, 2020 and am transmitting to the Secretary of State, with my approval, the following House bill, to wit:

H 547

I recognize that this bill relates to ongoing questions regarding the leasing of minerals by the Idaho Department of Lands. I believe this legislation is a step in the process of resolving those questions. I also recognize that this discussion will continue, and I look forward to working with all involved to strengthen this program and increasing the amount it contributes to the State's endowment beneficiaries.

Sincerely,

/s/ Brad Little
Governor of Idaho

THE OFFICE OF THE GOVERNOR
Boise

March 30, 2020

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I have transmitted to the Secretary of State without my approval, disapproved and vetoed, the following House bill to wit:

H 384, as amended, as amended in the Senate

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 2:25 p.m. on March 19, 2020.

This bill has an admirable objective but establishes a flawed process to recoup the wrongfully convicted. This bill immediately forces the state into an adversarial legal proceeding in court with the claimant. The process will be expensive and time-consuming to pursue and defend, the cost of which is not contemplated in the Fiscal Note. By their very nature these proceedings will involve missing or lost evidence, dead or otherwise unavailable witnesses, constitutional victims' rights issues, and appellate review by the Idaho Supreme Court. In sum, such a court case will be exceedingly complicated to adjudicate on the abbreviated timeline this bill aspires to establish.

If the goal is to expeditiously compensate the wrongfully accused, that objective is best accomplished by entrusting the decision to grant or deny compensation to an existing board or commission, such as the Commission of Pardons and Parole or the Board of Examiners. This allows for the possibility of expedited compensation or settlement to the claimant, subject to appropriation by the Legislature. If the board or commission denies the claim, then the proceeding could go to the courts for further fact-finding, adjudication, and appellate review.

States vary in how they handle compensation to the wrongly convicted. We should be sure that the amount Idaho makes available to compensate the wrongfully convicted is comparable to the amounts other states give. In addition to financial compensation, this bill creates an unfunded mandate on the state-funded insurance plan and state colleges and universities by granting successful claimants up to eight years of state-funded medical insurance and up to 120 credit hours at state colleges and universities. The total sum of a claimant's compensation should be enough that the successful claimant can purchase insurance and an education if the successful claimant desires. This is a better approach than adding unfunded mandates to other parts of state government.

Again, I admire the intent of this bill and my office will work with the sponsors to hopefully rectify these issues to produce a bill that creates an acceptable process for quickly compensating the wrongfully convicted.

Sincerely,

/s/ Brad Little
Governor of Idaho

THE OFFICE OF THE GOVERNOR
Boise

March 31, 2020

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I have vetoed on March 30, 2020, and as the legislature has adjourned, transmitted to the Office of the Secretary of State, the following House bill, to wit:

H 340, as amended, as amended in the Senate

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 8:19 p.m. on March 18, 2020.

My time as Governor has been marked by reducing administrative red tape while protecting the health and safety of Idahoans. The safety and well being of Idaho's children is my highest priority. This legislation does not adequately ensure necessary protections for one of our most vulnerable populations, adolescents seeking treatment for substance use disorders. Additionally, I am troubled to implement a pilot program that has no sunset period in place for proper assessment.

Sincerely,

/s/ Brad Little
Governor of Idaho
14TH ORDER
Presentation of Petitions and Communications

House of Representatives
State of Idaho
February 27, 2020

Speaker Scott Bedke
Idaho House of Representative

Mr. Speaker,

The House Education Committee has received and reviewed all pending and pending fee rules from -

State Board and State Department of Education: It is the recommendation of the Committee that the following be approved in their entirety;

- **Omnibus Fee Rule Docket 08-0000-1900F**;
- **Rules Governing Administration, Docket 08-0201-1902**;
- **Rules Governing Uniformity, Docket 08-0202-1901 and Docket No. 08-0202-1903**;
- **Rules Governing Thoroughness, Docket 08-0203-1902**;
- **Rules Governing Public Charter Schools, Docket 08-0204-1901**

It is the recommendation of the Committee that;

- **Omnibus Non-Fee Rule, Docket 08-0000-1900** be approved with the exception of:

  - **Rules Governing Uniformity**, Sections 004.01 and 100.01, .02.d and .04.c, which the Committee finds to not be consistent with legislative intent and recommends it be rejected.

  - **Rules Governing Thoroughness**, Section .004.01.d including Appendices A, B, C, h and j and Section 105.01.d.(3), ii, iii and iv, which the Committee finds to not be consistent with legislative intent and recommends it be rejected.

  - **Rules Governing the Opportunity Scholarship Program**, Docket 08-0113-1901 be approved with the exception of Section 101.02.a changes, c changes and all of d, which the Committee finds to not be consistent with legislative intent and recommends it be rejected.

  - **Rules Governing Uniformity**, Docket 08-0202-1902 be approved with the exception of Section .004.01, which the Committee finds to not be consistent with legislative intent and recommends it be rejected.

  - **Rules Governing Thoroughness**, Docket 08-0203-1901 be approved with the exception of Section .004.01.d including Appendices A, B, C, h and j; and Docket 08-0203-1903 be approved with the exception of Section .004.01.d including Appendices A, B, C, h and j, which the Committee finds to not be consistent with legislative intent and recommends it be rejected.

Idaho Commission for Libraries: It is the recommendation of the Committee that:

- **Omnibus Non-Fee Rule, Docket 30-0101-1900** be approved in its entirety.

Division of Career Technical Education: It is the recommendation of the Committee that the following be approved in their entirety;

- **Omnibus Non-Fee Rule, Docket 55-0000-1900**
- **Rules of Career Technical Schools, Docket 55-0103-1901**

The letter was ordered filed in the office of the Chief Clerk.

House of Representatives
State of Idaho

March 6, 2020

Speaker Scott Bedke
Idaho House of Representatives

Mr. Speaker,

The House Health and Welfare Committee has received and reviewed all Omnibus pending, Omnibus pending fee, pending, pending fee, and temporary rules from the following -

- **Department of Health and Welfare**: It is the recommendation of the Committee that all Omnibus pending, Omnibus pending fee, pending, temporary rules be approved, with the exception of Chapter 16.02.08-Vital Statistics Rules, Docket No. 16-0000-1900F, Section 201, Subsection 06, which the Committee finds to not be consistent with legislative intent and recommends it be rejected.

- **Office of the Governor, Idaho Commission on Aging**: It is the recommendation of the Committee that all Omnibus pending rules be approved.

- **Office of the Governor, Idaho Commission for the Blind and Visually Impaired**: It is the recommendation of the Committee that all Omnibus pending rules be approved.

- **Board of Medicine**: It is the recommendation of the Committee that all Omnibus pending fee and pending fee rules be approved.

- **Board of Nursing**: It is the recommendation of the Committee that all Omnibus pending fee and pending fee rules be approved.

- **Idaho State Board of Dentistry**: It is the recommendation of the Committee that all Omnibus pending fee and pending fee rules be approved.

- **Bureau of Occupational Licenses**: It is the recommendation of the Committee that all Omnibus pending fee rules be approved.

- **Idaho Board of Pharmacy**: It is the recommendation of the Committee that all Omnibus pending fee rules be approved.
• Idaho Public Health Districts, Panhandle Health District #1: Docket No. 41-0101-1900 was redirected to the Environmental, Energy, and Technology Committee.

House Health and Welfare Committee
/s/ Representative Fred Wood
Chairman

The letter was ordered filed in the office of the Chief Clerk.

House of Representatives
State of Idaho
March 3, 2020

Speaker Scott Bedke
Idaho House of Representatives

Mr. Speaker,

The House Judiciary, Rules & Administration Committee has received and reviewed all Omnibus non-fee, Omnibus fee, pending, pending fee and proclamation rules from:

• Department of Juvenile Corrections
• Idaho State Police
• Idaho State Police, Forensic Services
• Commission of Pardons and Parole
• Public Defense Commission
• Idaho State Police, Idaho Public Safety and Security Information System
• Idaho State Police, Peace Officer Standards and Training Council
• Sexual Offender Management Board
• Board of Correction

It is the recommendation of the Committee that all Omnibus fee and pending fee rules, Omnibus proclamation and proclamation rules be approved in their entirety.

House Judiciary Rules and Administration Committee
/s/ Representative Greg Chaney
Chairman

The letter was ordered filed in the office of the Chief Clerk.

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House of Representatives
State of Idaho
March 16, 2020

Speaker Scott Bedke
House Representatives

Mr. Speaker

The House Business Committee has received and reviewed all Omnibus pending, Omnibus pending fee, pending, and pending fee rules from:

• Idaho Department of Finance
• Idaho Department of Insurance
• Bureau of Occupational Licenses
• Board of Accountancy
• Board of Professional Engineers and Professional Surveyors

• Real Estate Commission
• Idaho Grape Growers and Wine Producers Commission

It is the recommendation of the Committee that all Omnibus pending, Omnibus pending fee, pending and pending fee rules be approved in their entirety.

The Committee also received and reviewed Omnibus pending, Omnibus pending fee, pending and pending fee rules for the:

• Division of Building Safety

and recommends all be approved with the exception of: Docket 07-0101-1901, Section 105.09 - subsection a and b and Docket 07-0301-1901, subsection 04.04, which the Committee finds to not be consistent with legislative intent and recommends rejection.

House Business Committee
/s/ Representative Sage Dixon
Chairman

The letter was ordered filed in the office of the Chief Clerk.

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CERTIFICATE

WE, SCOTT BEDKE, Speaker of the House of Representatives, and CARRIE MAULIN, Chief Clerk, do hereby certify and attest as follows:

That we have carefully compiled in the House Journal of the Second Regular Session of the Sixty-fifth Legislature all of the proceedings of the Seventy-fifth Legislative Day, and that the said Journal contains a full, true, and correct record of all of the proceedings of said House of Representatives for said day and final action upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hands, this April 6, 2020.

SCOTT BEDKE, Speaker

ATTEST: CARRIE MAULIN, Chief Clerk