SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 3, 2020

President McGeachin called the Senate to order at 11 a.m.
Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair.
Prayer was offered by Chaplain Jeff Tanner.
The Pledge of Allegiance was led by Sadie Tribe, 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, 2020, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

Petitions, Resolutions, and Memorials

SCR 123
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND ENDORSING THE NEED FOR THE IDAHO DIVISION OF VETERANS SERVICES TO REQUEST FEDERAL GRANTS TO EXPAND THE BOISE VETERANS CEMETERY AND TO FUND THE RENOVATION OF MULTIPLE CATEGORIZED LIFE SAFETY PROJECTS AT THE STATE VETERANS HOMES IN LEWISTON AND POCATELLO.

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

WHEREAS, Idaho is home to more than 122,000 veterans; and
WHEREAS, pursuant to 38 CFR the state is obligated to provide for ongoing cemetery maintenance and operation of state veterans homes and cemeteries; and
WHEREAS, there exists a need to expand our beautiful final resting place for Idaho veterans to meet the future needs of southwestern Idaho veterans and their families at the Boise Veterans Cemetery; and
WHEREAS, the federal government shares this belief, and the Department of Veterans Affairs Veterans Cemetery Grants Program pays 100% of architectural and engineering allowable costs for the expansion of a state veterans cemetery; and
WHEREAS, the state is obligated to provide 10% architectural and engineering matching funds necessary to qualify for federal funding under the Department of Veterans Affairs Veterans Cemetery Grants Program; and
WHEREAS, the 10% matching funds for the architectural and engineering allowable costs will be reimbursed to the state following grant award; and
WHEREAS, there exists a need to complete multiple categorized life safety projects at the Idaho State Veterans Homes in Lewiston and Pocatello to improve and maintain the quality of care and services provided and ensure the future safety of our veteran residents and their families; and
WHEREAS, the state is obligated to provide and care for its residents in a safe environment that promotes health, maintenance, and enhancement of each resident's quality of life; and
WHEREAS, the Department of Veterans Affairs' State Veterans Home Construction Grant Program pays up to 65% of the cost of construction and renovation of state nursing home facilities; and
WHEREAS, the state is obligated to provide 35% matching funds necessary to qualify for the State Veterans Home Program federal funding; and
WHEREAS, state leaders have identified the cemetery expansion and veterans home categorized life safety projects as a priority to maintain the quality of services and care the Idaho Division of Veterans Services provides to our Idaho veterans.
NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we endorse the need for the Idaho Division of Veterans Services to request federal grants to expand the Boise Veterans Cemetery and fund the renovation of multiple categorized life safety projects at the State Veterans Homes in Lewiston and Pocatello.

SCR 124
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE IDAHO DIVISION OF VETERANS SERVICES TO ENTER INTO AN AGREEMENT WITH THE IDAHO STATE BUILDING AUTHORITY, UNDER CERTAIN TERMS AND CONDITIONS WHILE USING PERMANENT BUILDING FUNDS TO PAY SERVICE DEBT, AND TO PROVIDE FOR FINANCING TO PROVIDE MATCHING FUNDS FOR A FEDERAL GRANT REGARDING A NEW BED REPLACEMENT SKILLED NURSING FACILITY AND AN ADULT DAY HEALTH CARE FACILITY IN BOISE.

Be It Resolved by the Legislature of the State of Idaho:
WHEREAS, Idaho is home to more than 122,000 veterans; and
WHEREAS, an estimated 68,000 veterans live in the southwestern Idaho catchment area, of which 29,700 are age 65 or older; and
WHEREAS, the current State Veterans Home in Boise is more than 55 years old; and
WHEREAS, due to the age of the facility, as it relates to ongoing maintenance and repair costs, the building's institutional layout, and property constraints, the facility has expended its useful life as a skilled nursing care facility; and
WHEREAS, pursuant to 38 CFR the state is obligated to provide and care for its residents in a safe environment that promotes health, maintenance, and enhancement of each resident's quality of life; and

WHEREAS, the Department of Veterans Affairs' State Veterans Home Construction Grant Program pays up to 65% of the cost of construction, renovation, or acquisition of state nursing home, domiciliary, and adult day health care facilities; and

WHEREAS, the state is obligated to provide 35% matching funds necessary to qualify for federal funding; and

WHEREAS, the Division of Veterans Services has, through a third-party consultant, conducted a southwest Idaho Veterans Care Needs Assessment supporting the need for a replacement skilled nursing facility and adult day health care to meet current and future veteran population needs within that catchment area; and

WHEREAS, state leaders have identified land at the State Chinden Campus for construction and operation of the 158-bed replacement veterans home; and

WHEREAS, dependent on grant funding, state leaders have identified land at either the State Chinden Campus or at the existing State Veterans Home property for construction and operation of the 40-participant adult day health care; and

WHEREAS, the timing is favorable for bonding for the design, construction, and furnishing of a replacement nursing home and new adult day health care facility.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature authorizes the Idaho Division of Veterans Services to enter into an agreement or agreements with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary while using Permanent Building Funds to pay service debt, to provide for financing to provide matching funds for a federal grant to design, construct, furnish, and equip a new bed replacement skilled nursing facility and an adult day health care facility in Boise.

SCR 123 and SCR 124 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 3, 2020

The JUDICIARY AND RULES Committee reports that SP 101, SCR 121, SCR 122, S 1275, S 1276, S 1277, S 1278, S 1279, and S 1280 have been correctly printed.

LAKEY, Chairman

SP 101, SCR 121, and SCR 122 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1275 was referred to the Commerce and Human Resources Committee.

S 1276 was referred to the Transportation Committee.

S 1277 was referred to the Local Government and Taxation Committee.

S 1278 and S 1279 were referred to the Education Committee.

S 1280 was referred to the State Affairs Committee.

January 31, 2020

The JUDICIARY AND RULES Committee reports that Enrolled S 1229 and S 1228 were delivered to the Office of the Governor at 1:25 p.m., January 31, 2020.

LAKEY, Chairman

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

January 31, 2020

The FINANCE Committee reports out S 1271 and S 1272 with the recommendation that they do pass.

BAIR, Chairman

S 1271 and S 1272 were filed for second reading.

February 3, 2020

The STATE AFFAIRS Committee reports out H 343 and S 1255 with the recommendation that they do pass.

LODGE, Chairman

H 343 and S 1255 were filed for second reading.

February 3, 2020

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:

Representative Steven Harris to the Idaho Endowment Fund Investment Board, term to expire May 27, 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.

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

Messages from the Governor

January 31, 2020

The Honorable Janice McGauchin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have appointed Christopher Mathias of Boise, Idaho, to be Acting State Senator for Legislative District 19, Ada, State of Idaho.

This appointment is effective Monday, February 3, 2020, through Wednesday, February 5, 2020.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE, that pursuant to the provisions of Section 59-917, Idaho Code, Cherie Buckner-Webb, State
Senator, District 19, Ada County, State of Idaho, has nominated Christopher Mathias of Boise, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 19, Ada County.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Christopher Mathias to the office of State Senator, District 19, Ada, State of Idaho, for a term commencing Monday, February 3, 2020, through Wednesday, February 5, 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 Thirty-first day of January, 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/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Mathias, 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 request by Senator Mortimer, granted by unanimous consent, SCR 120 was referred to the Education Committee.

The Senate advanced to the Eleventh Order of Business.

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

S 1281
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CONSTRUCTION OF STATUTES; REPEALING SECTION 73-120, IDAHO CODE, RELATING TO SPECIAL AND LOCAL LAWS OF 1919.

S 1282
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE BOARD OF CEMETERIANS; REPEALING CHAPTER 38, TITLE 54, IDAHO CODE, RELATING TO THE BOARD OF CEMETERIANS.

S 1281 and S 1282 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 321, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1254, 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 1240 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:


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 Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1242 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 Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared that S 1234 had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

S 1235 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:

Whereupon the President declared **S 1235** passed, title was approved, and the bill ordered transmitted to the House.

**S 1236** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **S 1236** passed, title was approved, and the bill ordered transmitted to the House.

**H 331** 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:


Whereupon the President declared **H 331** passed, title was approved, and the bill ordered returned to the House.

**S 1238** 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:


Total - 35.

Whereupon the President declared **S 1238** passed, title was approved, and the bill ordered transmitted to the House.

**S 1243** 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:


Whereupon the President declared **S 1243** 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 12:03 p.m. until the hour of 11 a.m., Tuesday, February 4, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary