WHEREAS, the State of Idaho reasserts and confirms sovereign control over all water resources within the state; and
WHEREAS, the decline of anadromous fish is due to many factors, including increased predation, unfavorable ocean conditions, and harvest; and
WHEREAS, due to the efforts of northwest families, farmers, ranchers, organizations, and businesses investing billions of dollars in fish passage and habitat improvements, there is a 97.5 percent average survival for juvenile Chinook and 99.5 percent average survival for juvenile steelhead migrating downstream through the lower Snake River dams; and
WHEREAS, due to the efforts of the state, Nez Perce Tribe, and Idaho water users in entering into the 2004 Snake River Water Rights Agreement, up to 487,000 acre feet of Idaho's water is used for flow augmentation for salmon and steelhead in the lower Snake and Columbia Rivers, with water being released through a willing buyer, willing seller arrangement. The 2004 agreement provides protections to Idaho water users in the form of a 30-year biological opinion and provides economic benefits to water users participating in the flow augmentation program; and
WHEREAS, agricultural and industrial applications of water have a legal priority within the state; and
WHEREAS, the Port of Lewiston, Idaho's only seaport, is part of the collective Columbia-Snake River System and is an asset to the State of Idaho and an asset to the Inland Northwest region, providing global competitiveness and connectivity for regional products, economic development investment, and multimodal transportation; and
WHEREAS, the Columbia-Snake River System acts as a top wheat export gateway in the United States, with approximately 10 percent of all United States wheat exports barged through the four dams on the Snake River and about 50 percent of all Idaho-grown wheat barged from Lewiston to Portland and then onto export markets around the world; and
WHEREAS, barging is the most fuel-efficient, environmentally friendly mode of transportation; and
WHEREAS, hydropower is the most efficient, environmentally favorable form of electrical generation, producing 1,000 megawatts of carbon-free, renewable energy annually, and 3,000 megawatts for peak power emergencies; and
WHEREAS, the Legislature of the State of Idaho believes that any actions to degrade the functionality, in whole or in part, to remove or breach dams on the Columbia-Snake River System or its tributaries, or to take water from the state for anadromous fish enhancement efforts would inflict on the citizenry of the state a loss in economic and trade opportunities, a loss of recharge waters for the state's aquifers, a loss of navigation and transportation, an increased risk of floods, an increase in electrical rates, a shortfall in power generation, a loss of recreational opportunities, and a threatened quality of life for Idaho citizens.
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 Idaho opposes the removal or breaching of the dams on the Columbia-Snake River System and its tributaries, has sovereignty of its water resources, prohibits contributions of water from Idaho's reservoirs for flow augmentation except those expressly authorized by state law, contends that efforts for further recovery of anadromous fish must be based on sound science, and supports maintenance and multiple-use benefits of the Columbia-Snake River System. Additionally, the Idaho Legislature recognizes and supports the international competitiveness, multimodal transportation, and economic development benefits provided by the Port of Lewiston.
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 108 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 4, 2020

The JUDICIARY AND RULES Committee reports that SCR 123, SCR 124, S 1281, and S 1282 have been correctly printed.

LAKEY, Chairman

SCR 123 and SCR 124 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary’s desk for one legislative day.

S 1281 and S 1282 were referred to the State Affairs Committee.

February 3, 2020

The HEALTH AND WELFARE Committee reports out H 311, H 314, H 315, and H 316 with the recommendation that they do pass.

MARTIN, Chairman

H 311, H 314, H 315, and H 316 were filed for second reading.

February 4, 2020

The JUDICIARY AND RULES Committee reports out S 1256 with the recommendation that it do pass.

LAKEY, 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 3, 2020

Dear Madam President:

I transmit herewith H 365, H 368, H 369, H 325, H 326, H 327, H 332, and H 333, which have passed the House.

MAULIN, Chief Clerk

H 365, H 368, H 369, H 325, H 326, H 327, H 332, and H 333 were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Mortimer, granted by unanimous consent, SCR 122 was referred to the Education Committee.

The President announced that SP 101 was before the Senate for final consideration, the question being, “Shall the proclamation be adopted?”

On motion by Senator Nelson, seconded by Senator Patrick, SP 101 was adopted by voice vote, title was approved, and the proclamation ordered transmitted to the House.

The President announced that SCR 121 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lent, seconded by Acting Senator Mathias, SCR 121 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Representative Steven Harris 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 Representative Steven Harris as a member of the Idaho Endowment Fund Investment 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 her 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 1283

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO ADMINISTRATIVE RULES; AMENDING SECTION 67-5230, IDAHO CODE, TO PROVIDE FOR A PETITION FOR A WAIVER OF OR VARIANCE FROM AN ADMINISTRATIVE RULE AND TO MAKE TECHNICAL CORRECTIONS.

S 1284

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 74-105, IDAHO CODE, TO PROVIDE THAT CERTAIN RECORDS OF THE PUBLIC DEFENSE COMMISSION SHALL BE EXEMPT FROM DISCLOSURE AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1285

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-524, IDAHO CODE, TO PROVIDE FOR TRAINING FOR MEMBERS OF SCHOOL BOARDS AND PERSONS INTERESTED IN SERVING ON SCHOOL BOARDS.

S 1286

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO ANIMALS; REPEALING SECTIONS 25-2102 THROUGH 25-2106, IDAHO CODE, RELATING TO THE
TAKING UP OF HOGS AND HOGS RUNNING AT LARGE WITHIN TOWNS.

S 1283, S 1284, S 1285, and S 1286 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 365, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 368 and H 369, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 325, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 326 and H 327, by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 332 and H 333, by Transportation and Defense Committee, were 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 1271 and S 1272, by Finance Committee, were read the second time at length and filed for third reading.

H 343, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1255, 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 1244 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:


NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared S 1245 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, S 1257, S 1258, and H 321 retained their 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 Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Johnson. 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, 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., Wednesday, February 5, 2020.

JANICE MCGEACHIN, President
Attest: JENNIFER NOVAK, Secretary