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

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 7, 2020

Acting President Winder called the Senate to order at 11 a.m.

Roll call showed all members present except President Pro Tempore Hill, absent and formally excused by the Chair; and Senators Anthon, Brackett, Burtenshaw, Guthrie, Johnson, Lakey, Lee, Lodge, and Rice, absent and excused.

Prayer was offered by Senator Lori Den Hartog.

The Pledge of Allegiance was led by Moses Brown, Page.

The Senate advanced to the Third Order of Business.

Senators Brackett, Guthrie, Johnson, Lakey, Lee, Lodge, and Rice were recorded present at this order of business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 6, 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 Vick, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

Senators Anthon and Burtenshaw were recorded present at this order of business.

SCR 127
BY COMMERCE AND HUMAN RESOURCES COMMITTEE

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THAT THE IDAHO BUILDING CODE BOARD EXPLORE THE ADOPTION OF ELECTRIC VEHICLE-READY MULTIFAMILY AND COMMERCIAL BUILDING CODES.

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

WHEREAS, the market and associated economic opportunity for electric vehicles is advancing at an accelerating rate; and

WHEREAS, Idaho currently imports nearly 100% of our transportation fuel, draining roughly $3 billion from our economy and exposing Idahoans to supply disruptions and price fluctuations; and

WHEREAS, Idaho is one of eight western states that have signed onto the voluntary Regional Vehicle Plan for the West ("REV West Plan"), that includes recommendations to incorporate charging infrastructure into planning efforts; and

WHEREAS, electric vehicles can be powered by cleaner energy with much of it produced in Idaho, including from hydropower, biomass, wind, and solar resources; and

WHEREAS, Idaho's utility companies are forecasting and planning for more electric vehicles in Idaho over the coming decades; and

WHEREAS, Idahoans who own electric vehicles experience lower fuel and maintenance costs; and

WHEREAS, low to zero-emission electric vehicles fueled with cleaner energy produced in our state protect public health; and

WHEREAS, an increasing number of automakers are marketing and designing a wider range of electric vehicle options; and

WHEREAS, nearly every major automaker is planning future fleets that will be largely, if not entirely, powered by electricity; and

WHEREAS, residents of multifamily housing do not have the opportunity to install infrastructure to charge their electric vehicles, creating barriers to electric vehicle ownership due to the lack of access to charging infrastructure; and

WHEREAS, electric vehicle charging infrastructure sited at workplaces maximizes efficient use of electric utility infrastructure during off-peak hours; and

WHEREAS, an electric vehicle-capable parking space is defined as a designated space with an appropriately sized conduit, circuit, breaker, and panelboard designed to accommodate future electrical wiring and final installation; and

WHEREAS, the estimated cost of incorporating building designs that include electric vehicle-capable parking spaces ranges from $280 to $760 per parking space, compared to $7,000 to $8,000 per parking space for a later retrofit; and

WHEREAS, Chapter 41, Title 39, Idaho Code, establishes the Idaho Building Code Board to study, adopt, and enforce codes, standards, and rules relating to the construction of buildings or facilities and to establish consistent standards for the performance and energy efficiency of those structures.

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 Legislature declares its support for the Idaho Building Code Board to consider the adoption of electric vehicle-capable building codes for multifamily residential dwellings and commercial buildings during future revisions to the Idaho state building codes and International Residential Code.

SCR 128
BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING IDAHO HIGH SCHOOLS, COLLEGES, AND UNIVERSITIES TO OFFER CREDIT-BEARING PERSONAL FINANCE CLASSES TO THEIR STUDENTS.

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

WHEREAS, recent studies show that Americans between the ages of 18 and 29 owe over one trillion dollars in debt; and

WHEREAS, high levels of debt are associated with anxiety, depression, and other adverse health conditions; and

...
WHEREAS, high levels of debt can delay or prevent the achievement of major life milestones, including marriage, parenthood, and home ownership; and

WHEREAS, according to a recent study by the University of Illinois at Urbana-Champaign, only 22% of Americans aged 18 to 24 are financially stable; and

WHEREAS, lack of financial stability while young can have long-lasting effects; and

WHEREAS, few young Americans report feeling confident in their financial literacy; and

WHEREAS, young Americans who receive financial advice at an early age report less financial stress and adversity; and

WHEREAS, it is the belief of the Legislature that making personal finance classes available to Idaho students would promote financial stability.

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 high schools, colleges, and universities are encouraged to offer credit-bearing personal finance classes to their students in order to impart financial literacy and promote financial stability among young Idahoans.

BE IT FURTHER RESOLVED that such classes should cover the fundamentals of personal finance, including lessons on opening checking and savings accounts, buying a car, taking out a mortgage or other loans, purchasing insurance, making investments, credit card use, and credit reports.

SCR 127 and SCR 128 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 7, 2020

The JUDICIARY AND RULES Committee reports that SCR 126, SJM 109, S 1289, S 1290, S 1291, S 1292, S 1293, S 1294, and S 1295 have been correctly printed.

LAKEY, Chairman

SCR 126 and SJM 109 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1289 and S 1290 were referred to the Resources and Environment Committee.

S 1291 was referred to the Agricultural Affairs Committee.

S 1292 was referred to the Judiciary and Rules Committee.

S 1293 was referred to the Education Committee.

S 1294 was referred to the Agricultural Affairs Committee.

S 1295 was referred to the Health and Welfare Committee.

February 6, 2020

The JUDICIARY AND RULES Committee reports that SCR 118 has been correctly enrolled.

LAKEY, Chairman

The Acting President announced that Enrolled SCR 118 would be held at the desk for the signature of the President, and then transmitted to the House for the Signature of the Speaker.

February 6, 2020

The FINANCE Committee reports out H 377 and S 1288 with the recommendation that they do pass.

BAIR, Chairman

H 377 and S 1288 were filed for second reading.

February 6, 2020

The TRANSPORTATION Committee reports out HCR 25 with the recommendation that it do pass.

BRACKETT, Chairman

HCR 25 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 6, 2020

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1275 with the recommendation that it do pass.

PATRICK, Chairman

S 1275 was filed for second reading.

February 6, 2020

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 354 and H 380 with the recommendation that they do pass.

RICE, Chairman

H 354 and H 380 were filed for second reading.

February 6, 2020

The EDUCATION Committee reports out S 1285 and SCR 122 with the recommendation that they do pass.

MORTIMER, Chairman

S 1285 was filed for second reading.

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

February 7, 2020

The EDUCATION Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Kurt Liebich to the State Board of Education, term to expire July 1, 2024.

MORTIMER, 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.

February 7, 2020

The STATE AFFAIRS Committee reports out S 1280 with the recommendation that it do pass.
S 1280 was filed for second reading.

February 7, 2020

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1262 with the recommendation that it do pass.

PATRICK, Chairman

S 1262 was filed for second reading.

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

Messages from the Governor

February 5, 2020

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Zachary Mason of Meridian, Idaho, was appointed as a member of the Idaho Outfitters and Guides Licensing Board to serve a term commencing January 14, 2020, and expiring April 20, 2022.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the Resources and Environment Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 6, 2020

Dear Mr. President:

I transmit herewith H 319, H 370, H 371, H 372, and H 386, which have passed the House.

MAULIN, Chief Clerk

H 319, H 370, H 371, H 372, and H 386 were filed for first reading.

February 6, 2020

Dear Mr. President:

I return herewith SP 101, which has passed the House.

MAULIN, Chief Clerk

SP 101 was ordered filed in the office of the Secretary of the Senate.

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

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

S 1296

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO TRANSPORTATION NETWORK COMPANY SERVICES; AMENDING SECTION 49-3715, IDAHO CODE, TO PROVIDE FOR CERTAIN AUTHORITY OF A COMMERCIAL SERVICE AIRPORT TO ADOPT REASONABLE RULES AND REGULATIONS REGARDING TRANSPORTATION NETWORK COMPANIES AND TO MAKE A TECHNICAL CORRECTION.

S 1297

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO LICENSE PLATES: AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420R, IDAHO CODE, TO PROVIDE FOR TOO GREAT FOR HATE LICENSE PLATES.
S 1298
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO RULES OF THE ROAD; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-675, IDAHO CODE, TO PROVIDE FOR LEGISLATIVE INTENT AND TO AUTHORIZE JOINT EXERCISE OF POWERS AGREEMENTS BETWEEN SPECIFIED AGENCIES; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-676, IDAHO CODE, TO PROVIDE THAT CERTAIN VEHICLES SHALL BE SUBJECT TO INSPECTION FOR DYED FUEL IN SPECIFIED CIRCUMSTANCES; AMENDING SECTION 63-2425, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PROHIBITION OF CERTAIN FUELS ON A HIGHWAY; AND AMENDING SECTION 63-2460, IDAHO CODE, TO REVISE A PROVISION REGARDING CIVIL PENALTIES.

S 1299
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO MANUFACTURED HOMES; AMENDING SECTION 44-2101, IDAHO CODE, TO REMOVE REFERENCE TO RESALE BROKERS, SALESMEN, AND RESPONSIBLE MANAGING EMPLOYEES, TO REMOVE A PROVISION REGARDING ORIGINAL RETAILERS AND RESALE BROKERS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 44-2101A, IDAHO CODE, TO REMOVE CERTAIN DEFINITIONS AND TO REVISE A DEFINITION; AMENDING SECTION 44-2102, IDAHO CODE, TO REVISE PROVISIONS REGARDING RULEMAKING, TO REMOVE REFERENCE TO RESALE BROKERS AND SALESMEN, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 44-2103, IDAHO CODE, TO REMOVE REFERENCE TO RESALE BROKERS, SALESMEN, AND RESPONSIBLE MANAGING EMPLOYEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 44-2106, IDAHO CODE, TO REMOVE REFERENCE TO RESALE BROKERS, SALESMEN, AND RESPONSIBLE MANAGING EMPLOYEES, TO REVISE A PROVISION REGARDING VIOLATIONS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 44-2107, IDAHO CODE, TO REMOVE REFERENCE TO RESALE BROKERS AND RESPONSIBLE MANAGING EMPLOYEES; AMENDING SECTION 44-2108, IDAHO CODE, TO REMOVE REFERENCE TO RESALE BROKERS; AND AMENDING SECTION 44-2202, IDAHO CODE, TO REMOVE REFERENCE TO RESPONSIBLE MANAGING EMPLOYEES AND TO MAKE A TECHNICAL CORRECTION.

S 1300
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE RIGHT TO REPAIR; AMENDING SECTION 48-603, IDAHO CODE, TO PROVIDE FOR ADDITIONAL UNFAIR METHODS AND PRACTICES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 6, TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 48-603G, IDAHO CODE, TO PROVIDE FOR THE RIGHT TO REPAIR ELECTRONIC EQUIPMENT; AMENDING SECTION 48-103, IDAHO CODE, TO PROVIDE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 1, TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 48-105A, IDAHO CODE TO PROVIDE FOR LEGISLATIVE INTENT; AND AMENDING CHAPTER 1, TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 48-105B, IDAHO CODE, TO ESTABLISH A RIGHT TO REPAIR, TO PROVIDE THAT CERTAIN REPAIR RESTRICTIONS SHALL CONSTITUTE AN UNFAIR RESTRAINT OF TRADE OR COMMERCE AS WELL AS AN ATTEMPT TO MONOPOLIZE A LINE OF IDAHO COMMERCE AND TO PROVIDE AN EXCEPTION, AND TO MAKE TECHNICAL CORRECTIONS.

S 1301
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE IDAHO CREDIT UNION ACT; REPEALING SECTION 26-2106, IDAHO CODE, RELATING TO AMENDMENTS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2106, IDAHO CODE, TO PROVIDE FOR THE AMENDMENT OF ARTICLES OF INCORPORATION AND BYLAWS; REPEALING SECTION 26-2109, IDAHO CODE, RELATING TO LIMITATIONS OF CORPORATE POWERS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2109, IDAHO CODE, TO PROVIDE FOR THE ACQUISITION AND HOLDING OF REAL PROPERTY; REPEALING SECTION 26-2119, IDAHO CODE, RELATING TO LOANS TO MEMBERS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2119, IDAHO CODE, TO PROVIDE FOR THE MAKING OF CERTAIN LOANS; REPEALING SECTION 26-2120, IDAHO CODE, RELATING TO LOANS TO OTHER CREDIT UNIONS WHO ARE MEMBERS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2120, IDAHO CODE, TO PROVIDE FOR CERTAIN LIMITATIONS ON LOAN MATURITY; REPEALING SECTION 26-2127, IDAHO CODE, RELATING TO INVESTMENTS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2127, IDAHO CODE, TO PROVIDE FOR THE INVESTMENT OF FUNDS; REPEALING SECTION 26-2130, IDAHO CODE, RELATING TO DIVIDENDS; AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2130, IDAHO CODE, TO PROVIDE FOR DIVIDENDS; REPEALING SECTION 26-2133, IDAHO CODE, RELATING TO REPORTS; AND AMENDING CHAPTER 21, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-2133, IDAHO CODE, TO PROVIDE FOR THE FILING OF CERTAIN FINANCIAL AND STATISTICAL REPORTS.

S 1302
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE EMPLOYMENT OF FIREFIGHTERS; AMENDING SECTION 44-1805, IDAHO CODE, TO PROVIDE FOR MEDIATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 44-1806,
IDAHO CODE, TO REVISE PROVISIONS REGARDING FACTFINDER SELECTION; AMENDING SECTION 44-1807, IDAHO CODE, TO PROVIDE FOR THE COMPLETION OF THE FACT-FINDING PROCESS; AND AMENDING SECTION 44-1811, IDAHO CODE, TO PROVIDE THAT STRIKES SHALL BE PROHIBITED DURING MEDIATION, FACT-FINDING, AND DURING A CERTAIN PERIOD AFTER FACT-FINDING.

S 1303
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-701A, IDAHO CODE, TO PROVIDE A CERTAIN LIMITATION ON THE USE OF EMINENT DOMAIN FOR PRIVATE PROPERTY; AND AMENDING SECTION 50-2006, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS MAY NOT SERVE AS A COMMISSIONER FOR AN URBAN RENEWAL BOARD.

S 1304
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING CHAPTER 12, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1201B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING GRANDFATHER RIGHTS FOR SPECIFIC ENDORSEMENTS.

S 1305
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO PSYCHOLOGISTS; AMENDING SECTION 54-2317, IDAHO CODE, TO REVISE A PROVISION REGARDING SUPERVISION AGREEMENTS AND TO MAKE TECHNICAL CORRECTIONS.

S 1306
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CITY ELECTIONS; AMENDING SECTION 50-405, IDAHO CODE, TO PROVIDE THAT NO CITY ELECTION SHALL BE HELD FOR AN OFFICE UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS.

S 1307
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE STATE BUDGET; AMENDING SECTION 67-3516, IDAHO CODE, TO PROVIDE THAT RECEIPTS FROM THE SALE OF A MOTOR VEHICLE MAY BE TRANSFERRED TO OPERATING EXPENDITURES IN CERTAIN INSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1296, S 1297, S 1298, S 1299, S 1300, S 1301, S 1302, S 1303, S 1304, S 1305, S 1306, and S 1307 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 319, by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 370, H 371, and H 372, by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 386, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1223, S 1224, and S 1225, by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

S 1246, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1248, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Vick, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:28 a.m. until the hour of 11 a.m., Monday, February 10, 2020.

WINDER, Acting President

Attest: JENNIFER NOVAK, Secretary