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

THIRTY-EIGHTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 12, 2020

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.
Roll call showed all members present except Senator Patrick, absent and formally excused by the Chair; and Senators Harris and Lee, absent and excused.

Prayer was offered by Chaplain Jeff Tanner.
The Pledge of Allegiance was led by Asher Carr-Chellman, 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 February 11, 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.

Senator Harris was recorded present at this order of business.

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

Reports of Standing Committees

February 11, 2020

The FINANCE Committee reports out H 412 with the recommendation that it do pass.

BAIR, Chairman

H 412 was filed for second reading.

February 11, 2020

The TRANSPORTATION Committee reports out H 332, H 333, and H 375 with the recommendation that they do pass.

BRACKETT, Chairman

H 332, H 333, and H 375 were filed for second reading.

February 11, 2020

The TRANSPORTATION Committee reports out S 1296 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, S 1296 was referred to the Fourteenth Order of Business, General Calendar.

February 11, 2020

The COMMERCE AND HUMAN RESOURCES Committee reports out H 313 and H 318 with the recommendation that they do pass.

PATRICK, Chairman

H 313 and H 318 were filed for second reading.

February 11, 2020

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

Paul Zurlo to the Idaho Health Insurance Exchange Board, term to expire April 10, 2021.

PATRICK, 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 11, 2020

The HEALTH AND WELFARE Committee reports out S 1305 with the recommendation that it do pass.

MARTIN, Chairman

S 1305 was filed for second reading.

February 11, 2020

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

Dr. John MacMillan to the Board of Environmental Quality, term to expire July 1, 2023.

MARTIN, 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 11, 2020

The EDUCATION Committee reports out S 1293 and S 1304 with the recommendation that they do pass.

MORTIMER, Chairman

S 1293 and S 1304 were filed for second reading.

February 12, 2020

The STATE AFFAIRS Committee reports out S 1283 and S 1306 with the recommendation that they do pass.

LODGE, Chairman

S 1283 and S 1306 were filed for second reading.

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

February 11, 2020

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1216, S 1217, and S 1233

Sincerely,

/s/ Brad Little
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 11, 2020

Dear Madam President:

I transmit herewith H 345, which has passed the House.

MAULIN, Chief Clerk

H 345 was filed for first reading.

February 11, 2020

Dear Madam President:

I return herewith Enrolled SCR 118, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled SCR 118 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that HCR 25 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lodge, seconded by Senator Rice, HCR 25 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Lee was recorded present at this order of business.

The President announced that SCR 122 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Ward-Engelking, SCR 122 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that SCR 129 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Johnson, seconded by Senator Heider, SCR 129 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that SCR 131 was before the Senate for final consideration.

Moved by Senator Stennett, seconded by Senator Winder, that SCR 131 be adopted. The question being, "Shall the resolution be adopted?"

Pursuant to Rule 39(C), a roll call vote was requested by Senator Rice. Senators Anthon, Lakey, and Vick supported the request for a roll call vote.

Roll call resulted as follows:


Absent and excused–Lee. Total - 1.

Total - 35.

Whereupon the President declared that the Senate has failed to adopt SCR 131 and ordered the resolution filed in the office of the Secretary of the Senate.

The President announced that SCR 132 was before the Senate for final consideration.

Moved by Senator Mortimer, seconded by Senator Buckner-Webb, that SCR 132 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


Absent and excused–Lee. Total - 1.

Total - 35.

Whereupon the President declared SCR 132 adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Lincoln Day Service.

The Lincoln Day Program was presented to the members of the Senate with Co-chairman Senator Cheatham providing opening remarks. The prayer was offered by Co-chairman Senator Lent.

"Battle Hymn of the Republic" was performed by Senator Buckner-Webb, accompanied by Dr. Ray Morvant on piano. Remarks were provided by Mr. Rick Just. "America the Beautiful" was performed by Senator Buckner-Webb, accompanied by Dr. Ray Morvant on piano.
Closing remarks were provided by Co-chairman Senator Cheatham. He extended gratitude to all who helped with the program and the Lincoln Day Service was dissolved.

On request by Senator Winder, 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 1333
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ALCOHOL; AMENDING SECTION 23-1002, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ALCOHOL CONTENT OF BEER; AND AMENDING SECTION 23-1008, IDAHO CODE, TO PROVIDE FOR A CERTAIN TAX, TO PROVIDE FOR REVENUE DISTRIBUTION, AND TO MAKE TECHNICAL CORRECTIONS.

S 1334
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CODIFIER’S CORRECTIONS; AMENDING SECTION 6-210, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 6-416, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 15-3-303, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-3-308, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-3-1302, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 15-7-601, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 16-1508, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 16-2428, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-3302, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE; AMENDING SECTION 18-4629, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-6706, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 19-2524, IDAHO CODE, TO PROVIDE A CORRECT REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 20-517, IDAHO CODE, TO PROVIDE A CORRECT REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-1325A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 26-206, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-3303, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 30-14-411, IDAHO CODE, TO PROVIDE CORRECT REFERENCES; AMENDING SECTION 30-23-102, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-23-103, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-23-107, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-23-109, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-23-111, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-23-401, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-23-402, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-23-406, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-23-601, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 30-23-702, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-23-803, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-23-901, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-24-204, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-24-801, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 31-3517, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4121, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 55-2202, IDAHO CODE, TO MAKE CODIFIER’S CORRECTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3621, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6602, IDAHO CODE, TO MAKE CODIFIER’S CORRECTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-6621, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE; AMENDING CHAPTER 93, TITLE 67, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 206, LAWS OF 2019, TO REDESIGNATE THE CHAPTER; AND AMENDING SECTION 72-1019, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

S 1335
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE LEGISLATURE; AMENDING SECTION 67-404, IDAHO CODE, TO PROVIDE THAT EACH REGULAR LEGISLATIVE SESSION SHALL ADJOURN SINE DIE BY A CERTAIN DATE, TO PROVIDE AN EXCEPTION, AND TO MAKE TECHNICAL CORRECTIONS.

S 1333, S 1334, and S 1335 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 345, by Transportation and Defense Committee, was 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
H 351, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1286 and S 1294, by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

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 adjorned at 12:08 p.m. until the hour of 10:30 a.m., Thursday, February 13, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary