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 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, with the combined lower four Snake River dams producing 1,000 megawatts of carbon-free, renewable energy annually and 3,000 megawatts for peak power emergencies, providing electricity to 22 rural Idaho utilities serving more than 137,000 Idahoans; 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.
Messages from the House

February 14, 2020

Dear Madam President:

I transmit herewith HJM 12, H 399, H 401, H 477, H 478, H 329, H 366, and HCR 33, which have passed the House.

MAULIN, Chief Clerk

February 14, 2020

Dear Madam President:

I transmit herewith Enrolled HCR 25 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled HCR 25 and ordered it returned to the House.

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 1342
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO BURGLARY; AMENDING SECTION 18-1401, IDAHO CODE, TO REVISE THE DEFINITION OF "BURGLARY" AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 14, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-1401A, IDAHO CODE, TO PROVIDE FOR THE CRIME OF COMMERCIAL BURGLARY AND TO PROVIDE PENALTIES.

S 1343
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO BICYCLISTS AND MOUNTAIN OPERATORS; AMENDING TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 33, TITLE 6, IDAHO CODE, TO PROVIDE LEGISLATIVE PURPOSE, TO DEFINE TERMS, TO PROVIDE THAT MOUNTAIN OPERATORS, PASSENGERS, AND BICYCLISTS SHALL HAVE CERTAIN DUTIES, AND TO PROVIDE THAT MOUNTAIN OPERATORS, PASSENGERS, AND BICYCLISTS SHALL HAVE CERTAIN LIABILITIES.

S 1344
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO STATE BUDGETS; AMENDING SECTION 67-1917, IDAHO CODE, TO REVISE PROVISIONS REGARDING REQUIREMENTS FOR REPORTS BY STATE AGENCIES RECEIVING FEDERAL FUNDS.

S 1342, S 1343, and S 1344 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HJM 12, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

SJM 110 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 17, 2020

The JUDICIARY AND RULES Committee reports that S 1341 has been correctly printed.

LAKEY, Chairman

S 1341 was referred to the Finance Committee.

Senator Lodge was recorded present at this order of business.

February 14, 2020

The JUDICIARY AND RULES Committee reports that SCR 126 has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled SCR 126 and ordered it transmitted to the House for the signature of the Speaker.

February 14, 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:

William Craig Corbett to the Idaho Lottery Commission, term to expire January 1, 2025.

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.

Senator Burtenshaw was recorded present at this order of business.

February 14, 2020

The STATE AFFAIRS Committee reports out H 350, H 357, and S 1307 with the recommendation that they do pass.

LODGE, Chairman

H 350, H 357, and S 1307 were filed for second reading.

February 14, 2020

The JUDICIARY AND RULES Committee reports out S 1319, S 1322, S 1337, and S 1339 with the recommendation that they do pass.

LAKEY, Chairman

S 1319, S 1322, S 1337, and S 1339 were filed for second reading.

Senator Burgoyne was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.
H 399, H 401, H 477, and H 478, by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 329 and H 366, by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

HCR 33, by Health and Welfare Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 339, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1261, S 1264, and S 1287, by Commerce and Human Resources Committee, were 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 1269 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:


NAY–None.

Absent and excused–Brackett, Grow. Total - 2.

Total - 35.

Whereupon the President declared S 1224 passed, title was approved, and the bill ordered transmitted to the House.

S 1225 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:


NAY–None.

Absent and excused–Brackett, Grow. Total - 2.

Total - 35.

Whereupon the President declared S 1225 passed, title was approved, and the bill ordered transmitted to the House.

S 1246 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:


Absent and excused–Brackett, Grow. Total - 2.

Total - 35.

Whereupon the President declared S 1246 passed, title was approved, and the bill ordered transmitted to the House.

S 1248 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:

NAYS–None.

Absent and excused–Brackett, Grow. Total - 2.

Total - 35.

Whereupon the President declared S 1248 passed, title was approved, and the bill ordered transmitted to the House.

S 1248 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee 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–Brackett, Grow. Total - 2.

Total - 35.

Whereupon the President declared S 1288 passed, title was approved, and the bill ordered transmitted to the House.

S 1288 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb 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–Brackett, Grow. Total - 2.

Total - 35.

Whereupon the President declared that S 1275 had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, S 1285 retained its place on the Third Reading Calendar for Wednesday, February 19, 2020.

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

Motions and Resolutions

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

MEMORIAL SERVICE

The Service was conducted by Memorial Service Committee Co-chairmen Senator David Nelson and Senator Jim Woodward. The Invocation was delivered by Dave Lent. "Sarabande, Cello Suite No. 1 in G" was performed by Brian Hodges. The Service was coordinated by Cheryl Haas, Secretary to the Secretary of the Senate.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator DAVID WALKER BIVENS passed on since the close of the First Regular Session of the Sixty-fifth Legislature to wit, December 15, 2019.

WHEREAS, the late Senator DAVID WALKER BIVENS served in the interest of Payette County during the Thirty-ninth through the Forty-second Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the Sixty-fifth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator DAVID WALKER BIVENS; and

BE IT FURTHER RESOLVED that the Senate of the Second Regular Session of the Sixty-fifth Idaho Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the DAVID WALKER BIVENS family.

On motion by Senator Crabtree, seconded by Senator Lee, the Memorial to the late Senator Bivens was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator E. GARY CHAPMAN passed on since the close of the First Regular Session of the Sixty-fifth Legislature to wit, July 10, 2019.

WHEREAS, the late Senator E. GARY CHAPMAN served in the interest of Ada County during the Forty-seventh through the Forty-eighth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the Sixty-fifth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator E. GARY CHAPMAN; and

BE IT FURTHER RESOLVED that the Senate of the Second Regular Session of the Sixty-fifth Idaho Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the E. GARY CHAPMAN family.

On motion by Senator Bayer, seconded by Senator Guthrie, the Memorial to the late Senator Chapman was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator MARY HARTUNG passed on since the close of the First Regular Session of the Sixty-fifth Legislature to wit, February 19, 2019.
WHEREAS, the late Senator MARY HARTUNG served in the interest of Payette and Washington Counties during the Forty-ninth through the First Regular Session of the Fifty-third Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the Sixty-fifth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator MARY HARTUNG; and

BE IT FURTHER RESOLVED that the Senate of the Second Regular Session of the Sixty-fifth Idaho Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the MARY HARTUNG family.

On motion by Senator Lee, seconded by Senator Lodge, the Memorial to the late Senator Hartung was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator MARGUERITE MCLAUGHLIN passed on since the close of the First Regular Session of the Sixty-fifth Legislature to wit, December 19, 2019.

WHEREAS, the late Senator MARGUERITE MCLAUGHLIN served in the interest of Clearwater, Latah, and Nez Perce Counties during the Forty-fifth through the Fifty-fifth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the Sixty-fifth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator MARGUERITE MCLAUGHLIN; and

BE IT FURTHER RESOLVED that the Senate of the Second Regular Session of the Sixty-fifth Idaho Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the MARGUERITE MCLAUGHLIN family.

On motion by Senator Stennett, seconded by Senator Johnson, the Memorial to the late Senator McLaughlin was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator WILLIAM "BILL" RODEN passed on since the close of the First Regular Session of the Sixty-fifth Legislature to wit, July 8, 2019.

WHEREAS, the late Senator WILLIAM "BILL" RODEN served in the interest of Ada County during the Thirty-sixth through the Thirty-ninth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the Sixty-fifth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator WILLIAM "BILL" RODEN; and

BE IT FURTHER RESOLVED that the Senate of the Second Regular Session of the Sixty-fifth Idaho Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the WILLIAM "BILL" RODEN family.

On motion by Senator Winder, seconded by Senator Stennett, the Memorial to the late Senator Roden was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator MARY KATHLEEN "KATHY" SIMS passed on since the close of the First Regular Session of the Sixty-fifth Legislature to wit, July 5, 2019.

WHEREAS, the late Senator MARY KATHLEEN "KATHY" SIMS served in the interest of Kootenai County during the Fifty-sixth Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the Sixty-fifth Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator MARY KATHLEEN "KATHY" SIMS; and

BE IT FURTHER RESOLVED that the Senate of the Second Regular Session of the Sixty-fifth Idaho Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the MARY KATHLEEN "KATHY" SIMS family.

On motion by Senator Souza, seconded by Senator Vick, the Memorial to the late Senator Sims was adopted by voice vote.

The Benediction was offered by Chaplin Jeff Tanner and the Memorial Service was dissolved.

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 1:11 p.m. until the hour of 10 a.m., Tuesday, February 18, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary