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IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-FIFTH LEGISLATURE

FORTY-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 18, 2020

President McGeachin called the Senate to order at 10 a.m.
Roll call showed all members present except Senator Den Hartog, absent and formally excused by the Chair; and Senators Burgoyne, Lodge, Rice, and Thayn, absent and excused.

Prayer was offered by Chaplain Jeff Tanner.
The Pledge of Allegiance was led by Kilee Bement, Page.
The Senate advanced to the Third Order of Business.
Senator Rice was 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 17, 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.

SCR 134
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT AN INTERIM COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF PROPERTY TAXES AND PROPERTY TAX REVENUE EXPENDITURES.

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

WHEREAS, rising property taxes are a major concern to residential property owners; and
WHEREAS, the Idaho Legislature has had many measures introduced over the years regarding the property tax in an effort to provide relief to payers of the property tax; and
WHEREAS, the property tax structure is complex and requires study and evaluation by the Idaho Legislature; and
WHEREAS, it is also reasonable to review expenditures of property tax revenue in order to consider property tax relief for the citizens of the state; and
WHEREAS, in order to provide property tax relief, it may be appropriate to find alternative funding sources for the systems dependent on property tax revenues; and
WHEREAS, it is the goal of the Legislature to provide reasonable property tax relief to the citizens of the state, while still encouraging economic development and providing necessary funding for local units of government to operate and serve 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 the Legislative Council is authorized to appoint a committee to undertake and complete a study of the property tax system in Idaho, including expenditures of property tax revenues. The principal goal of the committee shall be to make recommendations that provide Idahoans with property tax relief, encourage economic development, and meet the needs of local units of government. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice, and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage, or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations, and proposed legislation, if any, to the First Regular Session of the Sixty-sixth Idaho Legislature.

SCR 134 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 18, 2020

The JUDICIARY AND RULES Committee reports that SJM 110, S 1342, S 1343, and S 1344 have been correctly printed.

LAKEY, Chairman

On request by Senator Harris, granted by unanimous consent, SJM 110 was referred to the Agricultural Affairs Committee.

S 1342 and S 1343 were referred to the Judiciary and Rules Committee.

S 1344 was referred to the State Affairs Committee.

February 17, 2020

The FINANCE Committee reports out S 1341 with the recommendation that it do pass.

BAIR, Chairman

S 1341 was filed for second reading.

February 17, 2020

The STATE AFFAIRS Committee reports out H 326, H 365, S 1309, and S 1310 with the recommendation that they do pass.

LODGE, Chairman

H 326, H 365, S 1309, and S 1310 were filed for second reading.
February 17, 2020

The RESOURCES AND ENVIRONMENT Committee reports out H 367, H 382, S 1289, S 1290, and S 1316 with the recommendation that they do pass.

HEIDER, Chairman

H 367, H 382, S 1289, S 1290, and S 1316 were filed for second reading.

February 17, 2020

The JUDICIARY AND RULES Committee reports out S 1318 and S 1336 with the recommendation that they do pass.

LAKEY, Chairman

S 1318 and S 1336 were filed for second reading.

February 17, 2020

The EDUCATION Committee reports out S 1325 and SCR 128 with the recommendation that they do pass.

MORTIMER, Chairman

S 1325 was filed for second reading.

SCR 128 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 18, 2020

The LOCAL GOVERNMENT AND TAXATION Committee reports out S 1332 with the recommendation that it do pass.

RICE, Chairman

S 1332 was 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 13, 2020

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Brian Marx of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2020, and expiring January 1, 2023.

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

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

February 13, 2020

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Donald "Keith" Reynolds of Garden City, Idaho, was appointed as the Director of the Department of Administration to serve a term commencing February 12, 2020, and continuing at the pleasure of the Governor.

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 Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 17, 2020

Dear Madam President:

I transmit herewith H 395, H 440, H 410, H 411, and H 438, which have passed the House.
MAULIN, Chief Clerk

**H 395, H 440, H 410, H 411, and H 438** were filed for first reading.

February 17, 2020

Dear Madam President:

I return herewith Enrolled S 1257, S 1258, S 1271, S 1272, S 1235, S 1236, S 1240, and S 1242, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1257, S 1258, S 1271, S 1272, S 1235, S 1236, S 1240, and S 1242 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Burgoyne was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

**Motions and Resolutions**

Having been held to a date certain, the President announced that **SCR 133** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Nelson, **SCR 133** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

Senator Lodge was recorded present at this order of business.

The President announced that **HJM 11** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

Senator Thayn was recorded present at this order of business.

On motion by Senator Harris, seconded by Senator Jordan, **HJM 11** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of William Craig Corbett was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Buckner-Webb, the Gubernatorial appointment of William Craig Corbett as a member of the Idaho Lottery Commission 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 1345**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO INDUSTRIAL HEMP; AMENDING CHAPTER 29, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2921, IDAHO CODE, TO PROVIDE FOR THE TRANSPORTATION OF INDUSTRIAL HEMP, TO DEFINE TERMS, TO PROVIDE FOR RULEMAKING, TO PROVIDE FOR INSPECTION AND TESTING, TO PROVIDE FOR ANALYSIS, TO PROVIDE FOR VIOLATIONS, TO PROVIDE FOR PENALTIES, TO PROVIDE FOR ENFORCEMENT OF SPECIFIED LAW, AND TO PROVIDE FOR APPLICABILITY; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 17, TITLE 22, IDAHO CODE, TO PROVIDE FOR THE INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT ACT, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO PROVIDE FOR A STATE PLAN, TO AUTHORIZE THE PRODUCTION, PROCESSING, AND RESEARCH OF INDUSTRIAL HEMP, TO PROVIDE FOR THE INDUSTRIAL HEMP DEVELOPMENT FUND, AND TO PROVIDE EXCEPTIONS; AND DECLARING AN EMERGENCY.

S 1345 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 395**, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

**H 440**, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**H 410** and **H 411**, by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

**H 438**, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**H 350** and **H 357**, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

**S 1307**, by State Affairs Committee, was read the second time at length and filed for third reading.

**S 1319, S 1322, S 1337**, and **S 1339**, by Judiciary and Rules 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 1280** 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:


NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.
Whereupon the President declared S 1280 passed, title was approved, and the bill ordered transmitted to the House.

S 1262 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie 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–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1262 passed, title was approved, and the bill ordered transmitted to the House.

S 1281 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:


NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1281 passed, title was approved, and the bill ordered transmitted to the House.

S 1282 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge 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–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1282 passed, title was approved, and the bill ordered transmitted to the House.

S 1284 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey 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–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1284 passed, title was approved, and the bill ordered transmitted to the House.

S 1273 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward 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–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1273 passed, title was approved, and the bill ordered transmitted to the House.

S 1286 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson 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–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1286 passed, title was approved, and the bill ordered transmitted to the House.

S 1294 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:


NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1294 passed, title was approved, and the bill ordered transmitted to the House.

S 1305 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider 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—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1305 passed, title was approved, and the bill ordered transmitted to the House.

S 1293 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:

AYES—Anthon, Bair, Bayer, Burtneshaw, Cheatham, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Patrick, Rice, Souza, Thayn, Vick, Winder. Total - 23.


Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1293 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, H 377 was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

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

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out S 1268 and S 1296, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1268
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 30, delete "for filing" and insert: "shall file".

SENATE AMENDMENT TO S 1296
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 17, delete "regarding TNCs"; and in line 18, delete "TNC drivers, and vehicles used by TNC drivers conducting TNC services" and insert: "concerning the parking, waiting, and movement of TNCs and TNC drivers".

The Committee also has S 1303 and H 342 under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

On motion by Senator Vick, seconded by Senator Stennett, the report was adopted by voice vote.

S 1268 and S 1296 were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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 12:01 p.m. until the hour of 10 a.m., Wednesday, February 19, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary