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

WHEREAS, Adree Edmo was convicted of sexual abuse of a child under the age of 16 in 2012 and is currently an inmate at the Idaho State Correctional Center serving a sentence of 3 to 10 years; and
WHEREAS, Edmo has been living as a woman for years and is seeking gender reassignment surgery to be provided by the State of Idaho; and
WHEREAS, Edmo filed suit, and the U.S. District Court ruled that the Idaho Department of Correction must provide the surgery; and
WHEREAS, the Ninth Circuit Court of Appeals upheld the District Court's ruling and has denied the State of Idaho's request to rehear the decision; and
WHEREAS, Edmo has already begun receiving treatment in preparation for the surgery; and
WHEREAS, if the procedure is performed, it would be the first time an inmate has undergone gender reassignment surgery while in the Department of Correction's custody; and
WHEREAS, requiring the State of Idaho to provide gender reassignment surgery at taxpayers' expense would set an unreasonable and unjustified precedent and could require the state to provide many more in the future; and
WHEREAS, Director Josh Tewalt of the Department of Correction has stated "[P]rison is not where you go to get unwarranted surgery."; and
WHEREAS, Governor Little has declared "I am disappointed the majority of the Ninth Circuit declined to reverse its flawed decision. I am encouraged, however, that several judges recognized in dissenting opinions that the decision conflicts with decisions of multiple other circuits, goes well-beyond the Eighth Amendment's text and original meaning, and is contrary to more than four decades of Supreme Court precedent. I remain committed to appealing this case to the U.S. Supreme Court—that effort is already under way—and to ensuring that Idaho taxpayers do not have to pay for a procedure that is not medically necessary."
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 we support the Department of Correction and Governor Little in their opposition to the State of Idaho providing gender reassignment surgery to Adree Edmo and support any action that the Governor might take to stop the surgery.

SR 101
BY JUDICIARY AND RULES COMMITTEE
A SENATE RESOLUTION

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

WHEREAS, the Senate deems it necessary and desirable that Rule 19 of the Rules of the Senate be amended.
NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the Second Regular Session of the Sixty-fifth Idaho Legislature, that Rule 19 of the Rules of the Senate shall be amended to read as follows:
RULE 19

Committee Assignments.-- (A) The members of the following standing committees shall be appointed by the leadership under the direction of the President Pro Tempore, by and with the advice and consent of the Senate; the number of members on each committee shall be fixed in the order of appointment, and such order shall be read into the Journal; provided that the President Pro Tempore shall appoint a majority of each committee and the chair and vice-chair of each committee from the membership of the political party having a majority in the Senate:

Agricultural Affairs
Commerce and Human Resources
Education
Finance
Health and Welfare
Judiciary and Rules
Local Government and Taxation
Resources and Environment
State Affairs
Transportation

Printing Committee.-- (B) The Judiciary and Rules Committee shall constitute and perform all duties of a printing and engrossing and enrolling committee in the Senate, including the execution of a contract for printing of the session laws to be submitted to the Senate by resolution for approval, and the Secretary of the Senate shall serve as an ex officio member of said committee. The Joint Printing Committee shall prepare a brief written report of its recommendations, which shall be delivered to the Senate Judiciary and Rules Committee, and shall perform such other functions of administration of Senate affairs as shall be assigned to it by the President.

Absence of Chairman Chair.-- (C) At any committee meeting, in the absence of the chairman, the acting chairman shall be the vice-chair. If both chair and vice-chair are absent, then the other committee members, in the order listed on the committee roster, shall have the right to serve as acting chairman.

Chairman Chair Voting.-- (D) On all standing committees and the Committee of the Whole, the chairman shall be entitled to vote at all times.

RULE 6

Calling any Senator to the Chair Absence of the President Pro Tempore. – (A) If the President Pro Tempore is temporarily absent or unable to perform his duties, the Senate Majority Leader (and in the event of his absence, the Senate Assistant Majority Leader) shall perform the functions and duties of the President Pro Tempore.

(B) The President may, in the temporary absence or temporary incapacity of the President Pro Tempore, or with his consent, designate, either verbally or in writing, any Senator to perform the duties of the Chair who shall, during such time, be invested with all powers and privileges of the President except that of signing bills and joint resolutions, but such appointment shall not extend beyond an adjournment.

(BC) Succession to Office of President Pro Tempore of the Senate. Upon the death, removal, permanent incapacity or resignation from office of the President Pro Tempore of the Senate, during a legislative session, the Senate shall proceed to elect a new President Pro Tempore. In the event of the President Pro Tempore's death, removal, resignation or permanent incapacity between legislative sessions, the Senate Majority Leader (and in the event of his death, removal, resignation or permanent incapacity to act as interim President Pro Tempore, the Senate Assistant Majority Leader) shall act as interim President Pro Tempore with all of the duties, powers and prerogatives of the office, to serve until the next session of the Legislature, at which time a new President Pro Tempore shall be elected.

SR 103

BY JUDICIARY AND RULES COMMITTEE
A SENATE RESOLUTION
STATING FINDINGS OF THE SENATE AND PROVIDING FOR THE AMENDMENT OF RULE 7 OF THE RULES OF THE SENATE TO REVISE PROVISIONS REGARDING EMPLOYEES OF THE SENATE, DUTIES OF EMPLOYEES, SELECTION AND PAY OF EMPLOYEES, AND SUPERVISION OF EMPLOYEES.

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

WHEREAS, the Senate deems it necessary and desirable that Rule 7 of the Rules of the Senate be amended.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the Second Regular Session of the Sixty-fifth Idaho Legislature, that Rule 7 of the Rules of the Senate shall be amended to read as follows:

RULE 7

Employees of Senate. -- (A) The officers and employees of the Senate shall consist of one secretary, one assistant secretary, one journal clerk, one docket clerk, one chaplain, one sergeant at arms, one docketkeeper, two pages, one janitor, one payroll clerk, and such other assistants, clerks, secretaries, pages, and other employees as the Senate may determine to be required for the expeditious conduct of its business.

Duties of Employees. -- (B) It shall be the duty of the Secretary of the Senate to manage the session proceedings and record-keeping of the Senate, including the duties to serve as the parliamentarian of the Senate, attend each day, call the roll, read the journals and bills, transmit to the House all bills, resolutions, and papers requiring the concurrence of the House upon their passage or adoption, and to copy or take charge of and superintend all copying necessary to be done for the Senate. It shall be the duty of the Secretary of the Senate to keep a correct record of the proceedings of each day for the purpose...
of having such proceedings entered in the Journal by the Journal Clerk.

It shall furthermore be the duty of the Secretary of the Senate, at the close of each session of the legislature, to mark, label, and arrange all bills and papers belonging to the archives of the Senate and to deliver the same, together with all the books of the Senate, to the Secretary of State, who shall certify the reception of the same.

It shall be the duty of the Assistant Secretary of the Senate to take charge of all bills, petitions, and other papers presented to the Senate, to file and enter the same in the books provided for that purpose, and perform such other duties as may be directed by the Secretary of the Senate.

It shall furthermore be the duty of the Secretary of the Senate to keep a correct record of the proceedings of each day, for the purpose of having such proceedings entered in the Journal by the Journal Clerk.

It shall be the duty of the Journal Clerk of the Senate to record each day's proceedings in the Journal, from which they shall be read by the Secretary each day of meeting, in order that they may be authenticated by the signature of the President.

It shall be the duty of the Sergeant at Arms of the Senate to give a general supervision, under the direction of the presiding officers, of the Senate Chamber, with the rooms attached; to attend during the sittings of the Senate, execute its commands, together with all such proceedings issued by authority thereof, as shall be directed by the presiding officers.

It shall furthermore be the duty of the Doorkeeper Sergeant at Arms to prohibit all persons from entering the bar of the Senate except those who by rule or invitation are permitted, and to arrest for contempt all persons outside of the bar or in the gallery found engaged in loud conversation, or otherwise making a noise, to the disturbance of the Senate.

It shall be the duty of the Janitor to keep the furniture of the Senate in good order, and perform such other duties as he may be directed to do by the President Pro Tempore of the Senate.

It shall be the duty of the Payroll Clerk to prepare the payroll and all payroll documents, prepare all vouchers for all expenses of the Senate and keep all records pertaining thereto.

The President Pro Tempore may appoint such staff as is necessary to prepare the payroll and all payroll documents and provide other assistance to Senate employees, prepare all electronic vouchers for all expenses of the Senate and keep all records pertaining thereto, and to perform such other duties as directed by the President Pro Tempore.

It shall be the duty of the Chaplain to open the proceedings of the Senate with prayer.

Selection and Pay of Employees. – (C) All employees of the Senate shall be selected by an majority or minority attaché committees, which committees shall be appointed by the Senate majority or minority leadership and the employees so selected shall be subject to the approval of the Senate. There shall be paid to the employees of the Senate, for all services rendered by them, such compensation as may be determined by Senate leadership. All employees of the Senate shall serve at the pleasure of the President Pro Tempore. The President Pro Tempore is authorized to retain such personnel as deemed necessary during the interim.

Supervision of Employees. – (D) Subject to the overall supervision of the President Pro Tempore, the Secretary of the Senate shall have general responsibility for all Senate employees, although doorkeepers, watchmen, janitors, pages, and others charged with housekeeping functions, as determined by the President Pro Tempore, shall be immediately responsible to the Sergeant at Arms.

Delivery of Bills and Papers to Secretary of State. – (E) It shall be the duty of the Secretary of the Senate, at the close of each session of the legislature, to mark, label, and arrange all bills and papers belonging to the archives of the Senate, and to deliver the same, together with all the books of the Senate, to the Secretary of State, who shall certify the reception of the same.

Purchases, Etc. – (EE) No purchase shall be made or expense incurred by the Sergeant at Arms or any officer or employee of the Senate in its behalf except upon the written order of the President Pro Tempore.

SR 104

BY JUDICIARY AND RULES COMMITTEE

A SENATE RESOLUTION

STATING FINDINGS OF THE SENATE AND PROVIDING FOR THE AMENDMENT OF RULE 50 OF THE RULES OF THE SENATE TO PROHIBIT THE USE OF TOBACCO PRODUCTS OR ELECTRONIC CIGARETTES IN SPECIFIED AREAS AND TO ALLOW WATER IN CERTAIN CONTAINERS WITH LIDS CAPABLE OF BEING CLOSED ON THE SENATE FLOOR AND IN THE GALLERY WHILE IN SESSION.

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

WHEREAS, the Senate deems it necessary and desirable that Rule 50 of the Rules of the Senate be amended.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the Second Regular Session of the Sixty-fifth Idaho Legislature, that Rule 50 of the Rules of the Senate shall be amended to read as follows:

RULE 50

Smoking Tobacco Products and Electronic Cigarettes. – (A) Smoking Tobacco Products or Electronic Cigarettes shall not be allowed on the Senate floor at any time or in the gallery, or in any committee room, or in any of the rooms, passages, and corridors of the Senate, or in the offices used by the Senators, or in the restrooms of the Senate.

Consumption of Food and Beverage. – (B) No food or beverage shall be consumed on the Senate floor or in the gallery while the Senate is in session, except water in containers capable of holding no more than sixteen ounces and with lids capable of being closed.

SR 105

BY JUDICIARY AND RULES COMMITTEE

A SENATE RESOLUTION

STATING FINDINGS OF THE SENATE AND PROVIDING FOR THE AMENDMENT OF RULE 12 OF THE RULES OF THE SENATE TO PROVIDE FOR REFERRAL TO AN APPROPRIATE STANDING COMMITTEE AS DETERMINED BY THE PRESIDENT PRO TEMPORE OF THE SENATE.

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

WHEREAS, the Senate deems it necessary and desirable that Rule 12 of the Rules of the Senate be amended.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the Second Regular Session of the Sixty-fifth Idaho Legislature, that Rule 12 of the Rules of the Senate shall be amended to read as follows:
RULE 12

Petitions, Memorials, and Resolutions. – (A) Senate petitions, memorials, and resolutions will be introduced at the Fifth Order of Business. Except for being introduced at the Fifth Order of Business, joint resolutions will be treated in all respects in a manner similar to bills. All other resolutions, and all petitions and memorials, shall be referred directly to the Judiciary and Rules Committee for printing upon their introduction; and after printing, all resolutions, petitions, and memorials, except personal resolutions introduced during the first twelve legislative days, shall be referred to the Tenth Order of Business and held for one legislative day before being acted upon. Personal resolutions introduced during the first twelve legislative days will be treated in all respects in a manner similar to bills.

House Concurrent Resolutions and Memorials. – (B) House concurrent resolutions and memorials shall be introduced at the Eleventh Order of Business and shall be referred by the President to an appropriate standing committee as determined by the President Pro Tempore of the Senate. Upon receiving the committee report, the resolution or memorial shall be placed at the Tenth Order of Business, and held for one legislative day.

SR 106
B Y J U D I C I A R Y A N D R U L E S C O M M I T T E E

A SENATE RESOLUTION

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

WHEREAS, the Senate deems it necessary and desirable that Rule 14 of the Rules of the Senate be amended;

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the Second Regular Session of the Sixty-fifth Idaho Legislature, that Rule 14 of the Rules of the Senate shall be amended to read as follows:

RULE 14

First Reading and Reference. – (A) All bills and joint resolutions shall, upon their introduction and first reading, be referred directly to the Judiciary and Rules Committee for printing.

Report on Printing – Reference. – (B) The Judiciary and Rules Committee shall report to the Senate when a bill or joint resolution has been printed and the same shall again be referred by the President to an appropriate standing committee, as determined by the President Pro Tempore of the Senate, for study and recommendation.

Objection to Reference. – (C) When a bill or joint resolution has been referred by the President to a standing committee after being reported printed, any Senator may object to the reference and request it be referred to a different standing committee, and if the request be denied by the President, a motion is in order to refer the bill to such other committee.

Committee Action. – (D) When a bill or joint resolution has been referred to a standing committee by the President after being reported printed, the committee may report the same to the Senate without recommendation, recommend it "do pass," "be amended," or "do not pass," whereupon it shall be placed upon the calendar for second reading, or, the committee may request leave of the Senate to refer it to another committee.

Upon the report of a committee requiring leave of the Senate, the committee chairman, or another Senator in his absence, shall take appropriate action on the floor to secure such consent unless there be no objection to a unanimous consent request by the President.

Calling for a Bill. – (E) When a bill, resolution, or memorial has been in the hands of a committee for three days after its reference, any Senator may, at the Tenth Order of Business, serve notice that he may call for the bill, resolution, or memorial and the committee report thereon. On the day following the giving of notice, during the Thirteenth or not later than the Fourteenth Order of Business, the Senator may make the call, and the committee, unless excused by the Senate, shall, during the Sixth Order of Business only on the following day, report the bill, resolution, or memorial to the floor; provided that after the forty-fifth day of the regular session or the fifteenth day of a special session, notice of the call shall be dispensed with and unless excused or granted additional time, the committee shall report the bill, resolution, or memorial forthwith; and provided further, no bill may be called for from a committee more than once in any consecutive three-day period except after the fifty-fifth legislative day of a regular session or the fifteenth day of a special session and then no bill may be called for more than once in any one day and if two-thirds of those voting excuse the committee, it may not be called for again.

A motion to excuse the committee from reporting a bill is not in order on the mere giving of notice of intent to call the bill but must await the actual call.

House Amendments. – (F) When a bill or joint resolution passed by the Senate shall have been amended by the House of Representatives, upon its return to the Senate it shall be referred to the appropriate standing committee, as determined by the President Pro Tempore of the Senate, which committee shall, no later than the first call of the Sixth Order of Business of the second succeeding day, recommend concurrence or rejection of the House amendments. Upon report of the committee, the bill or joint resolution shall be placed upon the Tenth Order of Business at which time it shall be in order, upon motion (debatable), for the Senate to concur therein or reject the same.

If the Senate rejects the House amendments, a conference committee may be appointed by the President Pro Tempore to confer with a similar committee from the House pursuant to the Joint Rule on Conference Committees.

If the Senate concurs in the House amendments, the bill or joint resolution, as amended, shall be engrossed and referred to the First Reading Calendar.

The chairman of the appropriate standing committee shall be one member of the Senate conference committee.

SR 107
B Y J U D I C I A R Y A N D R U L E S C O M M I T T E E

A SENATE RESOLUTION
STATING FINDINGS OF THE SENATE AND REPEALING RULE 52 OF THE RULES OF THE SENATE RELATING TO CERTAIN MAILING; PROVIDING FOR THE AMENDMENT OF RULE 53 OF THE RULES OF THE SENATE TO REDESIGNATE THE SENATE RULE NUMBER, TO PROVIDE FOR MATERIAL VIOLATIONS REGARDING CERTAIN COMPLAINTS, AND TO PROVIDE THAT PRIVATE COMMUNICATIONS WITH LEADERSHIP SHALL NOT BE CONSTRUED AS VIOLATING CERTAIN
CONFIDENTIALITY REQUIREMENTS; AND PROVIDING FOR THE AMENDMENT OF RULE 54 OF THE RULES OF THE SENATE TO REDESIGNATE THE SENATE RULE NUMBER.

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

WHEREAS, the Senate deems it necessary and desirable to repeal Rule 52 of the Rules of the Senate; and

WHEREAS, the Senate deems it necessary and desirable that Rule 53 and Rule 54 of the Rules of the Senate be amended.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the Second Regular Session of the Sixty-fifth Idaho Legislature, that Rule 52 of the Rules of the Senate, be, and the same is hereby repealed.

BE IT FURTHER RESOLVED that Rule 53 and Rule 54 of the Rules of the Senate shall be amended to read as follows:

RULE 52

Committee on Ethics. — (A) The President Pro Tempore shall receive complaints from any Senator concerning the alleged violation of the Rules of the Senate or the provisions of applicable law by a member of the Senate. Whenever such a complaint is received, the President Pro Tempore shall appoint a committee on ethics of six members, consisting of a chairman and five members, three of whom must be appointed with the concurrence of the leader of the party opposite to the party of the President Pro Tempore.

(B) The complaint shall be in writing, signed, verified and contain one or more of the following allegations:

1. Substantial conduct unbecoming a Senator;

2. A material violation of the Rules of the Senate, including: (i) the disclosure of any information that is confidential concerning the preliminary investigation provided in subsection (E) of this Senate Rule; or (ii) the disclosure of any information, preliminary investigation or written complaint, except as provided in subsection (F) of this Senate Rule;

3. A violation of any state law relating to the use of public office for private pecuniary gain;

4. A violation of any state law relating to conflicts of interest; or

5. A violation of any state law that brings discredit or embarrassment to the Senate or that constitutes a breach of public trust.

(C) The complaint shall be specific and supported by competent preliminary evidence of the violation of the Rules of the Senate or the provisions of applicable law, including: (i) the name of the member of the Senate alleged to be in violation; and (ii) the description of the facts and circumstances supporting each alleged violation.

(D) The President Pro Tempore shall provide the written complaint to the chairman of the committee on ethics. Subject to the provisions of this rule, the committee shall review the written complaint. The committee may dismiss any ethics complaint that:

1. Does not comply with this Senate Rule;

2. Contains alleged violations that occurred: (i) two years or more before the date on which the complaint was submitted to the committee; or (ii) before the accused Senator was sworn in to the Senate.

(E) The committee shall notify the Senator complained against of the complaint and shall provide the Senator a copy of the complaint. The Senator complained against may submit a written answer to the committee. The committee shall make a preliminary investigation of the complaint. Notwithstanding the provisions of Senate Rule 20, such investigatory meetings shall be held in executive session. If, after investigation, the committee determines no probable cause exists that a violation has occurred, the committee shall dismiss the complaint and notify the complaining Senator and the Senator complained against. All proceedings of the committee, pursuant to this subsection (E), including the complaint and the appointment of the committee shall remain confidential, except that private communications with members of majority or minority leadership shall not be construed as violating this requirement of confidentiality.

(F) If, after investigation, the committee determines probable cause exists that a violation may have occurred, the committee shall so notify the complaining Senator and the Senator complained against. At that time, the written complaint and the formation of the committee shall no longer be confidential, but shall become a public document. The Senator complained against may request a hearing before the committee, before which he shall be entitled to appear, present evidence, cross-examine witnesses, and be represented by counsel. The committee shall have the power to take testimony under oath and to issue subpoenas and subpoenas duces tecum in the manner provided in Chapter 4, Title 67, Idaho Code. After the hearing, the committee may make recommendations to the Senate. The committee may recommend dismissal of the charges, reprimand, censure, or expulsion. Expulsion of a Senator shall require the affirmative vote of two-thirds of the members elected to the Senate, as provided by Section 11 of Article III of the Constitution. Reprimand or censure of a member shall require the affirmative vote of a majority of the members elected to the Senate. Action of the Senate pursuant to this rule is final and not subject to court review.

(G) The committee may retain such counsel and may hire such investigators as it deems necessary for the performance of its duties under this rule, or may request an advisory opinion from the Attorney General. All expenditures incurred pursuant to this subsection (G) shall be approved by the President Pro Tempore and paid by vouchers and warrants drawn as provided by law from appropriations made to the Legislative Account.

(H) The committee may adopt rules of procedure for the orderly conduct of committee meetings, investigations, and hearings, which rules shall be consistent with this rule and other applicable rules of the Senate and state statutes.

(I) If the complaint concerns misconduct of the President Pro Tempore, then the duties of the President Pro Tempore in this rule shall be the duties of the floor leader of the same party as the President Pro Tempore.

RULE 542

Contest of Election — Procedures. This Rule governs procedures leading up to and including a hearing on the contest of election. It should be read in conjunction with Chapter 21, Title 34, Idaho Code. For purposes of this Rule, the term “Party”
means either the CONTESTEE or the CONTESTOR; the term "Parties" means both.

(A) Any proof of the CONTESTEE's or CONTESTOR's legal arguments, including depositions, affidavits, production of papers, and examination of poll books and ballots (herein "Record") that either CONTESTEE or CONTESTOR desires the Senate to consider in adjudication of a Contest must be completed on or before December 29. CONTESTEE and CONTESTOR's Record must be delivered to the Office of the Secretary of State no later than the close of business on the next business day. Any Record or evidence from the CONTESTEE or CONTESTOR not delivered to the Office of the Secretary of State by that day and time will not be considered by the Senate.

(B) The Parties must file a Memorandum that outlines their claims, defenses, legal authority, legislative precedent, proposed form of relief, and a description of witness fees and discovery costs that are incurred. The Memorandum must be filed with the Office of the Secretary of State no later than the close of business four (4) business days following delivery of the Record to the Office of the Secretary of State as provided in paragraph (A). However, CONTESTEE is not required to file a responsive pleading to the Contest.

(C) Any Party may file a Responsive Memorandum. If a Party chooses to file a Responsive Memorandum, it must be filed with the Office of the Secretary of State no later than the close of business on the first day of the next Regular Session.

(D) If an unresolved discovery or Record dispute exists and continues between the CONTESTEE and the CONTESTOR, and on motion duly made, the presiding officer or his designee may rule on the dispute. Neither the CONTESTEE nor the CONTESTOR will be granted any additional time beyond December 29 to develop or deliver his Record.

(E) Committee hearing procedures. If the Senate refers the Contest of Election to a Standing or Special Committee, the Committee Chairman will notify the Parties of the Committee hearing procedures. The following procedures, subject to the discretion of the Committee Chairman, will govern the hearing:

(1) No additional testimony or Record may be presented, taken, or allowed by the Parties beyond the Record delivered to the Office of the Secretary of State as provided in paragraph (A) of this Rule.

(2) Neither CONTESTEE nor CONTESTOR may examine or cross-examine any witness that testifies before the Committee. All examination will be performed by Committee members.

(3) Pursuant to Section 34-2104, Idaho Code, only the named points in the Notice of Contest of Elections may be argued.

(4) The Committee may send for and receive persons, papers, and records, whether written or oral, including from the Office of the Attorney General, other State Elected Officers, State officials, County Elected Officers, County officials, or other witnesses that the Committee determines will reasonably assist the Committee in the performance of its constitutional duty as a "judge of the election, qualifications and returns of its own members," Section 9, Article III, Idaho Constitution.

(5) In all other respects, the Committee will be governed by the rules of the Senate.

(F) The Committee may adopt any of the following as part of the hearing procedures:

(1) Permit the Parties to have counsel present at Committee meeting(s); and

(2) Establish a time limit for the CONTESTEE and CONTESTOR to argue their positions to the Committee.

(G) Neither CONTESTEE nor CONTESTOR, nor their counsel, may participate in ex parte communication with any Idaho State Senator regarding the merits of the Contest of Election prior to final Senate determination.

(H) Service of all Record, Memorandum, Responsive Memorandum, motions, or objections must be made on the other Party as provided in Idaho Rules of Civil Procedure 5(b), excepting subpart 5(b)(2)(D). The Parties must also provide a proof of service as provided by Idaho Rules of Civil Procedure 5(e). The Parties must work in good faith to ensure reasonable and timely service, considering the limited time periods.

(I) Nothing in this Rule limits or restricts the Senate in the performance of its duties as the judge of the election, qualifications and returns of its members.

SCR 135, SR 101, SR 102, SR 103, SR 104, SR 105, SR 106, and SR 107 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 24, 2020

The JUDICIARY AND RULES Committee reports that S 1354, S 1355, S 1356, and S 1357 have been correctly printed.

LAKEY, Chairman

S 1354 was referred to the Health and Welfare Committee.

S 1355, S 1356, and S 1357 were referred to the Judiciary and Rules Committee.

February 24, 2020

The JUDICIARY AND RULES Committee reports that S 1243, S 1244, S 1245, and S 1288 have been correctly enrolled.

LAKEY, Chairman

The President Pro Tempore signed Enrolled S 1243, S 1244, S 1245, and S 1288 and ordered them transmitted to the House for the signature of the Speaker.

February 25, 2020

The JUDICIARY AND RULES Committee reports that Enrolled S 1238 was delivered to the Office of the Governor at 1:30 p.m., February 24, 2020.

LAKEY, Chairman

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

February 24, 2020

The FINANCE Committee reports out S 1352 and S 1353 with the recommendation that they do pass.

BAIR, Chairman

S 1352 and S 1353 were filed for second reading.

February 24, 2020

The STATE AFFAIRS Committee reports out S 1308, S 1344, and S 1350 with the recommendation that they do pass.

LODGE, Chairman
S 1308, S 1344, and S 1350 were filed for second reading.
February 24, 2020

The JUDICIARY AND RULES Committee reports out H 319 and S 1342 with the recommendation that they do pass.
LAKEY, Chairman
H 319 and S 1342 were filed for second reading.
February 24, 2020

The EDUCATION Committee reports out H 388 with the recommendation that it do pass.
MORTIMER, Chairman
H 388 was filed for second reading.
February 24, 2020

The HEALTH AND WELFARE Committee reports out H 385 and S 1348 with the recommendation that they do pass.
MARTIN, Chairman
H 385 and S 1348 were filed for second reading.
February 25, 2020

The RESOURCES AND ENVIRONMENT Committee reports out H 426 with the recommendation that it do pass.
HEIDER, Chairman
H 426 was filed for second reading.
February 25, 2020

The FINANCE Committee reports out H 449 and H 453 with the recommendation that they do pass.
BAIR, Chairman
H 449 and H 453 were filed for second reading.
February 25, 2020

The AGRICULTURAL AFFAIRS Committee reports out SJM 110 with the recommendation that it do pass.
GUTHRIE, Chairman
SJM 110 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

Messages from the Governor
February 25, 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 Bill, to wit:

S 1238
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 24, 2020

Dear Mr. President:

I transmit herewith H 451, H 491, H 402, H 403, and H 515, which have passed the House.

MAULIN, Chief Clerk

H 451, H 491, H 402, H 403, and H 515 were filed for first reading.
February 24, 2020

Dear Mr. President:

I return herewith SCR 120, S 1249, S 1255, SCR 125, and S 1263, which have passed the House.

MAULIN, Chief Clerk

SCR 120, S 1249, S 1255, SCR 125, and S 1263 were referred to the Judiciary and Rules Committee for enrolling.

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 1358
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE OFFICE OF ENERGY AND MINERAL RESOURCES FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE OFFICE OF ENERGY AND MINERAL RESOURCES FOR FISCAL YEAR 2021; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1359
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE COMMISSION OF PARDONS AND PAROLE FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE COMMISSION OF PARDONS AND PAROLE FOR FISCAL YEAR 2021; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1360
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2021; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT
positions; and exempting the appropriation from program transfer limitations.

S 1361
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2021; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND AMENDING SECTION 61-215, IDAHO CODE, TO INCREASE THE SALARIES OF THE PUBLIC UTILITIES COMMISSIONERS.

S 1362
BY JUDICARY AND RULES COMMITTEE
AN ACT
RELATING TO OPEN MEETINGS; AMENDING SECTION 31-2002, IDAHO CODE, TO PROVIDE AN EXCEPTION; AMENDING SECTION 67-1401, IDAHO CODE, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL HAVE A CERTAIN DUTY REGARDING OPEN MEETINGS; AND AMENDING SECTION 74-208, IDAHO CODE, TO PROVIDE THAT THE PROSECUTING ATTORNEY OR BOARD OF COUNTY COMMISSIONERS SHALL PROVIDE WRITTEN NOTICE REGARDING OPEN MEETING VIOLATIONS IN CERTAIN INSTANCES AND TO PROVIDE FOR A PETITION TO THE OFFICE OF THE ATTORNEY GENERAL IN CERTAIN INSTANCES.

S 1358, S 1359, S 1360, S 1361, and S 1362 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 451 and H 491, by Local Government Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 402 and H 403, by Judicary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 515, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1267, by State Affairs Committee, was read the second time at length and filed for third reading.

H 327, by Transportation and Defense Committee, was 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 Fourteenth Order of Business.

General Calendar

The President Pro Tempore 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 Pro Tempore called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out S 1303, H 342, S 1338, and S 1323, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1303
AMENDMENT TO SECTION 1
On page 2 of the printed bill, delete lines 6 through 10, and insert:

"(3) Any board of commissioners for an urban renewal agency whose members are comprised entirely of officials elected pursuant to section 50-2006(b)(3) and (5), Idaho Code, may exercise the right of eminent domain. However, if a board of commissioners for an urban renewal agency includes one (1) or more commissioners that are appointed to the board of commissioners, that board may act only in an advisory capacity to the local governing body with regard to eminent domain decisions, and any final decision on the use of eminent domain shall be made by the local governing body that created the urban renewal agency."

AMENDMENT TO SECTION 2
On page 4, delete lines 1 and 2; in line 3, delete "filed" and insert:

"(7) Any urban renewal commissioner who has been appointed to the board of commissioners of an urban renewal agency by virtue of being a member of the local governing body shall vacate his appointment on the board upon leaving his elected position on such local governing body;" and following line 47, insert:

"(f) Upon dissolution of the urban renewal agency, title to all property of the urban renewal agency shall revert to the municipality.".

AMENDMENT TO THE BILL
On page 4, following line 47, insert:

"SECTION 3. That Section 50-2010, Idaho Code, be, and the same is hereby amended to read as follows:

50-2010. ACQUISITION OF PROPERTY. (a) An urban renewal agency shall have the right to acquire by negotiation or condemnation any interest in real property, including a fee simple title thereto, which it may deem necessary for or in connection with an urban renewal project and related activities under this act. An urban renewal agency may exercise the power of eminent domain in the manner now or which may be hereafter provided by any other statutory provisions for the exercise of the power of eminent domain. Any board of commissioners for an urban renewal agency whose members are comprised entirely of officials elected pursuant to section 50-2006(b)(3) and (5), Idaho Code, may exercise the right of eminent domain. However, if a board of commissioners for an urban renewal agency includes one (1) or more commissioners that are appointed to the board of commissioners, that board may act only in an advisory capacity to the local governing body with regard to eminent domain decisions, and any final decision on the use of eminent domain shall be made by the local governing body that created the urban renewal agency. Property already devoted to a public use may be acquired in like manner: Provided, that no real property belonging to the United States, the state, or any political subdivision of the state, may be acquired without its consent.

(b) In any proceeding to fix or assess compensation for damages for the taking or damaging of property, or any interest therein, through the exercise of the power of eminent domain or condemnation, evidence or testimony bearing upon the following
matters shall be admissible and shall be considered in fixing such compensation or damages, in addition to evidence or testimony otherwise admissible:

(1) any use, condition, occupancy, or operation of such property, which is unlawful or violative of, or subject to elimination, abatement, prohibition, or correction under, any law or any ordinance or regulatory measure of the state, county, municipality, other political subdivision, or any agency thereof, in which such property is located, as being unsafe, substandard, insanitary or otherwise contrary to the public health, safety, or welfare;

(2) the effect on the value of such property, of any such use, condition, occupancy, or operation, or of the elimination, abatement, prohibition, or correction of any such use, condition, occupancy, or operation.

(c) The foregoing testimony and evidence shall be admissible notwithstanding that no action has been taken by any public body or public officer toward the abatement, prohibition, elimination or correction of any such use, condition, occupancy, or operation. Testimony or evidence that any public body or public officer charged with the duty or authority so to do has rendered, made or issued any judgment, decree, determination or order for the abatement, prohibition, elimination or correction of any such use, condition, occupancy, or operation shall be admissible and shall be prima facie evidence of the existence and character of such use, condition or operation.

**CORRECTION TO TITLE**
On page 1, delete lines 3 through 5, and insert: "THAT A MEMBER APPOINTED TO THE BOARD OF COMMISSIONERS OF AN URBAN RENEWAL AGENCY SHALL VACATE HIS APPOINTMENT UPON LEAVING ELECTED OFFICE ON THE LOCAL GOVERNING BODY AND TO PROVIDE AN EXCEPTION; AMENDING SECTION 50-2006, IDAHO CODE, TO REVISE PROVISIONS REGARDING URBAN RENEWAL AGENCIES; AND AMENDING SECTION 50-2010, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE USE OF EMINENT DOMAIN BY AN URBAN RENEWAL AGENCY."

**SENATE AMENDMENT TO H 342**
AMENDMENT TO SECTION 2
On page 2 of the printed bill, delete lines 13 through 15, and insert: "relationship by use of two-way audio and or audio-visual interaction; provided however, that the applicable Idaho."

**SENATE AMENDMENT TO S 1338**
AMENDMENT TO SECTION 1
On page 2 of the printed bill, in line 21, delete "and"; and delete lines 22 through 24, and insert:

"(g) The following personal data identifiers for an individual may be disclosed only in the following redacted format:

(i) The initials of any minor children of the individual;

(ii) A date of birth in substantially the following format: "XX/XX/birth year";

(iii) The last four (4) digits of a financial account number in substantially the following format: "XXXXX1234";

(iv) The last four (4) digits of a driver's license number or state-issued personal identification card number in substantially the following format: "XXXXX3501"; and

(v) The last four (4) digits of an employer identification number or business's taxpayer identification number.".

**SENATE AMENDMENT TO S 1323**
AMENDMENT TO SECTION 1
On page 3 of the printed bill, in line 3, following "Code." insert: "Any person holding a certificate on or before July 1, 2020, who would not be eligible for a certificate by virtue of the provisions of this section shall be afforded a hearing according to the provisions of section 33-1209, Idaho Code, prior to revocation or denial of the individual's certificate. Upon a showing of just and reasonable cause, the hearing panel shall have authority to grant an exception to the provisions of this section for such person."

**CORRECTION TO TITLE**
On page 1, in line 4, following "REFERENCE," insert: "TO PROVIDE FOR A HEARING AND AN EXCEPTION UNDER CERTAIN CIRCUMSTANCES."

VICK, Chairman

On motion by Senator Anthon, seconded by Senator Buckner-Webb, the report was adopted by voice vote.

S 1303, as amended, S 1338, as amended, and S 1323, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 342, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

Senator Rice was recorded present at this order of business.

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

**Reports of Standing Committees**

The JUDICIARY AND RULES Committee reports that SR 101, SR 102, SR 103, SR 104, SR 105, SR 106, and SR 107 have been correctly printed.

LAKEY, Chairman

SR 101, SR 102, SR 103, SR 104, SR 105, SR 106, and SR 107 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

**Third Reading of Bills**

H 351 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS–Burgoyne, Cheatham, Harris. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared \textbf{H 351} passed, title was approved, and the bill ordered returned to the House.

\textbf{S 1314}, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bair, Burtenshaw, Crabtree, Harris, Mortimer. Total - 5.

Total - 35.

Whereupon the President Pro Tempore declared \textbf{S 1314} passed, title was approved, and the bill ordered transmitted to the House.

\textbf{S 1268}, as amended, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. President Pro Tempore Hill recognized Senator Souza to continue open debate.

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President Pro Tempore declared \textbf{S 1268}, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, \textbf{S 1296}, as amended, retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Winder, granted by unanimous consent, \textbf{S 1334} retained its place on the Third Reading Calendar for one legislative day.

\textbf{S 1343} was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President Pro Tempore declared \textbf{S 1343} passed, title was approved, and the bill ordered transmitted to the House.

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

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 12:06 p.m. until the hour of 9:30 a.m., Wednesday, February 26, 2020.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary