SENATE JOURNAL
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FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, FEBRUARY 27, 2020

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.
Roll call showed all members present except Senators Agenbroad and Lakey, absent and formally excused by the Chair; and President Pro Tempore Hill and Senators Brackett, Crabtree, and Winder, absent and excused.

Prayer was offered by Chaplain Jeff Tanner.
The Pledge of Allegiance was led by Halle Torgerson, 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 26, 2020, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

Reports of Standing Committees

February 27, 2020

The JUDICIARY AND RULES Committee reports that S 1363, S 1364, S 1365, S 1366, S 1367, S 1368, S 1369, S 1370, and S 1371 have been correctly printed.

LAKEY, Chairman

S 1363, S 1364, and S 1365 were referred to the State Affairs Committee.
S 1366 and S 1367 were referred to the Finance Committee.
S 1368 was referred to the Resources and Environment Committee.
S 1369, S 1370, and S 1371 were referred to the Judiciary and Rules Committee.

Senator Brackett was recorded present at this order of business.

February 27, 2020

The JUDICIARY AND RULES Committee reports that Enrolled S 1243, S 1244, S 1245, and S 1288 were delivered to the Office of the Governor at 8:30 a.m., February 27, 2020.

LAKEY, Chairman

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

February 26, 2020

The HEALTH AND WELFARE Committee reports out HJM 13 with the recommendation that it do pass.

MARTIN, Chairman

HJM 13 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 26, 2020

The EDUCATION Committee reports out H 395 and H 480 with the recommendation that they do pass.

MORTIMER, Chairman

H 395 and H 480 were filed for second reading.

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

Messages from the House

February 26, 2020

Dear Madam President:

I transmit herewith H 500, H 486, and H 489, which have passed the House.

MAULIN, Chief Clerk

H 500, H 486, and H 489 were filed for first reading.

February 26, 2020

Dear Madam President:

I return herewith S 1266, which has passed the House.

MAULIN, Chief Clerk

S 1266 was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that SCR 135 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Bayer, seconded by Senator Harris, SCR 135 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that SCR 136 was before the Senate for final consideration.
Moved by Senator Brackett, seconded by Senator Stennett, that SCR 136 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


NAYS—None.

Absent and excused—Agenbroad, Lakey, Stennett. Total - 3.

Total - 35.

Whereupon the President declared SCR 136 adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that HCR 32 was before the Senate for final consideration.

Moved by Senator Winder, seconded by Senator Vick, that HCR 32 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


Absent and excused—Agenbroad, Lakey, Stennett. Total - 3.

Total - 35.

Whereupon the President declared HCR 32 adopted, title was approved, and the resolution ordered returned to the House.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Brian Marx was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Grow, seconded by Senator Burgoyne, the Gubernatorial reappointment of Brian Marx as a member of the Sexual Offender Management Board 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 reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of John Dinger was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Nye, the Gubernatorial appointment of John Dinger as a member of the Sexual Offender Management Board 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 1372
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO FIRE PROTECTION DISTRICTS; AMENDING CHAPTER 14, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-1413A, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF A FIRE PROTECTION DISTRICT INTO TWO FIRE PROTECTION DISTRICTS; AND AMENDING CHAPTER 14, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-1414A, IDAHO CODE, TO PROVIDE FOR ELECTIONS FOR DIVISION OF A DISTRICT.

S 1373
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2021; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS.

S 1374
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2021; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1375
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2021; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1376
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE SUPREME COURT FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2021; EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS; AND PROVIDING REQUIREMENTS FOR RETIREMENT CONTRIBUTIONS.
S 1377
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2021; APPROPRIATING MONEY TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2021; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REQUIREMENTS REGARDING THE ALLOCATION OF TRUSTEE AND BENEFIT PAYMENTS; AND PROVIDING REQUIREMENTS REGARDING ENCUMBRANCES.

S 1378
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2021; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1372, S 1373, S 1374, S 1375, S 1376, S 1377, and S 1378 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 500, by Education Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 486, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 489, by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1354, by State Affairs Committee, was read the second time at length and filed for third reading.

H 342, as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1303, as amended, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

S 1338, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1323, as amended, by Education Committee, was read the second time at length and filed for third reading.

S 1358, S 1359, S 1360, and S 1361, by Finance Committee, were read the second time at length and filed for third reading.

H 396, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

H 493, by Environment, Energy and Technology Committee, was read the second time at length and filed for third reading.

HJR 4, by State Affairs Committee, was read the second time at length and filed for third reading.

H 427 and H 456, by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

S 1356 and S 1357, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

On request by Senator Anthon, 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 1349 and S 1351, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1349
AMENDMENT TO SECTION 1

AMENDMENT TO SECTION 2
On page 2, in line 43, delete "public".
On page 3, in line 40, delete "public".

SENATE AMENDMENT TO S 1351
AMENDMENT TO SECTION 1
On page 6 of the printed bill, delete lines 7 and 8; and in line 20, following "days" insert: "or at the next regular meeting."

The Committee also has H 325 and S 1321 under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

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

S 1349, as amended, and S 1351, 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.

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

Third Reading of Bills

S 1345, having been held, 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–Bayer, Brackett, Crabtree, Grow, Heider. Total - 5.

Absent and excused–Agenbroad, Lakey, Winder. Total - 3.

Total - 35.

Whereupon the President declared S 1345 passed, title was approved, and the bill ordered transmitted to the House.

S 1352 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–Bayer. Total - 1.

Absent and excused–Agenbroad, Lakey, Winder. Total - 3.

Total - 35.

Whereupon the President declared S 1352 passed, title was approved, and the bill ordered transmitted to the House.

S 1353 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–Bayer, Johnson, Vick. Total - 3.

Absent and excused–Agenbroad, Lakey, Winder. Total - 3.

Total - 35.

Whereupon the President declared S 1353 passed, title was approved, and the bill ordered transmitted to the House.

S 1308 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin 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–Agenbroad, Lakey, Winder. Total - 3.

Total - 35.

Whereupon the President declared that S 1308 had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:02 p.m. until the hour of 4:15 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4:15 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Burgoyne, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 27, 2020

The JUDICIARY AND RULES Committee reports that S 1372, S 1373, S 1374, S 1375, S 1376, S 1377, and S 1378 have been correctly printed.

LAKEY, Chairman

S 1372 was referred to the Commerce and Human Resources Committee.

S 1373, S 1374, S 1375, S 1376, S 1377, and S 1378 were referred to the Finance Committee.

February 27, 2020

The JUDICIARY AND RULES Committee reports that S 1266 has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1266 and ordered it transmitted to the House for the signature of the Speaker.

February 27, 2020

The FINANCE Committee reports out S 1366 and S 1367 with the recommendation that they do pass.

BAIR, Chairman

S 1366 and S 1367 were filed for second reading.
February 27, 2020

The TRANSPORTATION Committee reports out **H 410** with the recommendation that it do pass.

BRACKETT, Chairman

**H 410** was filed for second reading.

February 27, 2020

The TRANSPORTATION Committee reports out **S 1312** with the recommendation that it do pass.

BRACKETT, Chairman

February 27, 2020

The TRANSPORTATION Committee reports out **S 1312** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, **S 1312** was referred to the Fourteenth Order of Business, General Calendar.

Senator Burgoyne was recorded present at this order of business.

February 27, 2020

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 362, H 370, H 371, H 372, H 399, and H 401** with the recommendation that they do pass.

PATRICK, Chairman

**H 362, H 370, H 371, H 372, H 399, and H 401** 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 27, 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 on February 27, 2020 and am transmitting to the Secretary of State the following Senate Bills, to wit:

**S 1243, S 1244, and S 1245**

Sincerely,
/s/ Brad Little
Governor of Idaho

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

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

**Third Reading of Bills**

**S 1344** 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–Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared **S 1344** passed, title was approved, and the bill ordered transmitted to the House.

**S 1350** 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?"

On request by Senator Winder, granted by unanimous consent, the following typographical correction was made to **S 1350**, pursuant to Senate Rule 9(F):

Page 3, Line 7, remove underscores from hyphen.

Roll call resulted as follows:


Total - 35.

Whereupon the President declared **S 1350** passed, title was approved, and the bill ordered transmitted to the House.

**S 1342** 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:


Whereupon the President declared **S 1342** passed, title was approved, and the bill ordered transmitted to the House.

**S 1348** 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—Bayer. Total - 1.

Total - 35.

Whereupon the President declared S 1348 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 5:34 p.m. until the hour of 9:30 a.m., Friday, February 28, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary