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

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 2, 2020

President McGeachin called the Senate to order at 9:30 a.m. Roll call showed all members present except Senator Lent, absent and formally excused by the Chair; and Senators Lodge and Martin, absent and excused.

Prayer was offered by Chaplain Jeff Tanner. The Pledge of Allegiance was led by Preston Pisca, 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 28, 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 Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 2, 2020
The JUDICIARY AND RULES Committee reports that S 1379 and S 1380 have been correctly printed.

LAKEY, Chairman

S 1379 was referred to the Transportation Committee.
S 1380 was referred to the Judiciary and Rules Committee.

March 2, 2020
The JUDICIARY AND RULES Committee reports that Enrolled S 1249, S 1255, and S 1263 were delivered to the Office of the Governor at 10:15 a.m., February 28, 2020.

LAKEY, Chairman

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

March 2, 2020
The JUDICIARY AND RULES Committee reports that Enrolled SCR 120 and SCR 125 were delivered to the Office of the Secretary of State at 10:20 a.m., February 28, 2020.

LAKEY, Chairman

The report 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 Eighth Order of Business.

Messages from the Governor

February 26, 2020

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Paula Garay of Meridian, 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 26, 2020

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Scot Ludwig of Boise, Idaho, was appointed as a member of the Idaho State Racing Commission to serve a term commencing November 22, 2019, and expiring November 22, 2025.

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 State Affairs Committee.
The Honorable Janice McGeachin  
President of the Senate  
Idaho Legislature  

February 26, 2020  

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

The Honorable Janice McGeachin  
President of the Senate  
Idaho Legislature  

Dear Madam President:

I have the honor to inform you that Patricia Perkins of Boise, Idaho, was appointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing February 18, 2020, and expiring July 1, 2020.

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 State Affairs Committee.

The Honorable Janice McGeachin  
President of the Senate  
Idaho Legislature  

Dear Madam President:

I have the honor to inform you that Todd Hitchcock of Twin Falls, Idaho, was appointed as a member of the Aeronautics Advisory Board to serve a term commencing February 20, 2020, and expiring January 31, 2025.

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 Transportation Committee.

The Honorable Janice McGeachin  
President of the Senate  
Idaho Legislature  

Dear Madam President:

I have the honor to inform you that Robert Hoff of Idaho Falls, Idaho, was reappointed as a member of the Idaho Transportation Board to serve a term commencing January 31, 2020, and expiring January 31, 2026.

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 Transportation Committee.  

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 28, 2020

Dear Madam President:

I transmit herewith H 534, H 536, H 537, H 501, H 509, H 442, H 431, H 464, H 518, H 541, H 542, and H 516, which have passed the House.

MAULIN, Chief Clerk

H 534, H 536, H 537, H 501, H 509, H 442, H 431, H 464, H 518, H 541, H 542, and H 516 were filed for first reading.
February 28, 2020

Dear Madam President:

I transmit herewith Enrolled HJM 12, HCR 35, HCR 31, H 354, H 330, H 412, H 332, H 333, and H 375 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled HJM 12, HCR 35, HCR 31, H 354, H 330, H 412, H 332, H 333, and H 375 and ordered them returned to the House.

February 28, 2020

Dear Madam President:

I return herewith Enrolled S 1266, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1266 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Martin was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that HJM 13 was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Heider, seconded by Senator Nelson, HJM 13 was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 534, H 536, and H 537, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 501, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 509, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 442, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 431 and H 464, by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 518, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 541 and H 542, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 516, by State Affairs 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 1373, S 1374, S 1375, S 1376, S 1377, and S 1378, by Finance Committee, were read the second time at length and filed for third reading.

S 1349, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1351, as amended, by Judiciary and Rules Committee, was 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 1359 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw 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, Lent, Rice. Total - 3.

Total - 35.

Whereupon the President declared S 1359 passed, title was approved, and the bill ordered transmitted to the House.

S 1366 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson 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, Lent, Rice. Total - 3.

Total - 35.

Whereupon the President declared S 1366 passed, title was approved, and the bill ordered transmitted to the House.

S 1367 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw 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, Lent. Total - 2.
Total - 35.
Whereupon the President declared S 1367 passed, title was approved, and the bill ordered transmitted to the House.

H 342, as amended in the Senate, 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.
Total - 35.
Whereupon the President declared H 342, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 310, having been held, 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–Brackett, Lent. Total - 2.
Total - 35.
Whereupon the President declared H 310 passed, title was approved, and the bill ordered returned to the House.

H 313 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, Lent. Total - 2.
Total - 35.
Whereupon the President declared H 313 passed, title was approved, and the bill ordered returned to the House.

H 318 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:
NAYS–Anthon, Bair, Bayer, Crabtree, Guthrie, Johnson, Rice, Vick. Total - 8.
Absent and excused–Brackett, Lent. Total - 2.
Total - 35.
Whereupon the President declared H 318 passed, title was approved, and the bill ordered returned to the House.

H 348 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:
NAYS–None.
Absent and excused–Brackett, Lent. Total - 2.
Total - 35.
Whereupon the President declared H 348 passed, title was approved, and the bill ordered returned to the House.

H 339 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:
NAYS–None.
Absent and excused–Brackett, Lent. Total - 2.
Total - 35.
Whereupon the President declared H 339 passed, title was approved, and the bill ordered returned to the House.

H 350 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?"

Pursuant to Senate Rule 39(H), Senator Burgoyne disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


Absent and excused–Brackett, Lent, Souza. Total - 3.

Total - 35.

Whereupon the President declared H 350 passed, title was approved, and the bill ordered returned to the House.

H 357 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick 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, Lent. Total - 2.

Total - 35.

Whereupon the President declared H 357 passed, title was approved, and the bill ordered returned to the House.

H 326 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett 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, Lent. Total - 2.

Total - 35.

Whereupon the President declared H 326 passed, title was approved, and the bill ordered returned to the House.

H 365 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–Brackett, Lent. Total - 2.

Total - 35.

Whereupon the President declared H 365 passed, title was approved, and the bill ordered returned to the House.

H 367 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–Brackett, Lent. Total - 2.

Total - 35.

Whereupon the President declared H 367 passed, title was approved, and the bill ordered returned to the House.

H 382 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–Brackett, Lent. Total - 2.

Total - 35.

Whereupon the President declared H 382 passed, title was approved, and the bill ordered returned to the House.

H 334 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:

AYES–Agenbroad, Anthon, Bair, Bayer, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, Mortimer, Nelson, Nye, Patrick, Rice, Souza,

NAYS–None.
Abscent and excused–Brackett, Lent. Total - 2.
Total - 35.

Whereupon the President declared H 334 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, H 386 retained its place on the Third Reading Calendar.

H 392 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–Burgoyne. Total - 1.

Absent and excused–Brackett, Johnson, Lent. Total - 3.
Total - 35.

Whereupon the President declared H 392 passed, title was approved, and the bill ordered returned to the House.

H 379 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick 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, Johnson, Lent. Total - 3.
Total - 35.

Whereupon the President declared H 379 passed, title was approved, and the bill ordered returned to the House.

H 329 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer 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, Lent. Total - 2.
Total - 35.

Whereupon the President declared H 329 passed, title was approved, and the bill ordered returned to the House.

Having voted on the prevailing side by which H 318 passed the Senate, Senator Den Hartog served notice that she may on this or the next legislative day move for reconsideration of the vote.

H 318 was ordered held at the Secretary's desk.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Winder, 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 Lent, absent and formally excused by the Chair; and Senators Anthon, Brackett, Den Hartog, Mortimer, Rice, Thayn, and Ward-Engelking, 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

Senator Den Hartog was recorded present at this order of business.

March 2, 2020

The JUDICIARY AND RULES Committee reports that Enrolled S 1266 was delivered to the Office of the Governor at 12:07 p.m., March 2, 2020.

LAKEY, Chairman

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

Senators Anthon and Ward-Engelking were recorded present at this order of business.

March 2, 2020

The FINANCE Committee reports out H 534, H 536, H 537, H 541, and H 542 with the recommendation that they do pass.

BAIR, Chairman
H 534, H 536, H 537, H 541, and H 542 were filed for second reading.

March 2, 2020

The STATE AFFAIRS Committee reports out H 502 and S 1365 with the recommendation that they do pass.

LODGE, Chairman

H 502 and S 1365 were filed for second reading.

March 2, 2020

The STATE AFFAIRS Committee reports out S 1363 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, S 1363 was referred to the Fourteenth Order of Business, General Calendar.

March 2, 2020

The RESOURCES AND ENVIRONMENT Committee reports out S 1368 with the recommendation that it do pass.

HEIDER, Chairman

S 1368 was filed for second reading.

March 2, 2020

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

Brian Beckley to the Parks and Recreation Board, term to expire July 1, 2025.

Cally Roach to the Parks and Recreation Board, term to expire June 30, 2024.

HEIDER, Chairman

The Gubernatorial appointments 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 Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1381
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE STEM ACTION CENTER FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE STEM ACTION CENTER FOR FISCAL YEAR 2021; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1382
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2021; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR A CASH TRANSFER TO THE OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT; AND REQUIRING OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT REPORTING.

S 1383
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION FOR COMMUNITY COLLEGES FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION FOR COMMUNITY COLLEGES FOR FISCAL YEAR 2021; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1384
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO FIREARMS; AMENDING SECTION 18-3302C, IDAHO CODE, TO REVISE A PROVISION REGARDING PROHIBITED CONDUCT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 18-3302D, IDAHO CODE, TO DEFINE TERMS, TO REVISE A DEFINITION, TO PROVIDE THAT CERTAIN PERSONS SHALL NOT BE PROHIBITED FROM POSSESSING WEAPONS ON SCHOOL PROPERTY, TO PROVIDE THAT CERTAIN PERSONS SHALL NOT BE COMPelled TO DISCLOSE CERTAIN INFORMATION OR DISCIPLINED FOR CERTAIN ACTIONS, TO PROVIDE FOR DISCLOSURE TO A PRINCIPAL AND SUPERINTENDENT IN CERTAIN INSTANCES, TO PROVIDE FOR CONFIDENTIALITY OF CERTAIN RECORDS, TO PROVIDE THAT PRIVATE PROPERTY OWNERS SHALL RETAIN CERTAIN RIGHTS, TO PROVIDE IMMUNITY FROM CERTAIN LIABILITY, TO PROHIBIT CERTAIN SIGNAGE, TO PROVIDE THAT SCHOOL EMPLOYEES SHALL NOT BE REQUIRED TO CARRY A CONCEALED WEAPON, AND TO MAKE TECHNICAL CORRECTIONS.

S 1385
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ABORTION; AMENDING CHAPTER 6, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-622, IDAHO CODE, TO PROVIDE AN EFFECTIVE DATE, TO PROVIDE FOR THE OFFENSE OF CRIMINAL ABORTION, TO PROVIDE PENALTIES, TO PROVIDE AFFIRMATIVE DEFENSES, AND TO PROVIDE EXCEPTIONS; AND PROVIDING SEVERABILITY.

S 1386
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO DAYLIGHT SAVING TIME; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 96, TITLE 67, IDAHO CODE, TO PROVIDE THAT CERTAIN AREAS OF THE STATE OF IDAHO SHALL
MAKE DAYLIGHT SAVING TIME THE PERMANENT TIME UPON A SPECIFIED CONDITION.

S 1387
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO VITAL STATISTICS; AMENDING CHAPTER 2, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-279, IDAHO CODE, TO PROVIDE FOR CHANGING THE SEX INDICATOR ON A BIRTH CERTIFICATE, TO PROVIDE REQUIREMENTS FOR AN AMENDED BIRTH CERTIFICATE, AND TO PROVIDE FOR CERTAIN NAME CHANGES.

S 1381, S 1382, S 1383, S 1384, S 1385, S 1386, and S 1387 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Mortimer, Rice, and Thayn were recorded present at this order of business.

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 H 325 and S 1321, without recommendation, amended as follows:

SENATE AMENDMENT TO H 325
AMENDMENT TO SECTION 1
On page 5 of the printed bill, delete lines 38 through 43, and insert:

"(16)(a) Two percent (2%), but not less than fifteen million dollars ($15,000,000), is continuously appropriated and shall be distributed to the transportation expansion and congestion mitigation fund established in section 40-720, Idaho Code as follows:

(i) Sixty percent (60%) to the transportation expansion and congestion mitigation fund established in section 40-720, Idaho Code;

(ii) Forty percent (40%) to the bridge maintenance and replacement program fund established in section 40-720, Idaho Code.

(b) The distribution provided for in this subsection must immediately follow the distributions provided for in subsections (14) through (14) of this section."

AMENDMENT TO THE BILL
On page 5, following line 43, insert:

"SECTION 2. That Section 40-720, Idaho Code, be, and the same is hereby amended to read as follows:

40-720. TRANSPORTATION EXPANSION AND CONGESTION MITIGATION PROGRAM – BRIDGE MAINTENANCE AND REPLACEMENT PROGRAM – FUNDS ESTABLISHED. (1) The Idaho transportation department shall establish and maintain a transportation expansion and congestion mitigation program.

(2) The transportation expansion and congestion mitigation fund established pursuant to subsection (3) of this section shall finance projects that expand the system to address and mitigate transportation congestion. The projects shall be evaluated by the Idaho transportation department and shall be chosen by the Idaho transportation board based on a policy that may include mitigation of traffic times, improvement to traffic flow and mitigation of traffic congestion.

(3) There is hereby established in the state treasury the transportation expansion and congestion mitigation fund, to which shall be deposited:

(a) All moneys distributed pursuant to section 63-2520, Idaho Code;

(b) All moneys distributed pursuant to section 63-3638, Idaho Code;

(c) Any other appropriated moneys for funding the transportation expansion and congestion mitigation program.

(4) Interest earned on the investment of idle moneys in the transportation expansion and congestion mitigation fund shall be paid to the fund. All moneys in the fund shall be used for the transportation expansion and congestion mitigation program.

(5) The Idaho housing and finance association is hereby authorized to issue bonds, secured by otherwise unobligated moneys in the fund established in subsection (3) of this section, for the purpose of financing state transportation projects approved by the Idaho transportation board. The Idaho transportation board shall take into consideration the mitigation of traffic congestion from the state campus site located at 11311 West Chinden Boulevard, Boise, as a priority when approving transportation projects. Moneys from the fund established in subsection (3) of this section shall be used to pay any of the principal, interest, and other amounts for state transportation projects approved by the Idaho transportation board and required for bonds issued pursuant to this subsection in accordance with the provisions of chapter 62, title 67, Idaho Code. If such bonds are issued, moneys in the fund shall first be continuously appropriated and used for repayment of said bonds in accordance with subsection (7) of this section.

(6) The authority provided in subsection (5) of this section shall be used only to issue bonds on an approved resolution by the Idaho transportation board requesting that the Idaho housing and finance association issue bonds contingent upon:

(a) The availability of otherwise unobligated moneys in the fund, established in subsection (3) of this section, necessary to meet bond service obligations;

(b) The moneys disbursed being used in accordance with United States treasury regulations to ensure tax-exempt status is retained, unless tax-exempt bonds are not available; and

(c) The issuance of bonds at prevailing market rates of interest.

(7) From moneys in the fund established in this section, there are hereby continuously appropriated first such amounts as from time to time shall be certified by the Idaho housing and finance association to the state controller, the state treasurer, and the Idaho transportation board as necessary for payment of principal, interest, and other amounts required for transportation bonds or notes of the Idaho housing and finance association in accordance with chapter 62, title 67, Idaho Code, that are issued to finance improvements described in this section, which amounts shall not exceed the amount received and transferred from section 63-3638(16), Idaho Code, which amounts shall be transferred to the transportation expansion and congestion
mitigation program debt service fund established in section 40-721(2), Idaho Code.

(8) The local highway technical assistance council, established in section 40-2401, Idaho Code, shall establish and maintain a bridge maintenance and replacement program to repair or replace local bridges. The program shall include a grant program for local highway jurisdictions. The bridge maintenance and replacement program fund established pursuant to subsection (9) of this section shall be administered by the local highway technical assistance council and shall be used to finance the bridge maintenance and replacement program.

(9) There is hereby established in the state treasury the bridge maintenance and replacement program fund, to which shall be deposited:

(a) Moneys distributed pursuant to section 63-3638, Idaho Code, on and after July 1, 2021; and
(b) Any other appropriated moneys for funding the bridge maintenance and replacement program.

(10) Interest earned on the investment of idle moneys in the bridge maintenance and replacement program fund shall be paid to the fund. All moneys in the fund shall be used for the bridge maintenance and replacement program.

SECTION 3. Section 1 of this act shall be in full force and effect on and after July 1, 2021. Section 2 of this act shall be in full force and effect on and after January 1, 2021.”.

CORRECTION TO TITLE
On page 1, delete lines 2 through 5 and insert:
"RELATING TO SALES TAX; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FUNDING FOR THE TRANSPORTATION EXPANSION AND CONGESTION MITIGATION FUND AND THE BRIDGE MAINTENANCE AND REPLACEMENT PROGRAM FUND AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-720, IDAHO CODE, TO PROVIDE FOR THE BRIDGE MAINTENANCE AND REPLACEMENT PROGRAM; AND PROVIDING EFFECTIVE DATES.".

SENATE AMENDMENT TO S 1321
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 29, following "either" insert: "specifically"; and delete lines 30 through 31, and insert: "employee or engaged in conduct knowing that injury or death to the employee was substantially likely to occur. The"

The Committee also has S 1312 under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

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

S 1321, as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 325, 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.

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

H 366 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.


Whereupon the President declared H 366 passed, title was approved, and the bill ordered returned to the House.

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Buckner-Webb, that all rules of the Senate interfering with the immediate passage of S 1373 be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that S 1373 be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Lent, Stennett. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1373 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree 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–Lent, Stennett. Total - 2.
Total - 35.

Whereupon the President declared **S 1373** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Buckner-Webb, that all rules of the Senate interfering with the immediate consideration of **S 1374** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

NAYS–None.
Absent and excused–Lent, Stennett. Total - 2.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1374** was before the Senate for final consideration.

**S 1374** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking 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–Lent. Total - 1.
Total - 35.

Whereupon the President declared **S 1375** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1376** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

NAYS–None.
Absent and excused–Lent. Total - 1.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1376** was before the Senate for final consideration.

**S 1376** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson 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–Lent. Total - 1.
Total - 35.

Whereupon the President declared **S 1375** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate
consideration of S 1377 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Lent. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1377 was before the Senate for final consideration.

S 1377 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad 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–Lent. Total - 1.

Total - 35.

Whereupon the President declared S 1377 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, S 1378 retained its place on the Third Reading Calendar for Thursday, March 5, 2020.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1349, as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Lent. Total - 1.

Total - 35.

S 1349, as amended, 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–Lent. Total - 1.

Total - 35.

Whereupon the President declared S 1349, as amended, passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1351, as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Lent. Total - 1.

Total - 35.

S 1351, as amended, 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–Martin. Total - 1.

Absent and excused–Lent. Total - 1.

Total - 35.

Whereupon the President declared S 1351, as amended, 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 6 p.m. until the hour of 9:30 a.m., Tuesday, March 3, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary