SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-FIFTH LEGISLATURE
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FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 3, 2020

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Agenbroad, Bair, Burtenshaw, Crabtree, Grow, Johnson, Lee, Lodge, Nye, Stennett, Ward-Engelking, and Woodward, absent and excused.

Prayer was offered by President Henry B. Eyring, Second Counselor in the First Presidency of The Church of Jesus Christ of Latter-day Saints.

The Pledge of Allegiance was led by Luke Amar, 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 March 2, 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

Senator Stennett was recorded present at this order of business.

March 3, 2020

The JUDICIARY AND RULES Committee reports that S 1381, S 1382, S 1383, S 1384, S 1385, S 1386, and S 1387 have been correctly printed.

LAKEY, Chairman

S 1381, S 1382, and S 1383 were referred to the Finance Committee.

S 1384, S 1385, S 1386, and S 1387 were referred to the State Affairs Committee.

March 3, 2020

The JUDICIARY AND RULES Committee reports that Senate amendments to H 325 and S 1321 have been correctly printed.

LAKEY, Chairman

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

March 3, 2020

The JUDICIARY AND RULES Committee reports that S 1321, as amended, has been correctly engrossed.

LAKEY, Chairman

S 1321, as amended, was filed for first reading.

March 2, 2020

The JUDICIARY AND RULES Committee reports out H 406, S 1355, S 1370, and S 1371 with the recommendation that they do pass.

LAKEY, Chairman

H 406, S 1355, S 1370, and S 1371 were filed for second reading.

March 2, 2020

The JUDICIARY AND RULES Committee reports out H 405 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, H 405 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the Governor

March 2, 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 March 2, 2020 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1266, S 1255, S 1263, and S 1288

Sincerely,
/s/ Brad Little
Governor of Idaho

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

Senator Grow was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.
Messages from the House

February 28, 2020

Dear Mr. President:


MAULIN, Chief Clerk


March 3, 2020

Dear Mr. President:

I transmit herewith Enrolled HCR 32 for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled HCR 32 and ordered it returned to the House.

Senators Bair, Burtenshaw, and Ward-Engelking were recorded present at this order of business.

The Senate advanced to the Eleventh Order of Business.

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

S 1388

BY JUDICIARY AND RULES COMMITTEE

AN ACT
RELATING TO MOTOR VEHICLES; AMENDING SECTION 18-8002A, IDAHO CODE, TO PROVIDE THAT SUSPENSION OF DRIVING PRIVILEGES SHALL BE VACATED IN CERTAIN INSTANCES AND TO MAKE A TECHNICAL CORRECTION.

S 1389

BY JUDICIARY AND RULES COMMITTEE

AN ACT
RELATING TO MOTOR VEHICLES; AMENDING SECTION 18-8002A, IDAHO CODE, TO REVISE A PROVISION REGARDING THE INSTALLATION OF AN IGNITION INTERLOCK DEVICE, TO PROVIDE FOR A PETITION FOR RELIEF IN CERTAIN INSTANCES, AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 18-8002A, IDAHO CODE, TO REVISE PROVISIONS REGARDING JUDICIAL REVIEW AND TO MAKE A TECHNICAL CORRECTION.

S 1388 and S 1389 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Agenbroad, Johnson, Lee, and Nye were recorded present at this order of business.

H 325, as amended in the Senate, by Transportation and Defense Committee, was read the first time at length and filed for second reading.

S 1321, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

H 512, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 543, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 522, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 487, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 556, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 393, by State Affairs Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 514, H 528, H 544, and H 545, by Ways and Means Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 529, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 474, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 526, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 433, H 435, and H 466, by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 548, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 432, as amended, H 457, as amended, and H 467, as amended, by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 557, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 510 and H 521, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 523, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 553, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HJM 14, by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

Senator Crabtree was recorded present at this order of business.
The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 534, H 536, H 537, H 541, and H 542, by Appropriations Committee, were read the second time at length and filed for third reading.

H 502, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1365 and S 1368, by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 386, having been held, 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–Crabtree. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 386 passed, title was approved, and the bill ordered returned to the House.

H 381 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne 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 Pro Tempore declared H 381 passed, title was approved, and the bill ordered returned to the House.

H 373 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?"

President Pro Tempore Hill called Senator Winder to the Chair.

Roll call resulted as follows:


Whereupon the Acting President declared H 373 passed, title was approved, and the bill ordered returned to the House.

H 356 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:


Whereupon the Acting President declared H 356 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Vick, granted by unanimous consent, H 345 retained its place on the Third Reading Calendar.

H 411 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the Acting President declared H 411 passed, title was approved, and the bill ordered returned to the House.

H 504 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:


Whereupon the Acting President declared H 504 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Vick, granted by unanimous consent, H 477 retained its place on the Third Reading Calendar.

On request by Senator Vick, granted by unanimous consent, H 327 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:


Whereupon the Acting President declared **H 327** passed, title was approved, and the bill ordered returned to the House.

**H 319** 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:


Whereupon the Acting President declared **H 319** passed, title was approved, and the bill ordered returned to the House.

**H 388** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the Acting President declared **H 388** passed, title was approved, and the bill ordered returned to the House.

**H 385** 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:


Whereupon the Acting President declared **H 385** passed, title was approved, and the bill ordered returned to the House.

Acting President Winder called President Pro Tempore Hill to the Chair.

**H 426** 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:


Whereupon the President Pro Tempore declared **H 426** passed, title was approved, and the bill ordered returned to the House.

**H 449** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow 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 **H 449** passed, title was approved, and the bill ordered returned to the House.

**H 453** 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:


Whereupon the President Pro Tempore declared **H 453** passed, title was approved, and the bill ordered returned to the House.

**H 396** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Crabtree. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 396** passed, title was approved, and the bill ordered returned to the House.
H 493 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President Pro Tempore declared H 493 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, HJR 4 retained its place on the Third Reading Calendar.

H 427 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President Pro Tempore declared H 427 passed, title was approved, and the bill ordered returned to the House.

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 11:56 a.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 Pro Tempore Hill presiding.

Roll call showed all members present except Senators Burgoyne, Den Hartog, Jordan, Lakey, Lent, Mortimer, Stennett, 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

March 3, 2020

The FINANCE Committee reports out H 543, H 556, H 557, S 1381, S 1382, and S 1383 with the recommendation that they do pass.

BAIR, Chairman

H 543, H 556, H 557, S 1381, S 1382, and S 1383 were filed for second reading.

March 3, 2020

The TRANSPORTATION Committee reports out S 1379 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, S 1379 was referred to the Fourteenth Order of Business, General Calendar.

March 3, 2020

The COMMERCE AND HUMAN RESOURCES Committee reports out H 398, H 416, H 417, H 418, H 421, H 423, H 424, H 476, and S 1372 with the recommendation that they do pass.

PATRICK, Chairman

H 398, H 416, H 417, H 418, H 421, H 423, H 424, H 476, and S 1372 were filed for second reading.

Senators Burgoyne, Jordan, and Stennett were recorded present at this order of business.

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

Senator Lent was recorded present at this order of business.

S 1390

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2021; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS.

S 1391

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2021; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.
S 1392
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2021; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1390, S 1391, and S 1392 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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 1312, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1312
AMENDMENT TO SECTION 1
On page 1 of the printed bill, delete lines 31 through 32, and insert:

(a) "High-occupancy vehicle lane" means a designated lane of "lane roadway" the interstate highway as defined in section 40-110, Idaho Code, or the state highway system as defined in section 40-120, Idaho Code, where studies demonstrate that such a lane would ease congestion and the use of such designated lane is restricted to vehicles'.

CORRECTION TO TITLE
On page 1, in line 3, following "CODE," insert: "TO REVISE A DEFINITION;' and also in line 3, following "APPLICABILITY" insert "n.'

The Committee also has S 1363 under consideration, reports progress, and begs leave to sit again.

VICK, Chairman

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

S 1312, 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.

Senators Lakey, Mortimer, Thayn, and Ward-Engelking were recorded present at this order of business.

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

Third Reading of Bills

H 456 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cheatham arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 456 passed, title was approved, and the bill ordered returned to the House.

H 395 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?"

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

Roll call resulted as follows:


NAYS–None.

Absent and excused–Souza. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 395 passed, title was approved, and the bill ordered returned to the House.

H 480 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President Pro Tempore declared H 480 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, H 410 retained its place on the Third Reading Calendar.

H 362 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:


Whereupon the President Pro Tempore declared H 362 passed, title was approved, and the bill ordered returned to the House.

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 4:58 p.m. until the hour of 10 a.m., Wednesday, March 4, 2020.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary