SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
SECOND REGULAR SESSION
SIXTY-FIFTH LEGISLATURE
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SEVENTY-FIRST LEGISLATIVE DAY
MONDAY, MARCH 16, 2020

Senate Chamber

President McGeachin called the Senate to order at 9 a.m.

Roll call showed all members present except Senator Grow, absent and formally excused by the Chair; and Senators Anthon, Brackett, Rice, and Vick, absent and excused.

Prayer was offered by Chaplain Jeff Tanner.

The Pledge of Allegiance was led by Henry Woltuis, 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 13, 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 Ninth Order of Business.

Messages from the House

March 13, 2020

Dear Madam President:

I transmit herewith H 615, H 627, H 628, H 629, H 630, H 631, and H 632, which have passed the House.

MAULIN, Chief Clerk

H 615, H 627, H 628, H 629, H 630, H 631, and H 632 were filed for first reading.

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 1418
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2021; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY; REQUIRING MONTHLY MEDICAID TRACKING REPORTS; ALLOWING FOR TRANSFER OF APPROPRIATIONS BETWEEN CERTAIN PROGRAMS; REQUIRING A REPORT ON MEDICAID MANAGED CARE IMPLEMENTATION; PROVIDING FOR HOME VISITING SERVICES; REQUIRING A REPORT ON EXTENDED EMPLOYMENT SERVICES; AND REQUIRING COST-SHARING FOR SERVICES.

S 1419
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2021; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1420
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2021; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REQUIREMENTS FOR THE JOB CORPS DEMONSTRATION PROJECT.

S 1421
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2021; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1422
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2021; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AMENDING SECTION 63-102, IDAHO CODE, TO INCREASE THE SALARIES OF THE STATE TAX COMMISSIONERS; AND PROVIDING FOR A MANAGEMENT REVIEW.

S 1423
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE SUPREME COURT FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2021; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.
S 1424
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE SUPREME COURT FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2021; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1425
BY FINANCE COMMITTEE
AN ACT
RELATING TO APPROPRIATION; APPROPRIATING AND TRANSFERRING MONEYS FROM THE CONSUMER PROTECTION FUND FOR FISCAL YEAR 2020; APPROPRIATING AND TRANSFERRING MONEYS FROM THE DRIVER’S TRAINING FUND FOR FISCAL YEAR 2020; APPROPRIATING AND TRANSFERRING MONEYS FROM THE PUBLIC SCHOOL INCOME FUND FOR FISCAL YEAR 2020; APPROPRIATING AND TRANSFERRING MONEYS TO THE PUBLIC EDUCATION STABILIZATION FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS TO THE BUDGET STABILIZATION FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE STATE HIGHWAY FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE UNEMPLOYMENT PENALTY AND INTEREST FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE CORRECTIONAL INDUSTRIES BETTERMENT FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE PERMANENT BUILDING FUND FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1426
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DIVISION OF CAREER TECHNICAL EDUCATION FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF CAREER TECHNICAL EDUCATION FOR FISCAL YEAR 2021.

S 1418, S 1419, S 1420, S 1421, S 1422, S 1423, S 1424, S 1425, and S 1426 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Brackett was recorded present at this order of business.

H 615, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 627, H 628, H 629, H 630, H 631, and H 632, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

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

Reports of Standing Committees

March 16, 2020

The JUDICIARY AND RULES Committee reports that S 1418, S 1419, S 1420, S 1421, S 1422, S 1423, S 1424, S 1425, and S 1426 have been correctly printed.

LAKEY, Chairman

S 1418, S 1419, S 1420, S 1421, S 1422, S 1423, S 1424, S 1425, and S 1426 were referred to the Finance Committee.

March 16, 2020

The JUDICIARY AND RULES Committee reports that S 1356, S 1357, SCR 130, S 1390, S 1391, S 1393, S 1395, S 1394, S 1396, and S 1397 have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1356, S 1357, SCR 130, S 1390, S 1391, S 1393, S 1395, S 1394, S 1396, and S 1397 and ordered them transmitted to the House for the signature of the Speaker.

March 15, 2020

The JUDICIARY AND RULES Committee reports that Enrolled SCR 134, SCR 135, SJM 107, and SJM 110 were delivered to the Office of the Secretary of State at 1:52 p.m., March 13, 2020.

LAKEY, Chairman

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

Senator Vick was recorded present at this order of business.

March 13, 2020

The STATE AFFAIRS Committee reports out H 516, H 575, S 1386, and SJR 104 with the recommendation that they do pass.

LODGE, Chairman

H 516, H 575, S 1386, and SJR 104 were filed for second reading.

Senators Anthon and Rice were recorded present at this order of business.

March 13, 2020

The STATE AFFAIRS Committee reports out H 525 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, H 525 was referred to the Fourteenth Order of Business, General Calendar.

March 16, 2020

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

Dale McOmber to the State Building Authority, term to expire January 1, 2025.

Mark Ciavarella to the State Building Authority, term to expire January 1, 2022.
Patricia Perkins to the Treasurer's Investment Advisory Board, term to expire July 1, 2020.

LODGE, 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.

March 13, 2020

The JUDICIARY AND RULES Committee reports out \textbf{H 582}, \textbf{H 616}, and \textbf{H 617} with the recommendation that they do pass.

LAKEY, Chairman

\textbf{H 582}, \textbf{H 616}, and \textbf{H 617} were filed for second reading.

March 13, 2020

The JUDICIARY AND RULES Committee reports out \textbf{H 469} with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, \textbf{H 469} was referred to the Fourteenth Order of Business, General Calendar.

March 16, 2020

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Paula Garay to the Sexual Offender Management Board, term to expire January 1, 2023.

LAKEY, Chairman

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

March 13, 2020

The \textbf{FINANCE Committee reports} out \textbf{S 1414} and \textbf{S 1415} with the recommendation that they do pass.

BAIR, Chairman

\textbf{S 1414} and \textbf{S 1415} were filed for second reading.

March 16, 2020

The \textbf{COMMERCE AND HUMAN RESOURCES Committee reports} it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Heidi Hart to the Idaho Health Insurance Exchange Board, term to expire April 4, 2021.

Todd Lakey to the State Insurance Fund Board, term to expire December 1, 2022.

PATRICK, 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.

March 16, 2020

The \textbf{FINANCE Committee reports} out \textbf{S 1418, S 1419, S 1420, S 1421, S 1422, S 1423, S 1424, S 1426, H 627, H 628, H 629, H 630, H 631, and H 632} with the recommendation that they do pass.

BAIR, Chairman

\textbf{S 1418, S 1419, S 1420, S 1421, S 1422, S 1423, S 1424, S 1426, H 627, H 628, H 629, H 630, H 631, and H 632} 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**

March 13, 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 13, 2020 and am transmitting to the Secretary of State the following Senate Bill, to wit:

\textbf{S 1400}

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 Twelfth Order of Business.

**Second Reading of Bills**

\textbf{H 523}, by Education 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**

On request by Senator Winder, granted by unanimous consent, \textbf{H 500}, as amended in the Senate, retained its place on the Third Reading Calendar.

\textbf{S 1407} 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:

Whereupon the President declared S 1407 passed, title was approved, and the bill ordered transmitted to the House.

S 1408 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 President declared S 1408 passed, title was approved, and the bill ordered transmitted to the House.

S 1410 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:


Whereupon the President declared S 1410 passed, title was approved, and the bill ordered transmitted to the House.

S 1409 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:


Whereupon the President declared S 1409 passed, title was approved, and the bill ordered transmitted to the House.

S 1411 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye 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 1411 passed, title was approved, and the bill ordered transmitted to the House.

S 1412 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–Harris, Winder. Total - 2.

Total - 35.

Whereupon the President declared S 1412 passed, title was approved, and the bill ordered transmitted to the House.

S 1413 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:


Whereupon the President declared S 1413 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, H 518, as amended in the Senate, H 340, as amended, as amended in the Senate, H 502, H 416, H 424, and H 491 retained their place on the Third Reading Calendar.

H 569 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–Bayer. Total - 1.

Total - 35.

Whereupon the President declared H 569 passed, title was approved, and the bill ordered returned to the House.

H 570 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:


Whereupon the President declared **H 570** passed, title was approved, and the bill ordered returned to the House.

**H 571** 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:


Whereupon the President declared **H 571** passed, title was approved, and the bill ordered returned to the House.

**H 572** 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:


Whereupon the President declared **H 572** passed, title was approved, and the bill ordered returned to the House.

**H 573** 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 declared **H 573** passed, title was approved, and the bill ordered returned to the House.

**H 574** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson disclosed a possible conflict of interest under applicable law.


**H 579** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Anthon, Bauer, Den Hartog, Grow, Harris, Rice, Vick. Total - 7.

Total - 35.

Whereupon the President declared **H 579** passed, title was approved, and the bill ordered returned to the House.

**H 580** 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–Bayer, Harris, Rice, Vick. Total - 4.

Total - 35.

Whereupon the President declared **H 580** passed, title was approved, and the bill ordered returned to the House.

**H 596** 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:


Whereupon the President declared **H 596** passed, title was approved, and the bill ordered returned to the House.

**H 597** 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?"

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

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson,
Whereupon the President declared **H 597** passed, title was approved, and the bill ordered returned to the House.

**H 598** 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:


Whereupon the President declared **H 598** 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 Sixth Order of Business.

**Reports of Standing Committees**

March 16, 2020

The STATE AFFAIRS Committee reports **S 1416, S 1417, and H 601** with the recommendation that they do pass.

LODGE, Chairman

**S 1416, S 1417, and H 601** were filed for second reading. March 16, 2020

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Anthony Vahsholtz to the State Building Authority, term to expire January 1, 2024.

LODGE, Chairman

The Gubernatorial appointment 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**

March 16, 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 15, 2020 and am transmitting to the Secretary of State the following Senate Bills, towit:

**S 1219, S 1220, S 1227, S 1231**, as amended in the House. **S 1256, S 1261, S 1284, S 1286.**

S 1299, S 1337, S 1339, S 1374, S 1376, and S 1377

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**

March 16, 2020

Dear Madam President:

I transmit herewith **H 624, H 634, H 635, H 636, and H 637** which have passed the House.

MAULIN, Chief Clerk

**H 624, H 634, H 635, H 636, and H 637** were filed for first reading. March 16, 2020

Dear Madam President:

I return herewith Enrolled **S 1356, S 1357, SCR 130, S 1390, S 1391, S 1393, S 1395, S 1394, S 1396, and S 1397**, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled **S 1356, S 1357, S 1390, S 1391, S 1393, S 1395, S 1394, S 1396, and S 1397** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SCR 130** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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**

**H 624**, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

**H 634, H 635, H 636, and H 637**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:06 p.m. until the hour of 1:30 p.m. of this day.

**RECESS**

**AFTERNOON SESSION**

The Senate reconvened at 1:30 p.m., pursuant to recess, President McGeachin presiding.

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

Prior to recess the Senate was at the Eleventh Order of Business, Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials.
S 1427
BY FINANCE COMMITTEE
AN ACT
RELATING TO APPROPRIATIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE CONSUMER PROTECTION FUND FOR FISCAL YEAR 2020; APPROPRIATING AND TRANSFERRING MONEYS FROM THE DRIVER'S TRAINING FUND FOR FISCAL YEAR 2020; APPROPRIATING AND TRANSFERRING MONEYS FROM THE PUBLIC SCHOOL INCOME FUND FOR FISCAL YEAR 2020; APPROPRIATING AND TRANSFERRING MONEYS TO THE PUBLIC EDUCATION STABILIZATION FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS TO THE BUDGET STABILIZATION FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE STATE REGULATORY FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE STATE HIGHWAY FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE UNEMPLOYMENT PENALTY AND INTEREST FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE CORRECTIONAL INDUSTRIES BETTERMENT FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE PERMANENT BUILDING FUND FOR FISCAL YEAR 2020; AND DECLARING AN EMERGENCY.

March 16, 2020

The RESOURCES AND ENVIRONMENT Committee reports out H 615 with the recommendation that it do pass.

HEIDER, Chairman

H 615 was filed for second reading.

March 16, 2020

The FINANCE Committee reports out H 634, H 635, H 636, and H 637 with the recommendation that they do pass.

BAIR, Chairman

H 634, H 635, H 636, and H 637 were filed for second reading.

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

Messages from the House

On request by Senator Rice, granted by unanimous consent, S 1277, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Rice, granted by unanimous consent, S 1277ahH was 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 Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1414 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 1414 be read the second time by title and 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:


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

S 1414 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:

S 1427, S 1428, and S 1429 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 returned to the Sixth Order of Business.

Reports of Standing Committees

March 16, 2020

The JUDICIARY AND RULES Committee reports that Enrolled S 1356, S 1357, S 1390, S 1391, S 1393, S 1395, S 1394, S 1396, and S 1397 were delivered to the Office of the Governor at 1:30 p.m., March 16, 2020.

LAKEY, Chairman

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

Whereupon the President declared S 1414 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 1415 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1415 was before the Senate for final consideration.

S 1415 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, Patrick. Total - 2.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President declared S 1415 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 1418 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1418 was before the Senate for final consideration.

S 1418 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 President declared S 1418 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 1419 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


S 1419 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 President declared S 1419 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 1420 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1420 was before the Senate for final consideration.

S 1420 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 declared S 1420 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 1421 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1421 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?"

S 1422 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 declared S 1422 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 1423 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1423 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?"

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

Roll call resulted as follows:


Whereupon the President declared S 1423 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 1424 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1424 was before the Senate for final consideration.

S 1424 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:


Whereupon the President declared S 1424 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 1426 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1426 was before the Senate for final consideration.

S 1426 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:


Whereupon the President declared S 1426 passed, title was approved, and the bill ordered transmitted to the House.

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

Petitions, Resolutions, and Memorials

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

Reports of Standing Committees

March 16, 2020

The JUDICIARY AND RULES Committee reports that S 1427, S 1428, and S 1429 have been correctly printed.

LAKEY, Chairman

S 1427, S 1428, and S 1429 were referred to the Finance Committee.

March 16, 2020

The JUDICIARY AND RULES Committee reports out H 431 and H 583 with the recommendation that they do pass.

LAKEY, Chairman

H 431 and H 583 were filed for second reading.

March 16, 2020

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Arnold Carlos Ponce to the Sexual Offender Management Board, term to expire January 1, 2023.

LAKEY, Chairman

The Gubernatorial appointment 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 Thirteenth Order of Business.

Third Reading of Bills


H 604 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 declared H 604 passed, title was approved, and the bill ordered returned to the House.

H 605 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:

AYES–Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lent, Lodge, Martin, Mortimer, Nelson, Nye,
Whereupon the President declared **H 605** passed, title was approved, and the bill ordered returned to the House.

**H 606** 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–Bayer, Grow, Martin, Mortimer, Vick, Winder. Total - 6.

Total - 35.

Whereupon the President declared **H 606** passed, title was approved, and the bill ordered returned to the House.

**H 610** 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:


Whereupon the President declared **H 610** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, **H 510, H 551, H 553, H 587, H 555, H 576, H 599, and H 548** retained their place on the Third Reading Calendar.

**H 612** 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:


Whereupon the President declared **H 612** passed, title was approved, and the bill ordered returned to the House.

**H 613** 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 President declared **H 613** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, **H 517**, as amended, **H 562, H 574, H 497**, as amended, **H 538, and H 578** retained their place on the Third Reading Calendar.

**H 618** 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:


Whereupon the President declared **H 618** passed, title was approved, and the bill ordered returned to the House.

**H 619** 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 President declared **H 619** passed, title was approved, and the bill ordered returned to the House.

**H 620** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nye 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–Vick. Total - 1.

Total - 35.

Whereupon the President declared **H 620** passed, title was approved, and the bill ordered returned to the House.
On request by Senator Winder, granted by unanimous consent, the bills previously held, be taken up in the order previously displayed on the Third Reading Calendar.

**H 500**, as amended in the Senate, having been held, 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:


Total - 35.

Whereupon the President declared **H 500**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

**H 518**, as amended in the Senate, having been held, 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:


Whereupon the President declared **H 518**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

**H 340**, as amended, as amended in the Senate, having been held, 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:


Total - 35.

Whereupon the President declared **H 340**, as amended, as amended in the Senate, 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 Fourteenth Order of Business.

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 384, H 461, S 1387, H 561**, and **H 487**, without recommendation, amended as follows:

**SENATE AMENDMENT TO H 384**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 22 through 40, and insert:

"(2) If he meets the requirements of this chapter, a claimant may bring a civil action against the state of Idaho for wrongful conviction. The claimant shall prevail if he establishes each of the following requirements by a preponderance of the evidence:

(a) The claimant was convicted of a felony in this state and subsequently imprisoned;

(b) The claimant did not commit the crime for which he was convicted;

(c) The claimant did not commit the acts that were the basis of the conviction;

(d) The claimant did not aid, abet, or act as an accomplice or accessory to either the acts or to a person who committed the acts that were the basis for the conviction;

(e) The claimant did not commit an included offense of the crime for which he was imprisoned;

(f) The claimant establishes that either of the following occurred:

(i) The claimant's conviction was reversed or vacated and either the claimant was not retried and the charges were dismissed or the claimant was retried and was found not guilty; or

(ii) The claimant was pardoned by the Idaho commission of pardons and parole or the governor on the grounds that the claimant was innocent; and

(g) The claimant establishes that the basis for reversing or vacating the conviction was not legal error unrelated to his factual innocence.

(3) A claimant shall not prevail on a claim brought pursuant to this chapter if the state shows by a preponderance of the evidence that a claimant pled guilty with the specific intent to protect another party from prosecution for the underlying conviction that forms the basis for the claim.

On page 2, delete lines 1 through 23; in line 24, delete "5" and insert: "4"; also in line 24, delete "; accompanied by a statement of the facts concerning the"; delete line 25; in line 26, delete "of complaints in the rules of civil procedure."; delete lines 35 through 40; in line 41, delete "9" and insert: "5"; also in line 41, delete "no later"; in line 42, delete "than one hundred twenty (120) days" and insert: "as expeditiously as possible"; delete lines 43 through 47, and insert:

"(6) If a person dies prior to filing or during the pendency of a claim under this section, the person's estate may file or maintain a claim pursuant to this section;"

and delete lines 48 through 50.

On page 3, in line 1, delete "12" and insert: "7"; also in line 1, delete "the"; in line 2, delete "of any judicial officer, prosecutor, or law enforcement offi-"; in line 3, delete "cer, including all applicable provisions of federal and state law."; delete lines 15 through 25, and insert:
(2) Compensation awarded under subsection (1) of this section shall be computed on a pro rata basis, with damages computed according to the number of days the claimant was imprisoned, on parole, or required to register as a sex offender due to the conviction that is the subject of the action. For purposes of the pro rata calculation, three hundred sixty-five (365) days equals one (1) year. The burden is on the claimant to establish the number of days he was imprisoned, on parole, or required to register as a sex offender.

(3) The claimant must establish the damages he is seeking under subsections (1), (2), and (4) of this section and the basis for those damages. Any award of damages pursuant to subsections (1) and (2) of this section must be submitted to the board of examiners for review. Awards shall be paid from the innocence fund created pursuant to section 6-3305, Idaho Code. Damages shall be paid as a combination of an initial payment not to exceed one hundred thousand dollars ($100,000) or twenty-five percent (25%) of the award, whichever is greater, and the remainder as an annual payment not to exceed eighty-five thousand dollars ($85,000) per year until the damage award is paid in full. The claimant shall designate a beneficiary or beneficiaries for the annual payment by filing such designation with the state. The award may be paid in one (1) lump sum if the court finds that it is in the best interests of the claimant. Any award of damages shall not accrue post-judgment interest, and the provisions of section 28-22-104, Idaho Code, shall not apply to such damages. A court shall not award, and a claimant shall not receive, compensation for any period of imprisonment during which the claimant was serving a sentence for a conviction of another offense for which the claimant was lawfully convicted and imprisoned. The claimant shall not receive compensation for any period of time that he was on parole or required to register as a sex offender during which the claimant was paroled or required to register as a sex offender for another offense for which the claimant was lawfully convicted;...in line 26, delete "3" and insert: "4"; in line 27, following "claimant" insert: "may be entitled to the following"; delete lines 28 through 37, and insert:

(a) Reasonable attorney's fees and costs incurred in the action brought pursuant to this chapter not to exceed a total of twenty-five thousand dollars ($25,000), unless a greater reasonable total is authorized by the court upon a finding of good cause shown;

(b) Reentry services offered through the department of correction, as applicable;

(c) Two (2) years of state-funded medical insurance for each year of imprisonment, up to a maximum of eight (8) years of insurance coverage, for state-funded medical insurance as described in section 67-5760, Idaho Code, or other equivalent medical insurance if state-funded medical insurance is not available; and

(d) A tuition waiver at an Idaho public postsecondary institution for thirty (30) credit hours for each year of imprisonment, up to a maximum of one hundred twenty (120) credit hours;...and in line 38, delete "4" and insert: "5".

On page 4, in line 3, delete "5" and insert: "6"; in line 5, delete ":- EXPUNGEMENT"; also in line 5, delete "(1)"; and delete lines 10 through 14.

CORRECTION TO TITLE

On page 1, in line 8, following "DAMAGES," insert: "TO PROVIDE FOR COMPUTATION OF DAMAGES, TO PROVIDE FOR HOW DAMAGES ARE PAID,"; and in line 9, delete "AND EXPUNGEMENT OF CERTAIN RECORDS".

SENGE AMENDMENT TO H 461
AMENDMENT TO THE BILL

On page 2 of the printed bill, following line 28, insert:

"SECTION 2. That Section 6-311C, Idaho Code, be, and the same is hereby amended to read as follows:

6-311C. FORM OF EXECUTION. The execution, should judgment of restitution be rendered, may be in the following form:

STATE OF IDAHO

County of ....

TO THE SHERIFF OR ANY CONSTABLE OF THE COUNTY:
WHEREAS, a certain action for the possession of the following described premises, to-wit:

In the name of the State of Idaho, you are, therefore, hereby commanded to cause the defendant and his goods and chattels to be forthwith removed from the premises and the plaintiff is to have restitution of the same. In the event the goods and chattels are not promptly removed thereafter by the defendant, the plaintiff is authorized and empowered to cause the same to be removed to a safe place for storage. You are also commanded to levy on the goods and chattels of the defendant, and pay the costs and disbursements, aforesaid, and all accruing costs, and to pursuant to Section 6-316(2), Idaho Code. Upon returning premises to the plaintiff, the sheriff will make legal service and due return of this writ.

WITNESS My hand and official seal (if issued out of a court of record) this .... day of ...., A.D. .....  

Clerk of the District Court".

AMENDMENT TO SECTION 2

On page 2, in line 29, delete "2" and insert: "3".
On page 3, in line 25, following "belongings," insert: "The landlord or his agents may deliver a writ of restitution or provide the sheriff with a copy of the writ of restitution and request that the sheriff deliver the writ. If requested by the landlord or his agents, the sheriff shall deliver a writ of restitution in a form as provided in section 6-311C, Idaho Code,"; in line 26, delete "subsection," and insert: "subsection and three (3) days after the finding of the court, the sheriff shall restore possession of the premises to the plaintiff by causing immediate removal of the tenant, and"; in line 31, delete "Removal of such property by the landlord"; delete line 32; and in line 33, delete "be there only to keep the peace.".

CORRECTION TO TITLE

On page 1, in line 4, following "CORRECTION," insert: "AMENDING SECTION 6-311C, IDAHO CODE, TO REVISE A FORM OF EXECUTION:".

SENGE AMENDMENT TO S 1387
AMENDMENT TO SECTION 1

On page 2 of the printed bill, following line 16, insert:

"(4) Notwithstanding any other provision of law, this section shall become effective upon occurrence of the following:"
(a) The Idaho attorney general determines that a court of competent jurisdiction has issued an injunction against enforcing the provisions of section 39-245A, Idaho Code;
(b) The Idaho attorney general has published such determination in the administrative bulletin published by the office of the administrative rules coordinator, division of financial management, office of the governor, pursuant to chapter 52, title 67, Idaho Code; and
(c) Ten (10) days have passed since the publication described in paragraph (b) of this subsection.

CORRECTION TO TITLE
On page 1, in line 5, delete "AND"; and in line 6, following "CHANGES" insert: ". AND TO PROVIDE THAT THE SECTION SHALL BECOME EFFECTIVE UNDER CERTAIN CIRCUMSTANCES".

SENATE AMENDMENT TO H 561
AMENDMENT TO SECTION 1
On page 1 of the printed bill, delete lines 21 through 29, and insert:
"(2) In the case of an assessment appeal of a residential property, if the appealing property owner voluntarily provides the assessor with a documented sales price from the arm's-length transaction completed within the previous twelve (12) months by which the current owner obtained his current ownership of the residential property whose assessment is being appealed, the documented sales price shall establish the market value for assessment purposes of the property. Nothing in this subsection shall require the disclosure of a documented sales price relating to the real property by any individual or entity.".

SENATE AMENDMENT TO H 487
AMENDMENT TO SECTION 1
On page 1 of the printed bill, delete lines 18 through 42, and insert:
"(6) Apply ineffective or improper pesticides.
(7) Make false, misleading or fraudulent records, reports or application forms required by the provisions of this act chapter.
(8) Apply pesticides in a faulty, careless, or negligent manner.
(9) Refuse or neglect to keep and maintain records required by the provisions of this act chapter, or to make reports when and as often as required.
(10) Distribute, sell or offer for sale any pesticide or device which is misbranded.
(11) Formulate, distribute, sell or offer for sale any pesticide which is adulterated.
(12) Distribute, sell or offer for sale any pesticide except in the manufacturer's original unbroken container.
(13) Refuse or neglect to comply with any limitations or restrictions placed on a license or permit issued under the provisions of this act chapter.
(14) Refuse or neglect to comply with any other provisions of this act chapter or rule, or any lawful order of the director.
(15) Aid or abet a licensed or an unlicensed person to evade the provisions of this act chapter, conspire with such licensed or unlicensed person to evade the provisions of this act chapter, or allow one's license or permit to be used by another person.
(16) Make false or misleading statements during or after an inspection concerning any infestation or infection of pests found on land.
(17) Impersonate any federal, state, county or city inspector or official.".

On page 2, delete lines 1 through 24, and insert:
"(18) Use or supervise the use of any restricted-use pesticide, or any state restricted-use pesticide, without having complied with the licensing requirements pursuant to this act chapter and, such other restrictions as had been determined by the director as necessary to prevent unreasonable adverse effects on the environment, including injury to the applicator, persons, or land, provided, that a person who is not a certified applicator or employee of a licensed private applicator may use a restricted-use pesticide or a state restricted-use pesticide under the direct supervision of the licensed private applicator unless otherwise prescribed by the labeling of the pesticide.
(19) Use or supervise the use of a chemical in a chemigation system without having complied with the licensing requirements pursuant to this act chapter and rules, and such other restrictions as have been determined by the director. A person who is not a certified applicator but an employee of a licensed private applicator may use chemicals under the direct supervision of a licensed private applicator unless otherwise prescribed by the labeling of the chemical.
(20) Chemigate without installing the proper chemigation equipment to protect against surface or ground water contamination.
(21) Fail to abide by the conditions of a stop sale, use or removal order, or chemigation stop work order.
(22) Offer for sale, hold for sale, sell, barter, ship, deliver for shipment, or receive and, having so received, deliver or offer to deliver, chemicals for chemigation to an unlicensed person.
"

AMENDMENT TO SECTION 2
On page 3, delete lines 4 and 5, and insert: "through negotiated rulemaking."; and delete lines 6 through 9.

The Committee also has S 1362, H 402, H 525, and H 469 under consideration, reports progress, and begs leave to sit again.

H 496 was filed for second reading.

VICK, Chairman

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

S 1387, 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 384, as amended in the Senate, H 461, as amended in the Senate, H 561, as amended in the Senate, and H 487, as amended in the Senate, were 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.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, H 587 was referred to the Fourteenth Order of Business, General Calendar.

H 502, having been held, 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:

AYES-Agenbroad, Anthon, Bair, Bayer, Brackett, Buckner-Webb, Cheatham, Crabtree, Den Hartog, Guthrie,


Absent and excused–Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared H 502 passed, title was approved, and the bill ordered returned to the House.

H 416, having been held, 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:


NAYS–None.

Absent and excused–Burgoyne, Rice. Total - 2.

Total - 35.

Whereupon the President declared H 416 passed, title was approved, and the bill ordered returned to the House.

H 424, 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–None.

Absent and excused–Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared H 424 passed, title was approved, and the bill ordered returned to the House.

H 491, having been held, 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–Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared H 491 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 Sixth Order of Business.

Reports of Standing Committees

March 16, 2020

The JUDICIARY AND RULES Committee reports that Senate amendments to H 384, H 461, S 1387, H 561, and H 487 have been correctly printed.

LAKEY, Chairman

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

March 16, 2020

The JUDICIARY AND RULES Committee reports that S 1387, as amended, has been correctly engrossed.

LAKEY, Chairman

S 1387, as amended, was filed for first reading.

March 16, 2020

The FINANCE Committee reports out S 1427, S 1428, and S 1429 with the recommendation that they do pass.

BAIR, Chairman

S 1427, S 1428, and S 1429 were filed for second reading.

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

Messages from the House

March 16, 2020

Dear Madam President:

I return herewith S 1398, S 1399, S 1403, S 1404, S 1405, S 1406, S 1353, S 1289, S 1290, SCR 123, and S 1330, as amended, which have passed the House.

MAULIN, Chief Clerk

S 1398, S 1399, S 1403, S 1404, S 1405, S 1406, S 1353, S 1289, S 1290, SCR 123, and S 1330, as amended, 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

H 384, as amended in the Senate, and H 461, as amended in the Senate, by Judiciary, Rules and Administration Committee, were read the first time at length and filed for second reading.

H 561, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.
H 487, as amended in the Senate, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

S 1387, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

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 8:21 p.m. until the hour of 9 a.m., Tuesday, March 17, 2020.

JANICE MCGEEACHIN, President

Attest: JENNIFER NOVAK, Secretary