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NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 14, 2020

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m. Roll call showed all members present except Senator Lodge, absent and excused.

Prayer was offered by Chaplain Jeff Tanner.
The Pledge of Allegiance was led by Spencer Payne, 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 January 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 Eighth Order of Business.

Messages from the Governor

January 6, 2020

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that David Moore of Meridian, Idaho, was reappointed as a member of the Commission on Pardons and Parole to serve a term commencing January 1, 2020, and expiring January 1, 2023.

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 reappointment was referred to the Judiciary and Rules Committee.

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Joy Fisher of Moscow, Idaho, was reappointed as a member of the Public Employee Retirement System of Idaho Board to serve a term commencing July 1, 2019, and expiring July 1, 2024.

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 reappointment was referred to the Commerce and Human Resources Committee.

January 13, 2020

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I have the honor to inform you that Derick Attebury of Idaho Falls, Idaho, was reappointed as a member of the Idaho Fish and Game Commission to serve a term commencing July 1, 2019, and expiring June 30, 2023.

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 reappointment was referred to the Resources and Environment Committee.

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

Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Melvin D. Buffington was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Burgoyne, the Gubernatorial reappointment of Melvin D. Buffington as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.
The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Senator Chuck Winder was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Stenett, the Gubernatorial reappointment of Senator Chuck Winder as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

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

S 1216
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO CYANIDATION FACILITIES; AMENDING SECTION 39-118A, IDAHO CODE, TO REQUIRE THE SUBMISSION OF PERMANENT CLOSURE PLANS FOR CYANIDATION FACILITIES PURSUANT TO SPECIFIED LAW PRIOR TO ISSUANCE OF CERTAIN PERMITS, TO PROVIDE THAT ANY PERMIT ISSUED SHALL PROHIBIT THE CONSTRUCTION AND OPERATION OF A CYANIDATION FACILITY UNTIL THE PERMITTEE SUBMITS PROOF OF FINANCIAL ASSURANCE FOR ITS PERMANENT CLOSURE PLAN, AND TO MAKE TECHNICAL CORRECTIONS.

S 1217
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO WATER; AMENDING SECTION 42-201, IDAHO CODE, TO PROVIDE THAT WATER MAY BE DIVERTED AND USED WITH OR WITHOUT A WATER RIGHT FOR CERTAIN CLEANUP OR REMOVAL OF HAZARDOUS SUBSTANCES OR PETROLEUM, TO PROVIDE FOR REPORTING TO THE IDAHO DEPARTMENT OF WATER RESOURCES, AND TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES SHALL BE CONSULTED.

S 1218
BY JUDICIAIY AND RULES COMMITTEE
AN ACT
RELATING TO WATER RESOURCES; AMENDING SECTION 42-1805, IDAHO CODE, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES TO RECEIVE, FILE, RECORD, OR RETAIN DOCUMENTS OF RECORD ON MEDIA OTHER THAN PAPER AND TO MAKE TECHNICAL CORRECTIONS.

S 1219
BY JUDICIAIY AND RULES COMMITTEE
AN ACT
RELATING TO GUARDIANS AND CONSERVATORS; AMENDING SECTION 66-404, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROCEEDINGS FOR THE APPOINTMENT OF GUARDIANS AND CONSERVATORS.

S 1220
BY JUDICIAIY AND RULES COMMITTEE
AN ACT
RELATING TO GUARDIANS AND CONSERVATORS; AMENDING SECTION 15-5-207, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPOINTMENT OF A GUARDIAN OF A MINOR; AMENDING SECTION 15-5-310, IDAHO CODE, TO REVISE A PROVISION REGARDING TEMPORARY GUARDIANS OF INCAPACITATED PERSONS; AND AMENDING SECTION 15-5-407A, IDAHO CODE, TO REVISE PROVISIONS REGARDING TEMPORARY AND EMERGENCY APPOINTMENTS OF A CONSERVATOR.

S 1221
BY JUDICIAIY AND RULES COMMITTEE
AN ACT
RELATING TO PAYMENTS IN CRIMINAL CASES; AMENDING SECTION 31-3201I, IDAHO CODE, TO PROVIDE CODE REFERENCES, TO PROVIDE FOR CERTAIN FINES IN CRIMINAL CASES, AND TO MAKE TECHNICAL CORRECTIONS.

S 1222
BY BURGOYNE
AN ACT
RELATING TO DECRIMINALIZING POSSESSION AND USE OF CONTROLLED SUBSTANCES IN SPECIFIED CIRCUMSTANCES, REQUIRING INTENTION TO DELIVER FOR CRIMINAL DRUG TRAFFICKING, AND PERMITTING CIVIL COMMITMENTS FOR SUBSTANCE-RELATED DISORDERS IN SPECIFIED CIRCUMSTANCES; AMENDING SECTION 37-2732, IDAHO CODE, TO PROVIDE FOR POSSESSION WITH INTENT TO DELIVER, TO PROVIDE THAT CERTAIN ACTIONS SHALL CONSTITUTE INTENT TO DELIVER, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 37-2732B, IDAHO CODE, TO PROVIDE FOR POSSESSION WITH INTENT TO DELIVER; AMENDING SECTION 37-2732C, IDAHO CODE, TO REVISE A PROVISION REGARDING USUING OR BEING UNDER THE INFLUENCE OF A CONTROLLED SUBSTANCE, TO DEFINE A TERM, AND TO PROVIDE THAT PERSONS WHO USE OR ARE UNDER THE INFLUENCE OF A CONTROLLED SUBSTANCE MAY BE SUBJECT TO CERTAIN TREATMENT; AMENDING SECTION 39-307A, IDAHO CODE, TO REVISE A PROVISION REGARDING PROTECTIVE CUSTODY; AMENDING THE HEADING FOR CHAPTER 3, TITLE 66, IDAHO CODE; AMENDING SECTION 66-317, IDAHO CODE, TO REVISE A DEFINITION, TO DEFINE TERMS, TO REVISE TERMINOLOGY, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-318, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 66-319, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 66-322, IDAHO CODE, TO PROVIDE FOR GUARDIAN APPOINTMENT FOR A SUBSTANCE-RELATED DISORDER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-325, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 66-326, IDAHO CODE, TO PROVIDE THAT A PERSON SUSPECTED OF A SUBSTANCE-RELATED DISORDER MAY BE TAKEN INTO CUSTODY OR DETAINED UNDER CERTAIN CIRCUMSTANCES AND TO REVISE TERMINOLOGY; AMENDING SECTION 66-328, IDAHO CODE, TO
REVISE TERMINOLOGY; AMENDING SECTION 66-329, IDAHO CODE, TO PROVIDE THAT A PERSON WITH A SUBSTANCE-RELATED DISORDER MAY BE COMMITTED UNDER CERTAIN CIRCUMSTANCES AND TO REVISE TERMINOLOGY; AMENDING SECTION 66-330, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-335, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 66-337, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-348, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 66-352, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 66-354, IDAHO CODE, TO REVISE TERMINOLOGY, AND AMENDING SECTION 66-355, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION.

S 1223
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT
RELATING TO FOOD; REPEALING CHAPTER 16, TITLE 37, IDAHO CODE, RELATING TO IMPORTED FOOD PRODUCTS; AND REPEALING CHAPTER 26, TITLE 37, IDAHO CODE, RELATING TO THE ENRICHMENT OF BREAD AND FLOUR.

S 1224
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT
RELATING TO WEIGHMASTERS; AMENDING SECTION 71-401, IDAHO CODE, TO REVISE THE SHORT TITLE AND DEFINITIONS; AMENDING SECTION 71-402, IDAHO CODE, TO REMOVE LICENSING PROVISIONS AND TO PROVIDE FOR COMPLIANCE WITH SPECIFIED LAW BY WEIGHMASTERS; REPEALING SECTION 71-404, IDAHO CODE, RELATING TO POSTING OF LICENSE; REPEALING SECTION 71-405, IDAHO CODE, RELATING TO CERTIFIED COPIES OF LICENSE; REPEALING SECTION 71-406, IDAHO CODE, RELATING TO SIGNATURE OF LICENSED WEIGHMASTER; REPEALING SECTION 71-410, IDAHO CODE, RELATING TO REVOCATION OF LICENSE; AND AMENDING SECTION 71-411, IDAHO CODE, TO REVISE PROVISIONS REGARDING WEIGHT AND TARE TICKETS.

S 1225
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT
RELATING TO AGRICULTURE; AMENDING SECTION 22-103, IDAHO CODE, TO REVISE PROVISIONS REGARDING DUTIES OF THE DIRECTOR; AMENDING SECTION 22-608, IDAHO CODE, TO REVISE PROVISIONS REGARDING REPORTING REQUIREMENTS ASSOCIATED WITH CERTAIN FERTILIZERS; AND AMENDING SECTION 22-2208, IDAHO CODE, TO REVISE PROVISIONS REGARDING TONNAGE FEE REPORTING REQUIREMENTS ASSOCIATED WITH CERTAIN SOIL AND PLANT AMENDMENTS.

S 1226
BY JORDAN
AN ACT
RELATING TO CIVIL RIGHTS; AMENDING SECTION 67-5901, IDAHO CODE, TO PROVIDE THAT FREEDOM FROM DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY IS A CIVIL RIGHT; AMENDING SECTION 67-5902, IDAHO CODE, TO PROVIDE ADDITIONAL DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-5909, IDAHO CODE, TO PROHIBIT DISCRIMINATION AGAINST A PERSON BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO MAKE TECHNICAL CORRECTIONS.

S 1216, S 1217, S 1218, S 1219, S 1220, S 1221, S 1222, S 1223, S 1224, S 1225, and S 1226 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 Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:51 a.m. until the hour of 10:30 a.m., Wednesday, January 15, 2020.

JANICE McGEACHIN, President
Attest: JENNIFER NOVAK, Secretary