JOURNAL
of the
STATE SENATE

FIRST EXTRAORDINARY SESSION
of the
SIXTY-FIFTH LEGISLATURE
and
ORGANIZATIONAL SESSION
and
FIRST REGULAR SESSION
of the
SIXTY-SIXTH LEGISLATURE
of the
STATE OF IDAHO
2021
JOURNAL
of the
STATE SENATE
FIRST EXTRAORDINARY SESSION
of the
SIXTY-FIFTH LEGISLATURE
of the
STATE OF IDAHO
2020
## Senate Index

### Senate Journal

**Sixty-Fifth Idaho Legislature**  
**First extraordinary session**  
**2020 Legislative session**

**August 24, 2020**

<table>
<thead>
<tr>
<th>Subject Matter</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Extraordinary Session - August 24, 2020</td>
<td>9</td>
</tr>
<tr>
<td>attaches, Oath of Office</td>
<td>11</td>
</tr>
<tr>
<td>Certificate of Election</td>
<td>10</td>
</tr>
<tr>
<td>Certification, Secretary of State</td>
<td>9</td>
</tr>
<tr>
<td>Proclamation, Office of the Governor</td>
<td>9</td>
</tr>
<tr>
<td>Sine Die Adjournment of First Extraordinary Session</td>
<td>18</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>-------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>MCGEACHIN, JANICE</td>
<td>Idaho Falls</td>
</tr>
<tr>
<td>HILL, BRENT</td>
<td>Rexburg</td>
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<tr>
<td>WINDER, CHUCK</td>
<td>Boise</td>
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<tr>
<td>VICK, STEVE</td>
<td>Dalton Gardens</td>
</tr>
<tr>
<td>ANTHON, KELLY ARTHUR</td>
<td>Burley</td>
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<tr>
<td>STENNETT, MICHELLE</td>
<td>Ketchum</td>
</tr>
<tr>
<td>BUCKNER-WEBB, CHERIE</td>
<td>Boise</td>
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<tr>
<td>JORDAN, MARYANNE</td>
<td>Boise</td>
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<tr>
<td>NOVAK, JENNIFER</td>
<td>Boise</td>
</tr>
<tr>
<td>ROURK, JACOB</td>
<td>Boise</td>
</tr>
<tr>
<td>JONES, MARY SUE</td>
<td>Boise</td>
</tr>
<tr>
<td>LEWERS, CATHERINE</td>
<td>Boise</td>
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<tr>
<td>MCDONALD, SARAH JANE</td>
<td>Boise</td>
</tr>
<tr>
<td>TANNER, JEFF</td>
<td>Boise</td>
</tr>
</tbody>
</table>

(Names and roles of individuals involved in legislative activities)
### SECTION II-EO

**2020 MEMBERS OF THE SENATE AND ASSIGNMENTS**  
(Certificate of Election - First Extraordinary Session)

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>AGENBROAD, JEFF</td>
<td>Nampa</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>Commerce and Human Resources - Vice Chair</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Finance</td>
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</tr>
<tr>
<td>ANTHON, KELLY ARTHUR</td>
<td>Burley</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Majority Caucus Chair</td>
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<td></td>
<td>Judiciary and Rules</td>
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<td>Local Government and Taxation</td>
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<tr>
<td></td>
<td>State Affairs</td>
<td></td>
</tr>
<tr>
<td>BAIR, STEVE</td>
<td>Blackfoot</td>
<td>31</td>
</tr>
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<td></td>
<td>Finance - Chair</td>
<td></td>
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<tr>
<td></td>
<td>Resources and Environment</td>
<td></td>
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<tr>
<td>BAYER, REGINA M.</td>
<td>Meridian</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td>Agricultural Affairs</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Health and Welfare</td>
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<td>BRACKETT, BERT</td>
<td>Rogerson</td>
<td>23</td>
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<td>Transportation - Chair</td>
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<td>Resources and Environment - Vice Chair</td>
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<td>BUCKNER-WEBB, CHERIE</td>
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<td>19</td>
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<td>Transportation</td>
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<td>BURGOYNE, GRANT</td>
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<td>Local Government and Taxation</td>
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<td>Terreton</td>
<td>35</td>
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<td>Finance</td>
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<td>Transportation - Vice Chair</td>
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<td>GROW, C. SCOTT</td>
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<td></td>
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<td>GUTHRIE, JIM</td>
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<td>28</td>
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<td>Agricultural</td>
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<td>Environment</td>
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<td>HARRIS, MARK</td>
<td>Soda Springs</td>
<td>32</td>
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<tr>
<td></td>
<td>State Affairs</td>
<td></td>
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<td>HEIDER, LEE</td>
<td>Twin Falls</td>
<td>24</td>
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<tr>
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<td>Resources and</td>
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<td></td>
<td>Welfare</td>
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<td>HILL, BRENT</td>
<td>Rexburg</td>
<td>34</td>
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<td>President Pro</td>
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<td>JOHNSON, DANIEL G.</td>
<td>Lewiston</td>
<td>6</td>
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<td>Finance - Vice</td>
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<td></td>
<td>Environment</td>
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<tr>
<td>JORDAN, MARYANNE</td>
<td>Boise</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Minority Caucus</td>
<td></td>
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<td>Chair</td>
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<td></td>
<td>Environment</td>
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<tr>
<td>LAKEY, TODD M.</td>
<td>Nampa</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>Judiciary and</td>
<td></td>
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<td></td>
<td>Rules - Chair</td>
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<td></td>
<td>Local Government</td>
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<tr>
<td>LEE, ABBY</td>
<td>Fruitland</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Judiciary and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rules - Vice</td>
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<td>Chair</td>
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<td></td>
<td>Welfare</td>
<td></td>
</tr>
<tr>
<td>LENT, DAVE</td>
<td>Idaho Falls</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>Agricultural</td>
<td></td>
</tr>
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<td></td>
<td>Affairs</td>
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<tr>
<td>LODGE, PATTI ANNE</td>
<td>Huston</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>State Affairs - Chair</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Judiciary and Rules</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transportation</td>
<td></td>
</tr>
<tr>
<td>MARTIN, FRED S.</td>
<td>Boise</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Health and Welfare - Chair</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Commerce and Human Resources</td>
<td></td>
</tr>
<tr>
<td>MORTIMER, DEAN M.</td>
<td>Idaho Falls</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>Education - Chair</td>
<td></td>
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<tr>
<td></td>
<td>Agricultural Affairs</td>
<td></td>
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<tr>
<td></td>
<td>Resources and Environment</td>
<td></td>
</tr>
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<td>Moscow</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Agricultural Affairs</td>
<td></td>
</tr>
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<td></td>
<td>Health and Welfare</td>
<td></td>
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<td></td>
<td>Transportation</td>
<td></td>
</tr>
<tr>
<td>NYE, MARK</td>
<td>Pocatello</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td>Finance</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Judiciary and Rules</td>
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<td></td>
<td>Local Government and Taxation</td>
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<td>PATRICK, JIM L.</td>
<td>Twin Falls</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Commerce and Human Resources - Chair</td>
<td></td>
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<tr>
<td></td>
<td>Agricultural Affairs</td>
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<td></td>
<td>Resources and Environment</td>
<td></td>
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<tr>
<td>RICE, JIM</td>
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<td>10</td>
</tr>
<tr>
<td></td>
<td>Local Government and Taxation - Chair</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transportation</td>
<td></td>
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<tr>
<td>SOUZA, MARY</td>
<td>Coeur d'Alene</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Health and Welfare - Vice Chair</td>
<td></td>
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<td>Commerce and Human Resources</td>
<td></td>
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<tr>
<td></td>
<td>State Affairs</td>
<td></td>
</tr>
<tr>
<td>STENNETT, MICHELLE</td>
<td>Ketchum</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>Minority Leader</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Resources and Environment</td>
<td></td>
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<tr>
<td></td>
<td>State Affairs</td>
<td></td>
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<tr>
<td>THAYN, STEVEN P.</td>
<td>Emmett</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Education - Vice Chair</td>
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<td></td>
<td>Commerce and Human Resources</td>
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<td>State Affairs</td>
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<td>WARD-ENGELKING, JANIE</td>
<td>Boise</td>
<td>18</td>
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<td>Commerce and Human Resources</td>
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SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST EXTRAORDINARY SESSION
SIXTY-FIFTH LEGISLATURE
FURTHER

FIRST LEGISLATIVE DAY
MONDAY, AUGUST 24, 2020

Senate Chamber

At the hour of 10 a.m. on Friday, August 24, 2020, being the day and hour fixed by proclamation of the Governor of the State of Idaho for the convening of the First Extraordinary Session of the Sixty-fifth Idaho Legislature, the members of the Senate convened in the Senate Chamber of the Capitol in the city of Boise, with President Janice McGeachin presiding. Secretary of the Senate Jennifer Novak read the following Certification and Proclamation calling the Legislature to meet in Extraordinary Session:

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE
CERTIFICATION

I, LAWERENCE DENNEY, Secretary of State of the State of Idaho and legal custodian of the Seal of said State and all Proclamations of the Governor of the State of Idaho concerning the convening of the Sixty-Fifth Idaho Legislature in an Extraordinary Session, received and filed in this office on the Nineteenth day of August, 2020, and that same appears of record in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, Idaho, this Nineteenth day of August, 2020.

/s/ LAWERENCE DENNEY
Secretary of State

STATE OF IDAHO
THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE

PROCLAMATION

WHEREAS, the SARS-CoV-2 virus that originated in China and causes the disease COVID-19 has caused untold misery and devastation throughout the world, including in the United States and in Idaho; and

WHEREAS, the health and safety of all Idahoans is the greatest priority of our state and its leaders; and

WHEREAS, citizen participation in our elections by voting is essential to our republic; and

WHEREAS, the White House has recently reported that several Idaho counties are in the "Red Zone" for COVID-19 due to a high rate of new cases per 100,000 and a test positivity rate above 10 percent, including some of Idaho's most populous counties; and

WHEREAS, the COVID-19 pandemic has significantly decreased the availability of possible polling locations and willingness of poll workers to serve on Election Day; and

WHEREAS, I am informed by the Secretary of State that on average approximately 4,000 poll workers help carry out the general election and that the median age of those poll workers is 70 years old; and

WHEREAS, I am informed by the Secretary of State that over half of those who customarily serve as poll workers do not plan to do so for the 2020 general election; and

WHEREAS, I am informed by the Secretary of State that an unprecedented number of Idahoans will vote absentee in this year's general election, which will require those ballots to be processed and counted by the county clerks' offices while simultaneously preparing for and operate polling places for in person voting on Election Day; and

WHEREAS, there is an urgent need to address and ensure the privacy, integrity and security of Idaho's election process; and

WHEREAS, the existence of COVID-19 in Idaho and in the United States has significantly harmed Idaho's economy, caused the loss of many Idaho jobs, and caused our schools, universities, and other institutions to temporarily close; and

WHEREAS, the United States and the State of Idaho have enacted numerous laws and programs to help workers, professional educators, businesses, health care workers, patients, and citizens respond to and recover from the negative impacts caused by COVID-19; and

WHEREAS, safely reopening Idaho's economy is crucial to Idaho's recovery from the COVID-19 pandemic and will enable Idaho's workers to get back to work and Idaho's students to get back to school; and

WHEREAS, the COVID-19 pandemic has created unprecedented uncertainty as to liability due to the existence and spread of COVID-19 in Idaho; and

WHEREAS, small and large businesses, schools, colleges and universities, and religious, philanthropic and other non-profit institutions confront the risk of litigation accusing them of negligently exposing employees, customers, students, and worshipers to coronavirus. Health care workers face the threat of lawsuits arising from their efforts to fight the virus; and

WHEREAS, establishing temporary and consistent standards to govern liability for certain tort claims related to COVID-19 will help Idaho's economy recover in a safe and prudent manner and will encourage planning, care, and appropriate risk management by small and large businesses, schools, colleges and universities, religious, philanthropic and other non-profit institutions, and health care providers; and

WHEREAS, the standards set by this special session must be carefully tailored to the crisis caused by the COVID-19 pandemic and extend no further than necessary to meet this unique crisis. Those who do not act in good faith to respond safely to the COVID-19 pandemic should not be immune from liability; and
Constitutional complete Secretary identify hour State WHEREAS, WHEREAS, I have determined that the existence and spread of COVID-19 in Idaho is such an extraordinary occasion that necessitates convening a special session of the Idaho Legislature; and WHEREAS, the Idaho Legislature formed working groups that have studied those issues caused by the COVID-19 pandemic and recommended specific bills to be considered at a special session of the Idaho Legislature; and

WHEREAS, article III, section 9 of the Constitution of the State of Idaho gives each house of the Legislature the authority to identify and implement the safety protocols, including capacity limits, it deems necessary to conduct its proceedings within its respective chambers, offices, and committee rooms.

NOW, THEREFORE, I, Brad Little, Governor of Idaho, by virtue of the authority vested in me by the Constitution and laws of this state, do by this Proclamation convene the 65th Idaho Legislature in Extraordinary Session in the legislative chambers at the Capitol in Boise City, Ada County, Idaho, at the hour of 10:00 A.M. on the 24th day of August, 2020 for the following enumerated purpose and no other:

To consider the passage of RS28046 regarding absentee voting during the pandemic, RS28045 regarding in person polling locations during the pandemic, and RS28049 regarding civil liability, copies of which are attached hereto.

The Extraordinary Session of the Legislature convened by this Proclamation shall have no power to legislate on any subjects other than those specified herein.

I HEREBY DIRECT AND REQUIRE that a copy of this Proclamation be delivered to the Lieutenant Governor, to each of the members of the 65th Idaho Legislature and to the Constitutional Officers of Idaho at the earliest practicable time.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on the 19th day of August in the year of our Lord two thousand and twenty.

/s/ Brad Little Governor

/s/ LAWERENCE DENNEY Secretary of State

The certification and Proclamation was ordered filed in the office of the Secretary of the Senate.

The following Certificate of Election was read by the Secretary of the Senate:

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE
CERTIFICATE OF ELECTION

I, Lawerence Denney, Secretary of State of the State of Idaho and legal custodian of the records of elections held in the State of Idaho, do hereby certify that the following is a full, true, and complete list of those elected to serve as members of the Senate of the First Extraordinary Session of the Sixty-fifth Legislature, as shown by official records on file in my office:

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>NAME</th>
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<tbody>
<tr>
<td>1</td>
<td>Jim Woodward (R)</td>
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<tr>
<td>2</td>
<td>Steve Vick (R)</td>
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<td>3</td>
<td>Don Cheatham (R)</td>
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<td>4</td>
<td>Mary Souza (R)</td>
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<td>5</td>
<td>David Nelson (D)</td>
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<td>6</td>
<td>Daniel Johnson (R)</td>
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<td>7</td>
<td>Carl G. Crabtree (R)</td>
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<td>8</td>
<td>Steven P. Thayn (R)</td>
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<td>9</td>
<td>Abby Lee (R)</td>
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<td>10</td>
<td>Jim Rice (R)</td>
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<td>11</td>
<td>Patti Anne Lodge (R)</td>
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<td>12</td>
<td>Todd Lakey (R)</td>
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<td>13</td>
<td>Jeff C. Agenbroad (R)</td>
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<td>14</td>
<td>C. Scott Grow (R)</td>
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<td>15</td>
<td>Fred S. Martin (R)</td>
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<td>16</td>
<td>Grant Burgoyne (D)</td>
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<td>17</td>
<td>Maryame Jordan (D)</td>
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<td>18</td>
<td>Janie Ward-Engelking (D)</td>
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<td>19</td>
<td>Cherie Buckner-Webb (D)</td>
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<td>20</td>
<td>Chuck Winder (R)</td>
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<td>21</td>
<td>Regina M. Bayer (R)</td>
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<td>22</td>
<td>Lori Den Hartog (R)</td>
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<td>23</td>
<td>Bert Brackett (R)</td>
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<td>24</td>
<td>Lee Heider (R)</td>
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<td>25</td>
<td>Jim Patrick (R)</td>
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<tr>
<td>26</td>
<td>Michelle Stennett (D)</td>
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<td>27</td>
<td>Kelly Arthur Anthon (R)</td>
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<tr>
<td>28</td>
<td>Jim Guthrie (R)</td>
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<tr>
<td>29</td>
<td>Mark Nye (D)</td>
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<td>30</td>
<td>Dean M. Mortimer (R)</td>
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<tr>
<td>31</td>
<td>Steve Bair (R)</td>
</tr>
<tr>
<td>32</td>
<td>Mark R. Harris (R)</td>
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<tr>
<td>33</td>
<td>Dave Lent (R)</td>
</tr>
<tr>
<td>34</td>
<td>Brent Hill (R)</td>
</tr>
<tr>
<td>35</td>
<td>Van Burtenshaw (R)</td>
</tr>
</tbody>
</table>

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capitol of Idaho, this Nineteenth day of August, in the year of our Lord, two thousand and twenty, and of the Independence of the United States of America, the two hundred and forty-fifth.

/s/ LAWERENCE DENNEY Secretary of State

The Certificate of Election was ordered filed in the office of the Secretary of the Senate.

Roll call showed all members present except Senators Buckner-Webb and Jordan, absent and formally excused by the Chair.

Prayer was offered by Chaplain Jeff Tanner, Church of Jesus Christ of Latter-day Saints, Meridian, Idaho.

The Pledge of Allegiance was led by Sarah Jane McDonald, Sergeant-at-Arms.

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

On request by Senator Winder, seconded by Senator Stennett, by voice vote, the Rules of the Senate and Joint Rules of the Senate and House of Representatives of the Second Regular Session of the Sixty-fifth Idaho Legislature were adopted as the temporary rules for the First Extraordinary Session of the Sixty-fifth Idaho Legislature.

Moved by Senator Winder, seconded by Senator Stennett, that the following attaches be elected to fill the offices provided for by the Constitution of the State of Idaho and by statute:

Journal Clerk ......................................................Jacob Rourk
Sergeant-at-Arms .............................................Sarah Jane McDonald
Senate Chaplain .................................................Jeff Tanner
Committee Secretaries:
Judiciary and Rules Committee Secretary ........Linda Kambetz
State Affairs Committee Secretary ..................Gaye Bennett
Honorary Page:
Page.................................................................Marlee Novak

The question being, Shall the motion prevail?

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared the attaches duly elected to their respective positions. The President instructed the Sergeant-at-Arms, Sarah Jane McDonald, to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

The Senate advanced to the Eleventh Order of Business.

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

S 1001
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTIONS; AMENDING SECTION 34-1003, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ISSUANCE OF ABSENTEE BALLOTS; AMENDING SECTION 34-1007, IDAHO CODE, TO REVISE PROVISIONS REGARDING COUNTING ABSENTEE BALLOTS; AND DECLARING AN EMERGENCY.

S 1002
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTIONS; AMENDING CHAPTER 11, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1115, IDAHO CODE, TO PROVIDE FOR ALTERNATIVE PROCEDURES FOR ELECTION DAY VOTING AND TO PROVIDE FOR VOTE CENTERS; DECLARING AN EMERGENCY; AND PROVIDING A SUNSET DATE.

S 1001 and S 1002 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

August 24, 2020

The JUDICIARY AND RULES Committee reports that S 1001 and S 1002 have been correctly printed.

LAKEY, Chairman

S 1001 and S 1002 were referred to the State Affairs Committee.

August 24, 2020

The STATE AFFAIRS Committee reports out S 1001 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, S 1001 was referred to the Fourteenth Order of Business, General Calendar.

August 24, 2020

The STATE AFFAIRS Committee reports out S 1002 with the recommendation that it do pass.

LODGE, Chairman

S 1002 was filed for second reading.

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 1002 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 1002 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:


NAYS–None.


Total - 35.

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

S 1002 was read the second time by title and the third time at length, section by section, and placed before the Senate for
final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Lodge, granted by unanimous consent, the following typographical correction was made to S 1002, pursuant to Senate Rule 9(F):

On page 1, line 30, change "ballots" to "ballot."
On page 1, line 31, change "ballots" to "ballot."
On page 1, line 32, change "ballots" to "ballot."

Roll call resulted as follows:


Paired and voting included in roll call:
AYE - Cheatham NAY - Jordan
AYE - Lent NAY - Buckner-Webb

Total - 35.

Whereupon the President declared S 1002 passed, title was approved, and the bill ordered transmitted to the House.

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

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Vick to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Vick, Chairman of the Committee of the Whole, reported out S 1001, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1001
AMENDMENT TO SECTION 2

On page 3 of the printed bill, delete lines 10 through 13, and insert: "prior to election day. If the absentee ballots are opened prior to election day, the ballots shall be securely maintained in a nonproprietary electronic access-controlled room under twenty-four (24) hour nonproprietary video surveillance that is livestreamed to the public and which video must be archived for at least ninety (90) days following the election. The ballots shall be boxed and secured in the same access-controlled room each day after being opened or scanned. A minimum of two (2) election officials must be present whenever absentee ballots are accessed. No results shall be tabulated for absentee ballots until the polls close on the day of the election held prior to December 31, 2020."

VICK, Chairman

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

S 1001, 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.

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

Reports of Standing Committees

August 24, 2020

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1001 have been correctly printed.

LAKEY, Chairman

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

August 24, 2020

The JUDICIARY AND RULES Committee reports that S 1001, as amended, has been correctly engrossed.

LAKEY, Chairman

S 1001, as amended, was 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 1001, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

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 1001, as amended, 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 1001, as amended, 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:


NAYS–None.


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.
S 1001, as amended, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1001, as amended, passed, title was approved, and the bill ordered transmitted 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 5:29 p.m. until the hour of 10 a.m., Tuesday, August 25, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Buckner-Webb and Jordan, absent and formally excused by the Chair; and Senator Thayn, absent and excused.

Prayer was offered by Chaplain Jeff Tanner.

The Pledge of Allegiance was led by Senator Dave Lent.

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 August 24, 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 Fifteenth Order of Business.

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:04 p.m. until the hour of 10 a.m., Wednesday, August 26, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

THIRD LEGISLATIVE DAY
WEDNESDAY, AUGUST 26, 2020

Senate Chamber

President McGeechlin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Buckner-Webb and Jordan, absent and formally excused by the Chair.

Prayer was offered by Chaplain Jeff Tanner.

The Pledge of Allegiance was led by Senator Jim Woodward.

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 August 25, 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

August 25, 2020

Dear Madam President:

I transmit herewith H 1 and HCR 1, which have passed the House.

MAULIN, Chief Clerk

H 1 was 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

H 1, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

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

Reports of Standing Committees

August 26, 2020

The STATE AFFAIRS Committee reports out H 1 with the recommendation that it do pass.

LODGE, Chairman

H 1 was filed for second reading.

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 H 1 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 H 1 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:


NAYS–None.


Total - 35.

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

H 1 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Paired and voting included in roll call:

AYE - Lakey  NAY - Buckner-Webb
AYE - Vick  NAY - Jordan

Total - 35.

Whereupon the President declared H 1 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 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

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

Petitions, Resolutions, and Memorials

SR 101
BY STATE AFFAIRS COMMITTEE
A SENATE RESOLUTION
STATING FINDINGS OF THE SENATE AND MAKING CERTAIN RESOLUTIONS REGARDING THE STATE OF EMERGENCY IN IDAHO.

Be It Resolved by the Senate of the State of Idaho:

WHEREAS, Section 1, Article II of the Idaho Constitution states that the "powers of the government of this state are divided into three distinct departments, the legislative, executive and judicial; and no person or collection of persons charged with the exercise of powers properly belonging to one of these departments shall exercise any powers properly belonging to either of the others . . ."; and

WHEREAS, the Idaho Legislature as representatives of the people of Idaho have a constitutional right as a separate and equal branch of government to exercise the power of appropriation and the making of laws; and

WHEREAS, the COVID-19 coronavirus outbreak in Idaho has resulted in an emergency response that includes the expenditure of public funds, administrative rulemaking, and changes to Idaho laws by the Idaho executive branch; and

WHEREAS, the Governor issued a Proclamation dated August 19, 2020, calling an extraordinary session of the Legislature with the only subjects for consideration being: 1) absentee voting during the pandemic; 2) in-person polling locations during the pandemic; and 3) civil liability relating to COVID-19; and

WHEREAS, during the course of the emergency, contradictions and shortcomings in the Constitution, statutes, and rules regarding emergencies have become clear; and

WHEREAS, Section 9, Article IV of the Idaho Constitution limits the topics the Legislature may consider during an extraordinary session to only those subjects set forth in the proclamation; and

WHEREAS, Section 46-1008, Idaho Code, states that the "Legislature by concurrent resolution may terminate a state of disaster emergency at any time" that conflicts with the subject limitation applicable to extraordinary sessions; and

WHEREAS, when the Constitution and a statute conflict, the Constitution prevails; and

WHEREAS, circumstances during the course of the declared emergency demonstrate the need for the greater ability of the Legislature to respond in a timely fashion to the concerns of the citizens of Idaho as they relate to the appropriate exercise of legislative authority; and

WHEREAS, the Senate desires to take steps to maintain the constitutional balance of powers in times of emergencies; and

WHEREAS, the Senate has considered whether terminating the emergency declaration is within the constitutional authority of the Legislature during this extraordinary legislative session, along with the impacts to the daily lives of Idaho citizens; and

WHEREAS, the Senate has acknowledged that any action terminating the emergency declaration would not end the orders of the local health districts, state administrative agencies, local government, and other unelected officials. Examples of local decisions that would not terminate by ending the statewide emergency declaration include school closures, face covering mandates, restrictions on group gatherings, business closures, and church attendance; and

WHEREAS, the Senate has concluded that any action by the Legislature beyond those subjects identified in the Governor's Proclamation, including efforts to terminate any emergency declaration, during this extraordinary session is unconstitutional; and

WHEREAS, the members of the Senate desire always to honor their oath of office and uphold the Idaho Constitution.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the First Extraordinary Session of the Sixty-fifth Idaho Legislature, that the Senate of the State of Idaho calls on the Governor to end the state of emergency, but in a manner that preserves financial support for Idaho's hospitals and nursing homes and keeps the regulatory reductions in place for Idaho citizens.

BE IT FURTHER RESOLVED by the Idaho Senate that in the next regular session of the Idaho Legislature, the following matters be considered for legislation:

1. A declaration that all Idahoans who work, provide for families, pay taxes, and otherwise contribute to the Idaho economy must be deemed essential in any declared emergency;
2. An amendment to the Idaho Constitution providing that, in limited circumstances, the Idaho Legislature may call itself back into session while remaining a part-time, citizen Legislature;
3. A limitation on the length of any emergency declaration of the Governor without the concurrence of the Legislature;
4. A limitation on the emergency powers and spending authority of the executive branch without the approval of the Legislature;
5. A prohibition on quarantining healthy individuals;
6. The ending of orders prohibiting Idahoans from attending places of worship;
7. Rescinding existing emergency declarations; and

BE IT FURTHER RESOLVED by the Idaho Senate that all Idahoans have the right to physically participate in elections by presenting themselves at local polling stations to cast their ballots.

BE IT FURTHER RESOLVED that the Idaho Senate reaffirms the right of all Idahoans to make health and safety decisions for themselves and their families.

BE IT FURTHER RESOLVED that the Secretary of the Senate be and is hereby authorized and instructed to send a copy of this resolution to the Governor of the State of Idaho.

SR 101 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

August 26, 2020

The JUDICIARY AND RULES Committee reports that SR 101 has been correctly printed.

LAKEY, Chairman

SR 101 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 Tenth Order of Business.

Motions and Resolutions

Moved by President Pro Tempore Hill, seconded by Senator Winder, that all rules of the Senate interfering with the immediate consideration of SR 101 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that SR 101 was before the Senate for final consideration.

The President announced that SR 101 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Winder, SR 101 was adopted by voice vote, title was approved, and the resolution ordered filed in the office of the Secretary of the Senate.

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

Messages from the House

HCR 1 was filed for first reading.

Dear Madam President:

I transmit herewith H 6, which has passed the House.

MAULIN, Chief Clerk

H 6 was filed for first reading.

August 26, 2020

Dear Madam President:

I return herewith S 1001, as amended, which has passed the House.

MAULIN, Chief Clerk

S 1001, as amended, was referred to the Judiciary and Rules Committee for enrolling.

August 26, 2020

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 H 6 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 H 6 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:

AYES--Agenbroad, Anthon, Bair, Bayer, Brackett, Burgoyne, Burtenshaw, Cheatham, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Hill, Johnson, Lakey, Lee, Lent, Lodge, Martin,

NAYS–None.


Total - 35.

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

**H 6** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Patrick. Total - 1.

Paired and voting included in roll call:

AYE - Brackett   NAY - Buckner-Webb
AYE - Crabtree   NAY - Jordan

Total - 35.

Whereupon the President declared **H 6** 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 Ninth Order of Business.

**Messages from the House**

**August 26, 2020**

Dear Madam President:

I transmit herewith Enrolled **H 6** for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled **H 6** and ordered it returned to the House.

**August 26, 2020**

Dear Madam President:

I return herewith Enrolled **S 1001**, as amended, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled **S 1001**, as amended, was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

**Reports of Standing Committees**

**August 26, 2020**

The JUDICIARY AND RULES Committee reports that Enrolled **S 1001**, as amended, was delivered to the Office of the Governor at 9:06 p.m., August 26, 2020.

LAKEY, Chairman

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

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

**Miscellaneous Business**


JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

*****

[Note: The following is action recorded after Senate Sine Die:]

**August 27, 2020**

The Honorable Janice McGeachin

President of the Senate

Idaho State Senate

Dear Madam President:

I have the honor to advise you that I have signed on August 27, 2020 and am transmitting to the Secretary of State the following Senate Bill, to wit:

**S 1001**, as amended

Sincerely,

/s/ Brad Little

Governor of Idaho

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

**CERTIFICATE**

State of Idaho

) )

Senate Chamber, Boise, Idaho

We, JANICE MCGEACHIN, President of the Senate, and JENNIFER NOVAK, Secretary of the Senate, do hereby certify and attest as follows:
That the daily Senate Journal of the proceedings of August 26th, 2020, the Third Legislative Day of the First Extraordinary Session of the Sixty-fifth Legislature, has been read and approved:

And, said Journal contains a true, complete, and accurate record of all Senate proceedings of said day, including final actions by the Senate and the Governor of the State of Idaho, as statutorily mandated.

IN WITNESS WHEREOF, we have hereunto set our hand this 1st day of September, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

*****
# SENATE INDEX

## SECTION III-EO

### NUMERICAL INDEX OF SENATE BILLS

The following index lists in numerical order all bills which were introduced in the Senate, together with the name of the author and a brief description of the subject matter. The numbers in the Introduction column cite the page where the complete title may be found and the date of introduction of the bill. The numbers in the Vote or Disposition columns cite the page where the Senate's Final Vote or Final Disposition can be found. Amendments to a bill are noted at the bottom of the subject matter and the number opposite is the page in the Journal where the Senate amendments are recorded. Session Law chapter numbers for bills which became law are also noted. House amendments to Senate bills can be found in the House Journal.

<table>
<thead>
<tr>
<th>Senate Bill</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1001</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS - Amends existing law to revise provisions regarding the issuance of absentee ballots and the counting of absentee ballots. Amended in the Senate</td>
<td>11</td>
<td>12</td>
<td>18</td>
</tr>
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<td></td>
<td></td>
<td><strong>Session Law Chapter No. 1</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1002</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>ELECTIONS - Adds to existing law to authorize the establishment of vote centers.</td>
<td></td>
<td>11</td>
<td>11</td>
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<td><strong>Session Law Chapter No. 1</strong></td>
<td></td>
<td>11</td>
<td>11</td>
</tr>
</tbody>
</table>

## HOUSE BILLS RECEIVED BY THE SENATE

<table>
<thead>
<tr>
<th>House Bill</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS – Amends existing law to provide that every elector must be provided the opportunity to vote in person, notwithstanding a state of emergency.</td>
<td></td>
<td>15</td>
<td>15</td>
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<td></td>
<td></td>
<td><strong>Session Law Chapter No. 3</strong></td>
<td></td>
<td>15</td>
<td>17</td>
</tr>
<tr>
<td>6</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>CORONAVIRUS LIMITED IMMUNITY ACT - Adds to existing law to provide limited immunity resulting from coronavirus</td>
<td></td>
<td>17</td>
<td>18</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td><strong>Session Law Chapter No. 2</strong></td>
<td></td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td>Senate Resolution</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>------------------</td>
</tr>
<tr>
<td>101</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>SENATE RESOLUTION - Stating findings of the Senate and making certain resolutions regarding the state of emergency in Idaho.</td>
<td>16</td>
<td>17</td>
<td>17</td>
</tr>
</tbody>
</table>
SECTION V-EO

ENROLLED 2021 SENATE BILLS

WITH EFFECTIVE DATE AND SESSION LAW CHAPTER NUMBER CITED

<table>
<thead>
<tr>
<th>Senate Bill No.</th>
<th>Session Laws Chapter No.</th>
<th>Introduced by</th>
<th>Signed by Governor</th>
<th>Effective Date(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1001aa</td>
<td>1</td>
<td>State Affairs</td>
<td>08/27/2020</td>
<td>08/27/2020</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
</tr>
<tr>
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<tr>
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<td>State Affairs</td>
<td>LAW</td>
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</tr>
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<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>CORONAVIRUS LIMITED IMMUNITY ACT - Adds to existing law to provide limited immunity resulting from coronavirus.</td>
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<td>BILL NO.</td>
<td>SPONSOR(S)</td>
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<td>Lodge</td>
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<th>SR NO.</th>
<th>SPONSOR(S)</th>
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<td>SR 101</td>
<td>Hill</td>
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<td>BILL NO.</td>
<td>SPONSOR(S)</td>
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<tr>
<td>H 1</td>
<td>Lodge</td>
</tr>
<tr>
<td>H 6</td>
<td>Lakey</td>
</tr>
</tbody>
</table>
# TABLE OF CONTENTS

**SIXTY-SIXTH IDAHO LEGISLATURE**  
**ORGANIZATIONAL AND FIRST REGULAR SESSION**

**FIRST EXTRAORDINARY SESSION** - August 24, 2020

**ORGANIZATIONAL SESSION** - December 3, 2020

- Alphabetic Index of Subject Matter .................................................................................. 1
- Committee Assignments (Standing) ..................................................................................... 315
- Offices and Administration of the Senate for the Organizational Session .......................... 314

**FIRST REGULAR SESSION** - January 11 through November 17, 2021

- Alphabetic Index of All Senate legislation and House legislation received by the Senate .......... 325
- Committee Assignments ..................................................................................................... 322
- House Bills received by the Senate .................................................................................... 397
- House Concurrent Resolutions received by the Senate ....................................................... 418
- House Joint Memorials received by the Senate ................................................................. 417
- House Joint Resolutions received by the Senate ............................................................... 416
- Journal Index ....................................................................................................................... 313
- Members of the Senate and Assignments ............................................................................ 322
- Senate Attaches .................................................................................................................. 323
- Senate Bills ....................................................................................................................... 369
- Senate Bills that became Law with effective date and Session Law Chapter number cited .... 392
- Senate Concurrent Resolutions ......................................................................................... 390
- Senate Joint Memorials ..................................................................................................... 388
- Senate Joint Resolutions .................................................................................................... 387
- Senate Officers and Administration .................................................................................... 317
- Senate Proclamations ........................................................................................................ 389
- Senate Sponsors of House Legislation ............................................................................. 423
- Senate Sponsors of Senate Legislation ............................................................................. 420

Regular Session Daily Journals .......................................................................................... 5
S">

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

ORGANIZATIONAL SESSION
SIXTY-SIXTH LEGISLATURE

FIRST LEGISLATIVE DAY
THURSDAY, DECEMBER 3, 2020

Senate Chamber

At the hour of 9 a.m. on Thursday, December 3, 2020, the members-elect of the Senate of the Sixty-sixth Idaho Legislature convened in the Senate Chamber of the Capitol in the City of Boise for an organizational session, President Janice McGeachin presiding.

The following Certificate of Election was read by the Secretary of the Senate:

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF ELECTION

I, Lawerence Denney, Secretary of State of the State of Idaho and legal custodian of the records of elections held in the State of Idaho, do hereby certify that the following is a full, true, and complete list of those elected to serve as members of the Senate of the First Regular Session of the Sixty-sixth Legislature, as shown by official records on file in my office:

DISTRICT | NAME
--- | ---
1 | Jim Woodward (R)
2 | Steve Vick (R)
3 | Peter Riggs (R)
4 | Mary Souza (R)
5 | David Nelson (D)
6 | Dan Johnson (R)
7 | Carl G. Crabtree (R)
8 | Steven Thayn (R)
9 | Abby Lee (R)
10 | Jim Rice (R)
11 | Patti Anne Lodge (R)
12 | Todd Lakey (R)
13 | Jeff C. Agenbrod (R)
14 | C. Scott Grow (R)
15 | Fred S. Martin (R)
16 | Grant Burgoyne (D)
17 | Ali Rabe (D)
18 | Janie Ward-Engelking (D)
19 | Melissa Wintrow (D)
20 | Chuck Winder (R)
21 | Regina Bayer (R)
22 | Lori Den Hartog (R)
23 | Christy Zito (R)
24 | Lee Heider (R)

25 | Jim Patrick (R)
26 | Michelle Stennett (D)
27 | Kelly Arthur Anthon (R)
28 | Jim Guthrie (R)
29 | Mark Nye (D)
30 | Kevin Cook (R)
31 | Steve Bair (R)
32 | Mark Harris (R)
33 | Dave Lent (R)
34 | Doug Ricks (R)
35 | Van Burtenshaw (R)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capital of Idaho, this Thirtieth day of November, in the year of our Lord, two thousand and twenty, and of the Independence of the United States of America, the two hundred and forty-fifth.

/s/ LAWERENCE DENNEY
Secretary of State

The Certificate of Election was ordered filed in the office of the Secretary of the Senate.

Roll call showed all members present.

The Oath of Office was administered to the members of the Senate by President McGeachin.

Prayer was offered by former member and Pro Tempore, Senator Brent Hill.

The Pledge of Allegiance was led by Sergeant-at-Arms, Sarah Jane McDonald.

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

Motions and Resolutions

On motion by Senator Anthon, seconded by Senator Stennett, by unanimous voice vote Senator Chuck Winder was elected President Pro Tempore of the Senate for the Sixty-sixth Idaho Legislature.

The President administered the Oath of Office to President Pro Tempore Winder.

On motion by Senator Anthon, seconded by Senator Stennett, by unanimous voice vote Jennifer Novak was elected Secretary of the Senate for the Sixty-sixth Idaho Legislature.

The President administered the Oath of Office to Secretary Novak.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Rules of the Senate and Joint Rules of the Senate and House of Representatives as adopted by Second Regular Session of the Sixty-fifth Idaho Legislature were adopted as the Rules of the Senate and Joint Rules of the Senate and House of Representatives for the First Regular Session of the Sixty-sixth Legislature of the State of Idaho.

At this time, the Senators selected their seats pursuant to Senate Rule 3(B). On request by Senator Anthon, granted by unanimous consent, the seats, as presently occupied, were permanently assigned to the Senators for the Sixty-sixth Idaho Legislature.
On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 9:43 a.m. until the hour of 2:30 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Bair, Crabtree, and Vick, absent and excused.

Prior to recess the Senate was at the Tenth Order of Business, Motions and Resolutions.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:01 p.m. until the hour of 9:30 a.m., Friday, December 4, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Nelson, absent and formally excused by the Chair.

Prayer was offered by Senator Lee.

The Pledge of Allegiance was led by Jennifer Novak, Secretary of the Senate.

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 December 3, 2020, was read and approved as corrected.

Lakey, Chairman

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

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

Motions and Resolutions

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the following committee assignments were approved for the Sixty-sixth Idaho Legislature:

AGRICULTURAL AFFAIRS (9)
Burtenshaw, Chairman
Bayer, Vice Chairman

Patrick
Den Hartog
Johnson
Zito
Ricks

COMMERCCE AND HUMAN RESOURCES (9)
Patrick, Chairman
Souza, Vice Chairman

Martin
Lakey
Guthrie
Agenbroad
Riggs

EDUCATION (9)
Thayn, Chairman
Crabtree, Vice Chairman

Den Hartog
Woodward
Lent
Johnson
Cook

WARD-ENGELKING
Nelson

FINANCE (10)
Bair, Chairman
Agenbroad, Vice Chairman

Crabtree
Grow
Woodward
Lent
Riggs
Cook

WARD-ENGELKING
Nye

HEALTH AND WELFARE (9)
Martin, Chairman
Riggs, Vice Chairman

Heider
Lee
Harris
Agenbroad
Zito

WINTROW
Rabe

JUDICIARY AND RULES (9)
Lakey, Chairman
Ricks, Vice Chairman

Lodge
Lee
Anthon
Thayn
Zito

BURGOYNE
WINTROW

LOCAL GOVERNMENT AND TAXATION (9)
Rice, Chairman
Grow, Vice Chairman

Vick
Lakey
Souza
Bayer
Ricks

NYE
Rabe

RESOURCES AND ENVIRONMENT (9)
Vick, Chairman
Johnson, Vice Chairman

Bair
Heider
Patrick
Guthrie
Burtenshaw

STENNETT
NYE

STATE AFFAIRS (9)
Lodge, Chair
Guthrie, Vice Chairman

Winder
Anthon
Harris
Lee
Heider

STENNETT
BURGOYNE
On request by Senator Anthon, granted by unanimous consent, President McGeachin appointed a committee consisting of Senator Lodge, Chair, and Senators Woodward and Stennett to notify the Governor that the Senate is now organized and ready to conduct business.

The committee was excused.

On request by Senator Anthon, granted by unanimous consent, President McGeachin appointed a committee consisting of Senator Thayn, Chairman, and Senators Ricks and Burgoyne to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

The committee appointed to wait upon the House of Representatives returned and reported that they had conveyed the message to the House and the House expressed their best wishes for a productive session.

The committee was discharged.

The committee appointed to wait upon the Governor returned and reported that the Governor sent his best wishes to the Senate members.

The committee was discharged.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Organizational Session of the Idaho Senate of the Sixty-sixth Legislature adjourned *Sine Die* at 11:36 a.m., Friday, December 4, 2020.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 11, 2021

Senate Chamber

At the hour of 12 noon on Monday, January 11, 2021, the
time established for the convening of the First Regular Session
of the Sixty-sixth Idaho Legislature, the members of the Senate
convened in the Senate Chamber of the Capitol in the City of
Boise, President Janice McGeachin presiding.

Roll call showed all members present except Senator Grow, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong, Eagle Nazarene Church, Eagle.

On request by Senator Anthon, granted by unanimous consent, Sergeant-at-Arms, Sarah Jane McDonald escorted the Idaho State Police Honor Guard into the Senate chambers.

The Pledge of Allegiance was led by Sergeant-at-Arms, Sarah Jane McDonald.

President Pro Tempore Winder provided a brief history of the Idaho State flag flown over the domes of the House and Senate Chambers during each session of the Legislature. He explained that the flags represent the spirit of our citizens and serve as a symbol of Idaho’s sovereignty, and he expressed its importance in light of current events. They further serve notice to the State that the Legislature, the elected representatives of all the citizens of Idaho, is in session. The flags are raised when the Legislature convenes and will be retired when the Legislature adjourns sine die.

President McGeachin presented the Idaho State flag to the Honor Guard to be raised above the Senate Chamber to fly during the First Regular Session of the Sixty-sixth Idaho Legislature and the Idaho State Police Honor Guard exited the Chamber.

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

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, President McGeachin appointed a committee consisting of Senator Souza, Chairman, and Senators Zito and Nye to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

The committee appointed to wait upon the Governor returned and reported that the Governor sent his best wishes to the Senate members.

The committee was discharged.

The committee appointed to wait upon the House of Representatives returned and reported that they had conveyed the message to the House and the House expressed their best wishes for a productive session.

The committee was discharged.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:44 p.m. until the hour of 11:15 a.m., Tuesday, January 12, 2021.

JANICE MCGEACHIN, President
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SECOND LEGISLATIVE DAY
TUESDAY, JANUARY 12, 2021

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Jaxon Griffin, 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 Journals of the proceedings of December 4, 2020 and January 11, 2021, were read and approved as corrected.

LAKEY, Chairman

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

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

Messages from the Governor

January 11, 2021

Carrie Maulin, Chief Clerk of the House
Jennifer Novak, Secretary of the Senate
Idaho State Capitol

Boise, ID 83702

Re: 2021 State of the State and Budget Address

Per Article IV, Sec. 8, of the Idaho Constitution, which directs the Governor to deliver at the commencement of each session, by message, the condition of the state and recommendations he deems expedient, as well as estimates of the amount of money required to be raised by taxation for all purposes of the state to the legislature, I am enclosing a copy of my State of the State and Budget Address.

Sincerely,
/s/ Brad Little
Governor

My fellow Idahoans, in the 245-year history of this great country of ours, Americans have been through triumphs and trials.

The dark events at the U.S. Capitol last week disturbed us. The violent acts of some overshadowed the peaceful acts of many. Former President George W. Bush aptly described the events as fitting of a "banana republic, not our democratic republic." The riots tarnished the shining values America stands for.

This is not who we are.

Hostility and violence are not an expression of your rights; they are a violation of everyone else's.

While we should be celebrating the openness of our government, a fence is being erected around the U.S. Capitol. I mourn the loss of life and the loss of access and what it means for future generations of Americans.

But, I believe we the people have the power to form a more perfect union.

How?

By condemning the upheaval, not defending or denying it.

By refusing to be intimidated by those who seek to destroy our country.

By redoubling our commitment to peaceful assembly and civil discourse - not just in the halls of the Capitol but in all areas of our lives.

In Idaho, we'll celebrate the centennial of our statehouse this year, a building known as "the Capitol of Light." What an appropriate time to let the light of democracy shine - today and for one hundred more years and beyond.

The openness of our political process in Idaho is demonstrated in the openness of this building. Let's keep it that way.

In preparing this speech, I looked back on my State of the State address last year.

I began by saying, "What a year!" We had just wrapped up a year of historic regulatory reforms, investments in education, and other shared achievements.

I think it's appropriate to repeat that remark again this year.

One year ago, a global pandemic was not on our radar. We've come a long way in our fight against the enemy virus, and with the arrival of a safe vaccine just a few weeks ago, the end of the battle is in sight. We're in the home stretch, and together we will finish strong.

I want to thank my wife and our First Lady, Teresa, for her unrelenting support for Idahoans during a very challenging year. Teresa, you are a source of peace and strength for me and for the people of Idaho. I am proud of you and our entire family.

I also want to thank the Idaho Legislature for your work during the special session. Unlike many states, Idaho proactively addressed the safety and security of the general election and protected businesses, schools, and churches responsibly operating during the pandemic.

Sadly, we have lost over 1,500 of our fellow Idahoans to a new, dangerous, and deadly disease. Thousands of Idahoans of all ages and health conditions have been hospitalized. Many friends and neighbors lost time at work and face long-term health problems. To the mothers and fathers, children, siblings, grandparents, and veterans impacted, our hearts are with you. Please join me in a moment of silence to remember our fellow Idahoans who lost their lives to COVID-19.

Throughout the pandemic, the women and men in scrubs have been nothing short of heroic. Idaho's nurses, doctors, and
health care workers put their own safety on the line, pulling extra shifts to care for the influx of COVID-19 patients in our hospitals.

Idaho's hospitals continue to do an excellent job of sharing resources and shifting operations to prevent a crisis. They have also shared the reality of COVID-19. They are telling the stories of COVID-19 patients - the stories of people whose organs are shutting down from an aggressive disease; the stories of young, healthy people who ended up on life support; the stories of veterans who fought enemies overseas only to suffer from a new invisible enemy here in their community. They are telling the stories of exhausted doctors and nurses caring for patients who cannot be with their families.

The COVID-19 reality is heartbreaking.
To Idaho's hospitals and health care workers, thank you.

The pandemic turned our work lives, social lives, and home lives upside-down. It pushed our health care, education, and unemployment systems to new lengths. It divided Americans in our individual views on the severity of the disease and how we should respond to it.

But the pandemic also reminds us that in troubled times, we have choices.

We can choose compassion over conflict.
Listening over lecturing.
Humanity over hostility.

These choices start with each one of us, individually, in our hearts. It is a concept that aligns perfectly with the fiercely independent and self-reliant spirit of the people of Idaho.

I choose to remember the historic year by the innumerable acts of kindness displayed by many Idahoans over the acts of aggression by a few.

From the beginning, my goal as Governor has been to make Idaho the place where we all can have the opportunity to thrive, where our children and grandchildren choose to stay, and for the ones who have left to choose to return.

That pursuit steered our pandemic response. Not one state or country in the world opted for the "no action" alternative. That approach would have ended in catastrophic loss of life and destructive consequences for our health care system and economy.

My North Star during this trying time has been to protect life and critical health care capacity while supporting faith, families, businesses, and students.

No other state prioritized support for businesses and the workforce as much as Idaho.

We assembled a team of business leaders from companies big and small to guide decisions on our economic rebound plan. We put more than $300 million toward grants and equipment for small businesses. We helped get workers back on the job. We lowered unemployment insurance taxes for nearly all Idaho businesses. We ensured public safety personnel had all the resources needed to protect our loved ones, while giving $126 million back to property taxpayers. And Idaho will benefit for years to come from the $50 million investment in broadband infrastructure to support remote working and learning and more economic opportunity in rural Idaho.

We all play a role in choosing to protect lives, our economy, and our kids' ability to continue learning in their classrooms. It is a responsibility shared by all of us.

But our state does play a role in times of an emergency.

We increased and expedited COVID-19 testing and took other steps to reduce exposure to a new disease. We raised capacity at the state lab to more quickly turn around results from an increased number of tests administered in schools and long-term care facilities. We enabled pharmacists to administer testing and vaccinations.

Our staged economic rebound plan had one goal - to protect lives and prevent a crisis in our hospitals while the economy could move forward. Businesses and places of worship in Idaho have been open longer than almost every other state during the pandemic. The statewide public health orders, guidelines, and recommended protocols we made available are for each one of us to choose to follow so Idaho can stay open.

In order to protect lives, we needed to elevate health care capacity so we could all continue to access care. To minimize the time COVID-19 patients spend in the hospital, we allocated new and effective treatments. To better protect residents of long-term care facilities, we designated COVID-only facilities and put millions toward testing of facility workers.

In the spring, Idahoans collectively slowed the spread of the disease while we worked to prepare our health care system. It worked. Hospitals, clinics, and first responders received more resources and staff to handle an influx of patients.

We cut red tape to expand access to more medical professionals. It worked. We licensed 1,100 more nursing professionals since last spring.

And we lifted regulations to expand telehealth access. It worked. The use of telehealth rose by 4,000 percent, and Idahoans in all parts of the state could continue to access care from the safety of their homes. The pandemic opened the door to great advances in telehealth access. Let's work together to make those red-tape cuts permanent!

I also activated the Idaho National Guard to increase health care capacity. The guardsmen are deployed across the state to help with testing, decontamination, and planning, and they're assisting with critical vaccine distribution. Our men and women in the Guard are always prepared to serve, especially in a time of emergency. We are deeply grateful for their service.

Members of the seven public health boards made courageous decisions in the face of heated opposition. They have my support. Mayors, county and city officials, and school board members also made very tough decisions. These local leaders labored late into the evening. They navigated new technologies to inform the public. They wrestled with decisions they knew would draw criticism. Thank you.

Unlike many other states, almost all Idaho school districts are delivering full or partial in-person instruction. For months, teachers and others have accommodated changes in the delivery of education under uncertain time frames. I join many in expressing my deep appreciation to those who are serving our students during these extraordinary circumstances.

To support our school officials, Idaho created a framework to guide local decision-making on safe school operations while emphasizing the importance for students to learn in the classroom with their teachers and classmates. We also made historic
investments in education - bumping up funding by $300 million or 16 percent overall - to support students, teachers, families, and safety.

Parents continue to do much of the heavy lifting for their children's education during this once-in-a-lifetime pandemic. I know it isn't easy. I know at times it has felt impossible to balance work demands while facilitating online learning for your children at home. Many of you lost paychecks or left your jobs to be there for your children during this unprecedented time. Our $50 million "Strong Families, Strong Students" initiative supported many of these families by helping them access the technology and educational services required for successful at-home learning.

Like a tornado, 2020 was damaging and deadly.

But with the arrival of a safe vaccine just a few weeks ago, the dark clouds of the pandemic are starting to part.

There is an uplifting sense that we may be in the final lap of this race against COVID-19. The finish line is close, but the worst part of the pandemic may not be behind us. We cannot relent in our personal actions to protect everything and everyone we hold dear, especially in the critical weeks and months ahead.

Adaptation, determination, and resilience define Idahoans.

As we reflect on a momentous year, we are more than ready to look ahead.

The state of the state is strong.

To keep our children and grandchildren in Idaho, we must continue to lead the nation in economic prosperity.

I am not surprised that Idaho ranks first among states for economic momentum. Idaho ranks first for financial solvency and personal income growth.

Together, the Legislature and I laid the groundwork before the pandemic to rebound quickly during tough times, proving once again that conservative principles of governing bring opportunity for citizens during the highs and the lows.

A robust economy cannot exist with burdensome regulations on citizens and business. Part of the reason Idaho's economy is catapulting ahead of other states is because of the regulatory rollbacks we achieved together before and during the pandemic.

Together, the Legislature and our administration achieved historic regulatory cuts in my first year as Governor, making Idaho the least regulated state in the nation. For two straight years we've cut red tape. The people of Idaho can be assured that, together, their Governor and legislators will maintain a lean and efficient system of regulations in Idaho moving forward.

Simply put, fiscal conservatism and the collaboration between executive and legislative branches have positioned Idaho to emerge from the pandemic stronger than ever.

Together, before COVID-19, the Legislature and I were already preparing for an inevitable slowdown of Idaho's economy. We limited government spending, used conservative revenue forecasting, and maintained healthy rainy-day balances.

We took a lot of heat from some who could not wrap their heads around this basic conservative principle:

The time to prepare for the bad times is in the good times.

Turns out we were right.

While other states face potential budget cuts of 20 to 40 percent and more, Idaho is in the enviable position of having a record budget surplus.

The sound decisions of Idaho leaders in the past have gotten us to where we are today.

Let's keep our state on this strong economic trajectory, together. Now is the time to make meaningful investments.

I am happy to announce my new plan to put more money back in the pockets of hardworking Idahoans and make strategic investments to propel our state even further ahead in prosperity.

My plan is called "Building Idaho's Future."

I am proposing more than $450 million in tax relief. This would be among the single largest tax cuts in Idaho history!

To get there, I'm proposing $295 million in one-time tax relief and $160 million in permanent tax cuts to boost Idahoans' prosperity while keeping our tax rates competitive and our business climate vibrant.

Curbing government spending and returning taxpayer dollars should be the perpetual mission of public servants. I look forward to working with my partners in the Legislature to get tax relief across the finish line for our citizens.

My plan also shores up millions more in cash payments for small business, on top of the $300 million we directed to small businesses last year. Small business is the backbone of our entire way of life.

We're able to achieve tax relief and continued support for small business in part because, together, we cut government spending early on.

My plan reinvests these savings into infrastructure projects with long-lasting value. With these investments, we will help preserve one of our citizens' most precious commodities: their time.

We won't be able to keep our children and grandchildren in Idaho if we cannot alleviate traffic congestion, especially as our state continues to attract newcomers fleeing dysfunctional states. No one wants to be stuck in traffic when they can spend time with their family.

My plan invests $126 million in state and local highway infrastructure projects and makes targeted investments in safe routes to schools, rail infrastructure, and community airports.

I am also proposing $80 million in new ongoing transportation funding. A dependable transportation system is fundamental to commerce. In Idaho, we grow and process most of our commodities, and getting those products down the road in a timely fashion is critical. In all parts of the state, major transportation projects continue to get pushed out further and further.

One of the basic roles of government is to ensure a safe, connected system of roads and highways.

We cannot ignore a growing problem that steals Idahoans' time and threatens their safety and our economic prosperity.

We cannot delay any longer in executing a sustainable plan for transportation funding into the future.

We cannot postpone securing a long-term funding source.
We must address the transportation needs for this generation and the next.

We must act now.

The Legislature and I will work together on a sustainable transportation funding plan - one that blends both General Fund and reliable user fees to keep our economy driving forward!

Safe communities form a thriving Idaho. My plan also invests in the men and women of law enforcement.

It's never been a more difficult time to put on the uniform. These brave souls demonstrate great restraint in order to deescalate intense situations. Their path to law enforcement stems from a true desire to serve and protect us. They are committed to implementing the best training and building strong relationships with the communities they serve.

My plan invests in the items necessary to support frontline personnel at the Idaho State Police - and training for our local frontline police officers.

While other places seek to defund the police, I am proud to say that Idaho defends the police. Idaho "backs the blue."

Another way we make Idaho safe is through a low crime rate. Our safety is maintained when those returning home from a period of incarceration can become productive citizens. Thanks to investments we made in our correctional system last year, Idaho is safer because fewer Idaho inmates are violating parole. My plan keeps us on a path to save taxpayer resources by making strategic investments in overdue infrastructure needs in our criminal justice system so we can break the expensive revolving door of repeat offenders.

My "Building Idaho's Future" plan also invests in needed projects for agriculture and water infrastructure to aid in the economic vitality of rural Idaho.

In Idaho, agriculture remains a way of life. Last year, Idaho's farmers, ranchers, and allied businesses met a crisis with increased productivity, as they have done for generations. Farmers gave Idahoans faith that empty grocery store shelves were just a matter of timing and not an issue of true scarcity. Idaho agriculture continued to feed the state, the nation, and the world.

Agriculture - and our economic future - hinge on safe and dependable water sources. Water is truly the source of life. My plan makes $60 million in strategic investments in long-term water projects and safe water systems for our communities.

Let me return to my top priority - Idaho's children.

We need to continue to invest in an education system that gives the next generation of Idahoans a solid foundation for lifelong learning and meaningful employment, here at home in Idaho.

The pandemic highlighted schools as the heart of our communities and the bedrock of a strong economy.

But with all the disruptions in education delivery over the past ten months, many of Idaho's students are experiencing a learning loss. For some students who were already on track, the learning loss could range a few months. But our needier students may have lost more than a year's worth of learning.

We must close the achievement gap.

To help, my "Building Idaho's Future" plan recommends investments in literacy - my highest priority in education.

We must ensure this school year is an anomaly - not a permanent system-wide flaw for Idaho's students in the next decade or more. We must make sure all young students are on track to read by the end of the third grade.

Our students are also Idaho's future workforce. My plan supports Idaho's higher education system as well as career technical education programs across Idaho that connect students with employers who need them and equip students with the skills they need while they earn a degree. Our kids need to know all career paths available to them.

For our kids to have a future in Idaho, they also need equal access to education. We must continue to make investments in internet connectivity.

Last year, a family in Kootenai County was struggling with distance learning. The family didn't have access to broadband so the two children had to use their mom's cell phone and data plan to complete their schoolwork. In Arimo, students struggled during the pandemic with equal access because they didn't have the internet speeds necessary for video conferencing. Now, thanks to our investments, these students have better learning opportunities. There are many more stories like these.

Simply put, broadband access is central to commerce, economic growth, and education. We've made major progress - from Aberdeen to Winchester - and my plan continues that momentum.

Beyond my "Building Idaho's Future" plan, I'm proposing a "no frills" budget for Fiscal Year 2022. My budget leaves a prudent surplus, bolsters rainy-day funds, and reflects my continued priority on education, including our valuable teachers.

My budget meets our historic commitment to teachers by fully implementing our $250 million investment in the career ladder.

To help in the ongoing pandemic response, my budget also bolsters Idaho's public health infrastructure. I'm recommending funds to increase nursing capacity and also to address the shortage of physicians across Idaho. I also propose putting more than $250 million toward our homestretch efforts to finish the fight against COVID-19.

Idahoans spent more time outdoors in the past year than perhaps ever before. The outdoors offers Idaho families a sense of release and fun. To further improve our quality of life and make Idaho the place where future generations can recreate outdoors, I'm also recommending we ramp up investments to promote healthy lands and reduce wildfire risk.

Activists are trying to rebrand wildfires as "climate fires" - a divisive, defeatist term that does not accurately capture the West's fire problem and dismisses the opportunity to do something about it.

Through collaborative initiatives such as the Good Neighbor Authority and Shared Stewardship, Idaho is focused on a solution - active land management.

Long gone are the days of no-action tactics that don't work to protect the land or livelihoods.

Idaho is actively mapping out the future of our forests, and your grandkids and mine will directly benefit from our actions today.
In Idaho, we believe government must be responsive to the people it serves. To ease citizen participation in their state government, I'm recommending the creation of a new one-stop shop for Idahoans to access public meeting information for any state entity. State Controller Brandon Woolf - my partner in government transparency - will administer the new online resource for civic engagement. We will continue to stand up for good government.

The ongoing growth in the state budget - just 3.8 percent - is among the most conservative in years. Our commitment to conservative budgeting - and quick action during the pandemic - are the reasons Idaho is excelling while other states' economies and state budgets are pummeled. Let's continue to live within our means and make investments where they count.

I'll repeat it: What a year we had.

My fellow Idahoans, the pandemic made us appreciate parts of life we took for granted, and I don't just mean the availability of toilet paper.

We learned not to take for granted time with family, our faith, and our freedom.

Despite all the differences of opinion, I know this: We are united in our love for Idaho and this great country of ours.

I am reminded of the timeless words of one of my heroes, President Ronald Reagan. He said, "The crisis we're facing today... does require... our best effort and our willingness to believe in ourselves and to believe in our capacity to perform great deeds; to believe that together, with God's help, we can and will resolve the problems which now confront us. And after all, why shouldn't we believe that?"

I believe history will remember Idahoans' tremendous outpouring of support for each other during the pandemic.

I want to thank the people of Idaho for their perseverance and the care they have shown others over the past ten months.

In times of hardship, opportunity for growth emerges.

As Idahoans, we must choose to come out of the pandemic stronger, more resilient, and more united than ever before.

God bless Idaho, and God bless the United States of America.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the State of the State and Budget Address was ordered spread upon the pages of the Senate Journal.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Tara Malek of Coeur d'Alene, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing August 5, 2020, and expiring April 10, 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 appointment was referred to the Commerce and Human Resources Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Brett Thomas of Twin Falls, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing May 27, 2020, and expiring April 4, 2021.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

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

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Karan Tucker of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing May 27, 2020, and expiring April 4, 2021.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

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

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Wanda Quinn of Coeur d'Alene, Idaho, was reappointed as a member of the Public Charter School Commission to serve a term commencing May 12, 2020, and expiring May 12, 2024.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.
This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,

/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the Education Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Scott Smith of Star, Idaho, was appointed as a member of the Commission on Pardons and Parole to serve a term commencing July 2, 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 appointment was referred to the Judiciary and Rules Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Ronald Davies of Clayton, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing October 23, 2020, and expiring June 30, 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 appointment was referred to the Resources and Environment Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Sean Walsh of Coeur d'Alene, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 1, 2020, and expiring July 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 appointment was referred to the Judiciary and Rules Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Gregory Cameron of Rupert, Idaho, was reappointed as a member of the Idaho Fish and Welfare Commission to serve a term commencing June 30, 2020, and expiring June 30, 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 appointment was referred to the Resources and Environment Committee.

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

Motions and Resolutions

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the following changes were made in the Standing Committee Assignments:

Senator Rabe's assignment to the Health and Welfare Committee was withdrawn and she was assigned to the Resources and Environment Committee.

Senator Stennett was assigned to the Health and Welfare Committee.

Senator Nye's assignment to the Resources and Environment Committee was withdrawn.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:33 a.m. until the hour of 11:15 a.m., Wednesday, January 13, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
President McGeachin called the Senate to order at 11:15 a.m. Roll call showed all members present except Senators Burtenshaw and Rice, absent and formally excused by the Chair. Prayer was offered by Chaplain Doug Armstrong. The Pledge of Allegiance was led by Jaylee Harris, 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 12, 2021, 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.

The Senate advanced to the Fourth Order of Business.

Reading of Communications

January 13, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President,

Pursuant to Section 67-6622, Idaho Code, I submit from the records of this office the enclosed list of the names of the lobbyists, registered under the law.

If we may be of assistance to you in regards to this listing, please do not hesitate to contact this office.

Sincerely,
/s/ Lawerence Denney
Secretary of State

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

The Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 101
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE, PROVIDING THAT THE STATE OF DISASTER EMERGENCY DECLARED BY THE GOVERNOR RELATING TO NOVEL CORONAVIRUS OR COVID-19 IS TERMINATED, PROVIDING THAT RECEIPT OF FEDERAL FUNDS, BENEFITS, OR RESOURCES ARISING OUT OF THE STATE OF DISASTER EMERGENCY SHALL NOT BE AFFECTED, AND PROVIDING THAT THE GOVERNOR MAY MAKE OR MAINTAIN DECLARATIONS ONLY TO A CERTAIN EXTENT.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Governor of the State of Idaho has the authority to declare a disaster emergency in Idaho pursuant to Section 46-1008, Idaho Code; and

WHEREAS, on March 13, 2020, the Governor declared a state of disaster emergency in response to a statewide outbreak of novel coronavirus or COVID-19; and

WHEREAS, the state of disaster emergency, following continuation of the state of disaster emergency by the Governor, remains in effect in this state; and

WHEREAS, Section 46-1008(2), Idaho Code, declares in part that "The legislature by concurrent resolution may terminate a state of disaster emergency at any time."

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that pursuant to Section 46-1008, Idaho Code, the state of disaster emergency relating to the outbreak of novel coronavirus or COVID-19 is declared to be terminated as of the date of passage of this concurrent resolution.

BE IT FURTHER RESOLVED that nothing in this concurrent resolution shall prevent the State of Idaho from receiving any federal funds, benefits, or resources arising out of the state of disaster emergency relating to the outbreak of novel coronavirus or COVID-19. The Governor may make or maintain declarations only to the extent required to continue to receive Federal Emergency Management Agency funding arising out of novel coronavirus or COVID-19 but may not use any such declaration to impose restrictions on the citizens of the State of Idaho.

SCR 101 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

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

Messages from the Governor

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Jeff Cilek of Boise, Idaho, was reappointed as a member of the Public Employee Retirement System of Idaho Board to serve a term commencing July 1, 2020, and expiring July 1, 2025.
This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

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

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate
Dear Madam President:

I have the honor to inform you that Reed Hansen of Meridian, Idaho, was appointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing July 9, 2020, 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 appointment was referred to the State Affairs Committee.

January 7, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate
Dear Madam President:

I have the honor to inform you that Patricia Perkins of Boise, Idaho, was reappointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing July 1, 2020, 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 appointment was referred to the State Affairs Committee.

January 11, 2021

Jennifer Novak
Secretary of the Senate
Idaho State Senate
Dear Madam Secretary:

As required by Section 57-1601, Idaho Code, I am transmitting the following report of the Governor's Emergency Fund for fiscal years 2020 and 2021.
Balance as of July 1, 2019 $83,744.48

Transfer from the general fund fiscal year 2020 2,000,000

Balance as of June 30, 2020 $2,083,744.48

No activity year-to-date in fiscal year 2021

Balance as of December 31, 2020 $2,083,744.48

Sincerely,
/s/ Brad Little
Governor

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

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

Motions and Resolutions

Moved by Senator Anthon, seconded by Senator Stennett, that the following attachments be elected to fill the offices provided for by the Constitution of the State of Idaho and by statute:

Assistant to the Majority Leader .................. Peggy Moyer
Assistant to the Asst. Maj. Leader ............ Priscilla Heaton
Assistant to the Majority Caucus Chairman .... Gaye Bennett
Sec. to the Secretary of the Senate ...... Alexander Thomas
Journal Clerk ........................................ Jacob Rourk
Assistant Clerk ........................................... Kurt Orzech
Sergeant-at-Arms ......................... Sarah Jane McDonald
Assistant Sergeant-at-Arms ................. Jerry Cstoras
Doorkeeper ............................................. Larry Jones
Chaplain .................................................. Doug Armstrong

Committee Secretaries:
Agricultural Affairs ...................... Rellie Wisdom
Commerce and Human Resources ........ Linda Kambeitz
Education ..................................... Florence Lince
Finance .............................................. Denise McNeil
Health and Welfare .................... Jeanne Jackson-Heim
Judiciary and Rules ...................... Sharon Pennington
Local Government and Taxation ........ Machele Hamilton
Resources and Environment .............. Erin Miller
State Affairs .................................... Twyla Melton
Transportation .......................... Emily Carlisle

Majority Staff Assistants:
Majority Staff Assistant .................. Juanita Budell
Majority Staff Assistant ................. Carol Cornwall
Majority Staff Assistant .................. Tucker Craig
Majority Staff Assistant ................. Jacob Miller
Majority Staff Assistant .................. Shelley Turley

Minority Staff Assistants:
Minority Chief of Staff ................. Catherine Lewers

Minority Staff Assistant .................... Madeline Quitright
Minority Staff Assistant ...................... Briggs Jackson
Minority Staff Assistant ................... Heidi Pantera

Pages:
Jaxon Griffin, Nampa
Jaylee Harris, Declo
Olivia Jones, Rupert
Curtis Keddeottin, Boise
Sophia Lind, Meridian
Hana Pfeiffer, Rupert
Hannah Stephenson, Preston

The question being, Shall the motion prevail?

Roll call resulted as follows:


NAYS–None.

Absent and excused–Burtenshaw, Harris, Rice. Total - 3.
Total - 35.

Whereupon the President declared the attachments duly elected to their respective positions. The President instructed the Sergeant-at-Arms, Sarah Jane McDonald, to escort the attachments to the desk at which time the Oath of Office was administered to the elected attachments and they were escorted from the Chamber.

The Senate advanced to the Eleventh Order of Business.

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

S 1001
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE STATE DISASTER PREPAREDNESS ACT; AMENDING SECTION 46-1002, IDAHO CODE, TO REVISE DEFINITIONS.

S 1002
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE STATE DISASTER PREPAREDNESS ACT; AMENDING SECTION 46-1003, IDAHO CODE, TO PROVIDE FOR THE PAYMENT OF OBLIGATIONS AND EXPENSES INCURRED BY THE STATE OF IDAHO THROUGH THE IDAHO OFFICE OF EMERGENCY MANAGEMENT ARISING OUT OF A DECLARED STATE OF DISASTER EMERGENCY AND TO MAKE TECHNICAL CORRECTIONS.

S 1003
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO MARTIAL LAW; AMENDING SECTION 46-601, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AUTHORITY OF THE GOVERNOR DURING A STATE OF EXTREME PERIL, TO PROVIDE THAT THE GOVERNOR MAY NOT ALTER, ADJUST, OR SUSPEND ANY PROVISION OF THE IDAHO
CODE IN CERTAIN INSTANCES, AND TO PROVIDE SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1001, S 1002, and S 1003 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:44 a.m. until the hour of 11:15 a.m., Thursday, January 14, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
I have the honor to inform you that Steve Landon of Chubbuck, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 30, 2020, and expiring April 30, 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 appointment was referred to the Commerce and Human Resources Committee.

January 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Brian Scigliano of Boise, Idaho, was reappointed as a member of the Public Charter School Commission to serve a term commencing May 12, 2020, and expiring May 12, 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 appointment was referred to the Education Committee.

January 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Sue Walker of Boise, Idaho, was reappointed as a member of the Commission for the Blind and Visually Impaired to serve a term commencing July 1, 2019, and expiring July 1, 2022.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the Health and Welfare Committee.
January 12, 2021

The Honorable Janice McGeachin  
President of the Senate  
Idaho State Senate  

Dear Madam President:  

I have the honor to inform you that Michael Ross of Meridian, Idaho, was appointed as a member of the Commission of Pardons and Parole to serve a term commencing January 11, 2021, and expiring January 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 appointment was referred to the Local Government and Taxation Committee.  

January 12, 2021

The Honorable Janice McGeachin  
President of the Senate  
Idaho State Senate  

Dear Madam President:  

I have the honor to inform you that Kenneth Nuhn of Moscow, Idaho, was reappointed as a member of the Board of Tax Appeals to serve a term commencing June 30, 2020, 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 appointment was referred to the Local Government and Taxation Committee.  

January 12, 2021

The Honorable Janice McGeachin  
President of the Senate  
Idaho State Senate  

Dear Madam President:  

I have the honor to inform you that Patrick McDonald of Boise, Idaho, was appointed as a member of the Commission of Pardons and Parole to serve a term commencing January 1, 2021, and expiring January 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 appointment was referred to the Judiciary and Rules Committee.  

January 12, 2021

The Honorable Janice McGeachin  
President of the Senate  
Idaho State Senate  

Dear Madam President:  

I have the honor to inform you that Don Ebert of Weippe, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing June 30, 2020, 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 appointment was referred to the Resources and Environment Committee.  

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

**Miscellaneous Business**  

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 11:15 a.m., Friday, January 15, 2021.

JANICE MCGEACHIN, President  
Attest: JENNIFER NOVAK, Secretary
Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Burtenshaw, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Curtis Keddington, 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 14, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

**Reports of Standing Committees**

January 14, 2021

The 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:

Karan Tucker to the Idaho Health Insurance Exchange Board, term to expire April 4, 2021.

Tara Malek to the Idaho Health Insurance Exchange Board, term to expire April 10, 2024.

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.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:28 a.m. until the hour of 11:15 a.m., Monday, January 18, 2021.
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

EIGHTH LEGISLATIVE DAY
MONDAY, JANUARY 18, 2021

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Nelson, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Sophia Lind, 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 15, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

SJR 101
BY STATE AFFAIRS COMMITTEE
A JOINT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE; PROPOSING AN AMENDMENT TO ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO BY THE ADDITION OF A NEW SECTION 30, ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO RELATING TO THE PRODUCTION, MANUFACTURE, TRANSPORTATION, SALE, DELIVERY, DISPENSING, DISTRIBUTION, POSSESSION, OR USE OF PSYCHOACTIVE DRUGS IN THE STATE OF IDAHO; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

SJR 101 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Messages from the Governor

January 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Russell Barron of Emmett, Idaho, was appointed as the Division Administrator of the Idaho Division of Occupational and Professional Licenses to serve a term commencing September 1, 2020, and continuing at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

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

January 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Sherrilyn Bair of Firth, Idaho, was reappointed as a member of the Public Charter School Commission to serve a term commencing May 12, 2020, and expiring May 12, 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 appointment was referred to the Education Committee.

January 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Wendy Jaquet of Ketchum, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 1, 2021, and expiring January 1, 2025.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor
The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Health and Welfare Committee.

January 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Shelly Parker of Boise, Idaho, was appointed as a member of the Commission of Pardons and Parole to serve a term commencing October 2, 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 appointment was referred to the Judiciary and Rules Committee.

On request by Senator Anthon, 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 1004**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO THE TWENTY-SEVENTH PAYROLL FUND; AMENDING CHAPTER 8, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-825, IDAHO CODE, TO ESTABLISH THE TWENTY-SEVENTH PAYROLL FUND, TO PROVIDE FOR AVAILABLE MONEYS, AND TO PROVIDE FOR INTEREST EARNINGS.

**S 1004** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:36 a.m. until the hour of 11:15 a.m., Tuesday, January 19, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
On motion by Senator Wintrow, seconded by Senator Souza, the Gubernatorial appointment of Karan Tucker as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

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

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Tara Malek was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Souza, seconded by Senator Wintrow, the Gubernatorial appointment of Tara Malek as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1005
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO WATER DISTRICTS; AMENDING SECTION 42-612, IDAHO CODE, TO AUTHORIZE CERTAIN WATER DISTRICTS TO CHARGE FEES TO WATER DELIVERY ORGANIZATIONS AND WATER USERS INSTEAD OF ASSESSMENTS UNDER SPECIFIED CIRCUMSTANCES.

S 1006
BY EDUCATION COMMITTEE
AN ACT
RELATING TO THE IDAHO LITERACY ACHIEVEMENT AND ACCOUNTABILITY ACT; AMENDING SECTION 33-1207A, IDAHO CODE, TO REMOVE LANGUAGE REGARDING TEACHER PREPARATION PROGRAMS AT CERTAIN INSTITUTIONS; REPEALING SECTION 33-1614, IDAHO CODE, RELATING TO READING INSTRUCTION AND INTERVENTION; REPEALING SECTION 33-1615, IDAHO CODE, RELATING TO READING ASSESSMENT; REPEALING SECTION 33-1616, IDAHO CODE, RELATING TO LITERACY INTERVENTION; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 18, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE LEGISLATIVE FINDINGS, TO PROVIDE FOR AN IDAHO COMPREHENSIVE LITERACY PLAN, TO PROVIDE FOR STUDENT READING INSTRUCTION AND INTERVENTION, TO PROVIDE FOR READING AND LITERACY ASSESSMENT, TO PROVIDE FOR A LITERACY INTERVENTION PROGRAM, TO PROVIDE FOR EDUCATOR PREPARATION, TO PROVIDE FOR ACCOUNTABILITY AND CONTINUOUS IMPROVEMENT, AND TO PROVIDE RULEMAKING AUTHORITY; AND AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.
S 1007
BY EDUCATION COMMITTEE
AN ACT
RELATING TO PUBLIC SCHOOL EMPLOYEES; AMENDING SECTION 33-1001, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1201A, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROFESSIONAL ENDORSEMENTS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1008
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1005, S 1006, S 1007, and S 1008 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:34 a.m. until the hour of 11:15 a.m., Wednesday, January 20, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 20, 2021

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Anthon, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Hannah Stephenson, 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 19, 2021, 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 Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 20, 2021

The JUDICIARY AND RULES Committee reports that S 1005, S 1006, S 1007, and S 1008 have been correctly printed.

LAKEY, Chairman

S 1005 was referred to the Resources and Environment Committee.

S 1006 and S 1007 were referred to the Education Committee.

S 1008 was referred to the Finance Committee.

January 19, 2021

The 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:

Jeff Cilek to the Public Employee Retirement System of Idaho Board, term to expire July 1, 2025.

Steve Landon to the State Insurance Fund Board, term to expire April 30, 2024.

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.

On request by Senator Lee, 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 1009
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE STATE FIRE MARSHAL; AMENDING SECTION 59-1302, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 72-451, IDAHO CODE, TO REVISE A CODE REFERENCE.

S 1010
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO WORKER’S COMPENSATION; AMENDING SECTION 72-102, IDAHO CODE, TO REMOVE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 72-436, IDAHO CODE, TO REVISE PROVISIONS REGARDING BURIAL EXPENSES; AMENDING SECTION 20-245, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 72-438, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 72-451, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

S 1011
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE COORDINATE SYSTEM OF LAND DESCRIPTION; AMENDING SECTION 54-1210, IDAHO CODE, TO REMOVE A REPORTING REQUIREMENT AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 55-1701, IDAHO CODE, RELATING TO ESTABLISHING A COORDINATE SYSTEM; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1701, IDAHO CODE, TO DEFINE TERMS; REPEALING SECTION 55-1702, IDAHO CODE, RELATING TO ZONE REFERENCES; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1702, IDAHO CODE, TO PROVIDE FOR THE IDAHO PLANE COORDINATE SYSTEM; REPEALING SECTION 55-1703, IDAHO CODE, RELATING TO PLANE COORDINATES; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1703, IDAHO CODE, TO PROVIDE FOR THE USE OF PLANE COORDINATES; AMENDING SECTION 55-1704, IDAHO CODE, TO PROVIDE FOR ZONE NAMING AND CERTAIN INFORMATION TO BE INCLUDED WITHIN DOCUMENTS CONTAINING COORDINATES; REPEALING SECTION 55-1705, IDAHO CODE, RELATING
TO ZONE DEFINITIONS; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1705, IDAHO CODE, TO PROVIDE FOR STATED OR IMPLIED ACCURACY OF COORDINATES; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1706, IDAHO CODE, TO PROVIDE FOR GEODETIC COORDINATES; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1707, IDAHO CODE, TO PROVIDE FOR NONAUTHORIZED PLANE OR GEOGRAPHIC COORDINATES; REPEALING SECTION 55-1708, IDAHO CODE, RELATING TO SUPPLEMENTAL COORDINATE DESCRIPTIONS; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1708A, IDAHO CODE, TO PROVIDE FOR REAL PROPERTY LESSEES, RIGHTS IN REAL PROPERTY, AND CERTAIN COORDINATES; AND AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1710, IDAHO CODE, TO PROVIDE FOR CERTAIN MODIFIED COORDINATES.

S 1012
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO DENTISTS; AMENDING SECTION 54-912, IDAHO CODE, TO REMOVE A REPORTING REQUIREMENT; REPEALING SECTION 54-914, IDAHO CODE, RELATING TO DENTISTS AND DENTAL HYGIENISTS PREVIOUSLY QUALIFIED; REPEALING SECTION 54-917, IDAHO CODE, RELATING TO ALLOWANCE OR REJECTION OF APPLICANT; AMENDING SECTION 54-924, IDAHO CODE, TO PROHIBIT CERTAIN LIMITATIONS ON COMPLAINT FILING AND TO MAKE A TECHNICAL CORRECTION; AND REPEALING SECTION 54-932, IDAHO CODE, RELATING TO LOST OR DESTROYED CERTIFICATES OR LICENSES.

S 1013
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO COMMERCIAL TRANSACTIONS; AMENDING SECTION 28-46-108, IDAHO CODE, TO REVISE PROVISIONS REGARDING ADMINISTRATIVE ENFORCEMENT ORDERS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 28-46-113, IDAHO CODE, RELATING TO CIVIL ACTIONS BY AN ADMINISTRATOR; AMENDING CHAPTER 46, TITLE 28, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 28-46-113, IDAHO CODE, TO PROVIDE THAT AN ADMINISTRATOR MAY PURSUE CERTAIN CIVIL REMEDIES; AMENDING SECTION 28-46-302, IDAHO CODE, TO REVISE PROVISIONS REGARDING A LICENSE TO MAKE REGULATED CONSUMER LOANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-46-303, IDAHO CODE, TO REVISE PROVISIONS REGARDING REVOCATION OR SUSPENSION OF A LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-46-304, IDAHO CODE, TO REVISE A PROVISION REGARDING THE FILING DATE OF AN ANNUAL REPORT; AMENDING SECTION 28-46-403, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE QUALIFICATIONS FOR A PAYDAY LOAN LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 28-46-404, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN APPLICATION FOR A PAYDAY LOAN LICENSE.

S 1014
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO COLLECTION AGENCIES; AMENDING SECTION 26-2222, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-2223A, IDAHO CODE, TO REMOVE A PROVISION REGARDING DESIGNATION OF A RESPONSIBLE PERSON; AMENDING SECTION 26-2224, IDAHO CODE, TO REVISE A PROVISION REGARDING A LICENSE APPLICATION, TO REMOVE A CERTAIN REQUIREMENT FOR A LICENSE APPLICATION, TO REVISE THE APPLICATION FEE, TO PROVIDE THAT CERTAIN APPLICATIONS SHALL BE DEEMED WITHDRAWN AND VOID, AND TO PROVIDE FOR A WRITTEN DEFICIENCY NOTICE; AMENDING SECTION 26-2227, IDAHO CODE, TO REMOVE A PROVISION REGARDING DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 26-2229A, IDAHO CODE, TO PROVIDE THAT CERTAIN PRACTICES SHALL BE PROHIBITED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-2230, IDAHO CODE, TO PROVIDE FOR A FEE FOR REGISTRATION OF A BRANCH LOCATION; AMENDING SECTION 26-2231, IDAHO CODE, TO PROVIDE FOR RENEWAL OF REGISTRATION, TO REVISE PROVISIONS REGARDING RENEWAL, TO PROVIDE FOR EXPIRATION OF A LICENSE OR REGISTRATION IN CERTAIN INSTANCES, AND TO PROVIDE FOR REINSTATEMENT OF A LICENSE OR REGISTRATION IN CERTAIN INSTANCES; AMENDING SECTION 26-2240, IDAHO CODE, TO REMOVE PROVISIONS REGARDING AN AGENT LIST AND AN AGENT FEE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 26-2246, IDAHO CODE, TO PROVIDE FOR A REGISTERED BRANCH LOCATION AND TO MAKE TECHNICAL CORRECTIONS.

S 1015
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO DOMESTIC WATER; REPEALING SECTION 37-2102, IDAHO CODE, RELATING TO DOMESTIC WATER TO BE PROTECTED.

S 1016
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO THE RESPIRATORY CARE PRACTICE ACT; REPEALING CHAPTER 43, TITLE 54, IDAHO CODE, RELATING TO THE RESPIRATORY CARE PRACTICE ACT; AND AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 43, TITLE 54, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO ESTABLISH A LICENSURE BOARD, TO PROVIDE FOR POWERS AND DUTIES OF THE LICENSURE BOARD, TO
ESTABLISH A PERMIT REQUIREMENT, TO PROVIDE FOR POLYSOMNOGRAPHY-RELATED RESPIRATORY CARE, TO ESTABLISH REQUIREMENTS FOR LICENSURE, TO PROVIDE FOR ISSUANCE OF LICENSES AND PERMITS, TO PROVIDE FOR LICENSE OR PERMIT EXPIRATION AND RENEWAL, TO PROVIDE FOR LICENSE OR PERMIT SUSPENSION, REVOCATION, OR REFUSAL TO RENEW, TO ESTABLISH EXEMPTIONS, TO PROVIDE CERTAIN PENALTIES FOR MISREPRESENTATION, TO PROVIDE FOR PENALTIES, AND TO PROVIDE SEVERABILITY.

S 1017
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2701, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 37-2705, IDAHO CODE, TO PROVIDE FOR CERTAIN SYNTHETIC DRUGS; AMENDING SECTION 37-2707, IDAHO CODE, TO PROVIDE FOR A CERTAIN CONTROLLED SUBSTANCE; AMENDING SECTION 37-2711, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AND AMENDING SECTION 37-2713, IDAHO CODE, TO REVISE PROVISIONS REGARDING SCHEDULE V.

S 1018
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE STATE HISTORICAL SOCIETY; REPEALING SECTION 14-534, IDAHO CODE, RELATING TO STATE HISTORICAL SOCIETY USE OF PROPERTY; AMENDING SECTION 27-502, IDAHO CODE, TO REMOVE PROVISIONS REGARDING EXPENSES FOR REINTERMENT OF REMAINS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 58-337, IDAHO CODE, TO REMOVE PROVISIONS REGARDING PROCEEDS FROM THE RENTAL OF THE OLD PENITENTIARY SITE; AMENDING SECTION 67-4127, IDAHO CODE, TO REVISE PROVISIONS REGARDING POWERS AND DUTIES OF THE DIRECTOR OF THE STATE HISTORICAL SOCIETY; AND AMENDING SECTION 67-4127A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE STATE HISTORICAL PRESERVATION OFFICER.

S 1009, S 1010, S 1011, S 1012, S 1013, S 1014, S 1015, S 1016, S 1017, and S 1018 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Lee, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11:15 a.m., Thursday, January 21, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
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.

January 20, 2021

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

Jess Byrne as the Director of the Department of Environmental Quality, term to continue at the pleasure of the Governor.

MARTIN, 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 Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 19, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Timothy Rarick of Rexburg, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 21, 2021, and expiring January 1, 2025.

This reappointment 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 Health and Welfare Committee.

January 19, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Kristine Raper of Boise, Idaho, was reappointed as a member of the Public Utilities Commission to serve a term commencing January 13, 2021, and expiring January 13, 2027.

This reappointment 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 State Affairs Committee.

January 20, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Tammy Overacker of Salmon, Idaho, was appointed as a member of the Idaho Outfitters and Guides Licensing Board to serve a term commencing August 31, 2020, and expiring April 20, 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 appointment was referred to the Resources and Environment Committee.

January 20, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I am hereby transmitting to the Idaho State Senate a list of all gubernatorial appointments that have not been previously communicated pursuant to title 67, section 803 of the Idaho Code.

Additional appointments made during this session will be submitted forthwith with the appropriate corresponding information for your consideration.

Please do not hesitate to contact me if you have any questions.

Sincerely,
/s/ Brad Little
Governor

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

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, SCR 101 retained its place on the calendar for Monday, January 25, 2021.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Jeff Cilek was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Souza, the Gubernatorial appointment of Jeff Cilek as a member of the Public Employee Retirement System of Idaho Board was confirmed by voice vote.

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

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Steve Landon was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Nye, the Gubernatorial appointment of Steve Landon as a member of the State Insurance Fund Board was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1019
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO FISH AND GAME; AMENDING SECTION 36-104, IDAHO CODE, TO PROVIDE FOR MEETING NOTICES AND THE SOLICITATION OF PUBLIC INPUT.

S 1020
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO LIABILITY OF LANDOWNERS; AMENDING SECTION 36-1604, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE LIMITATION OF LIABILITY OF LANDOWNERS TOWARD PERSONS ENTERING LAND FOR RECREATIONAL PURPOSES.

S 1021
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO TAXING DISTRICT BUDGETS; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE LIMITATION ON TAXING DISTRICT BUDGET REQUESTS.

S 1022
BY FINANCE COMMITTEE
AN ACT
RELATING TO APPROPRIATIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE LEGISLATIVE LEGAL DEFENSE FUND; AND DECLARING AN EMERGENCY.

S 1023
BY FINANCE COMMITTEE
AN ACT
RELATING TO APPROPRIATIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE PEST CONTROL DEFICIENCY FUND; AND DECLARING AN EMERGENCY.
S 1019, S 1020, S 1021, S 1022, and S 1023 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11 a.m., Friday, January 22, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWELFTH LEGISLATIVE DAY
FRIDAY, JANUARY 22, 2021

Senate Chamber
President Pro Tempore Winder called the Senate to order at 11 a.m.
Roll call showed all members present.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Jaylee Harris, 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 21, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees
January 22, 2021

The JUDICIARY AND RULES Committee reports that S 1019, S 1020, S 1021, S 1022, and S 1023 have been correctly printed.

LAKEY, Chairman

S 1019 and S 1020 were referred to the Resources and Environment Committee.
S 1021 was referred to the Local Government and Taxation Committee.
S 1022 and S 1023 were referred to the Finance Committee.

January 21, 2021

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

Russell Barron as the Division Administrator of the Idaho Division of Occupational and Professional Licenses, term to continue at the pleasure of the Governor.

PATRICK, 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.

January 21, 2021

The FINANCE Committee reports out S 1008 with the recommendation that it do pass.

BAIR, Chairman

S 1008 was filed for second reading.

January 21, 2021

The EDUCATION Committee reports out S 1006 and S 1007 with the recommendation that they do pass.

THAYN, Chairman

S 1006 and S 1007 were filed for second reading.

January 22, 2021

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:

Dennis Duehren to the Bingo-Raffle Advisory Board, term to expire January 7, 2023.

Patricia Perkins to the Treasurer's Investment Advisory Board, term to expire July 1, 2024.

Reed Hansen to the Treasurer's Investment Advisory Board, term to expire July 1, 2024.

LODGE, Chair

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

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

Messages from the House

January 22, 2021

Dear Mr. President:

I transmit herewith HJR 1, which has passed the House.

MAULIN, Chief Clerk

HJR 1 was filed for first reading.

On request by Senator Anthon, 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 1024
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 36-2107, IDAHO CODE, TO REVISE PROVISIONS REGARDING POWERS AND DUTIES OF THE BOARD, TO REMOVE PROVISIONS REGARDING AN EXECUTIVE DIRECTOR, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-205, IDAHO CODE, TO REMOVE PROVISIONS REGARDING AN EXECUTIVE DIRECTOR, AND TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1207, IDAHO CODE, TO REMOVE REFERENCE TO AN EXECUTIVE DIRECTOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1713, IDAHO CODE, TO REMOVE PROVISIONS REGARDING AN EXECUTIVE DIRECTOR TO PROVIDE THAT THE ADMINISTRATOR OF THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES SHALL HAVE CERTAIN DUTIES, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1714, IDAHO CODE, TO REMOVE PROVISIONS REGARDING AN EXECUTIVE DIRECTOR AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1806, IDAHO CODE, TO REMOVE PROVISIONS REGARDING HIRING OR APPOINTING OF EMPLOYEES; AMENDING SECTION 54-2006, IDAHO CODE, TO REMOVE A PROVISION REGARDING AN EXECUTIVE DIRECTOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2105, IDAHO CODE, TO REMOVE A REFERENCE TO AN EXECUTIVE DIRECTOR AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-408, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1025
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 67-2601, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO REMOVE PROVISIONS REGARDING CERTAIN BOARDS; REPEALING SECTION 67-2601A, IDAHO CODE, RELATING TO THE DIVISION OF BUILDING SAFETY; REPEALING SECTION 67-2602, IDAHO CODE, RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2602, IDAHO CODE, TO PROVIDE FOR THE ADMINISTRATOR OF THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; REPEALING SECTION 67-2602A, IDAHO CODE, RELATING TO LICENSE FEES; REPEALING SECTION 67-2603, IDAHO CODE, RELATING TO THE DIVISION ADMINISTRATOR; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2603, IDAHO CODE, TO PROVIDE FOR DIVISION EMPLOYEES; REPEALING SECTION 67-2604, IDAHO CODE, RELATING TO AUTHORITY GRANTED BY WRITTEN AGREEMENT; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2604, IDAHO CODE, TO PROVIDE DUTIES OF THE DIVISION ADMINISTRATOR; REPEALING SECTION 67-2605, IDAHO CODE, RELATING TO THE OCCUPATIONAL LICENSES ACCOUNT; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2605, IDAHO CODE, TO PROVIDE FOR CERTAIN SAFETY INSPECTIONS AND SAFETY ORDERS; REPEALING SECTION 67-2606, IDAHO CODE, RELATING TO THE OCCUPATIONAL LICENSES ACCOUNT; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2606, IDAHO CODE, TO PROVIDE A MILITARY EXEMPTION FOR CERTAIN LICENSE FEES; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2607, IDAHO CODE, TO PROVIDE FOR EXPENSES OF THE DIVISION ADMINISTRATOR; REPEALING SECTION 67-2608, IDAHO CODE, RELATING TO DIVISION ADMINISTRATOR COOPERATION WITH OTHER AGENCIES; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2609, IDAHO CODE, TO PROVIDE FOR DIVISION ADMINISTRATOR COOPERATION WITH OTHER AGENCIES; REPEALING SECTION 67-2613, IDAHO CODE, RELATING TO LIMITED APPLICATION OF CHAPTER; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2613, IDAHO CODE, TO PROVIDE CLARIFICATION OF DEFINITIONS; AMENDING SECTION 67-2614, IDAHO CODE, TO REVISE PROVISIONS REGARDING RENEWAL OF OCCUPATIONAL LICENSES; AMENDING SECTION 67-2615, IDAHO CODE, RELATING TO REEXAMINATION AND PAYMENT OF CERTIFICATE FEES; REPEALING SECTION 67-2616, IDAHO CODE, RELATING TO CLARIFICATION OF DEFINITIONS; AMENDING SECTION 67-1406, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 6-1010, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND AND TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 36-2116, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT, AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 39-4124, IDAHO CODE, RELATING TO THE ID IDAHO BUILDING CODE FUND; AMENDING CHAPTER 41, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-4124, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 39-4303, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT;
REPEALING SECTION 54-217, IDAHO CODE, RELATING TO THE STATE BOARD OF ACCOUNTANCY ACCOUNT; AMENDING CHAPTER 2, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-217, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-308, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-313, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; REPEALING SECTION 54-910, IDAHO CODE, RELATING TO THE STATE BOARD OF DENTISTRY FUND; AMENDING CHAPTER 9, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-910, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-1015, IDAHO CODE, RELATING TO THE ELECTRICAL BOARD FUND; AMENDING CHAPTER 10, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1015, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-1209, IDAHO CODE, RELATING TO RECEIPTS AND DISBURSEMENTS; AMENDING CHAPTER 12, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1209, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING RECEIPTS AND DISBURSEMENTS; REPEALING SECTION 54-1405, IDAHO CODE, RELATING TO THE STATE BOARD OF NURSING ACCOUNT; AMENDING CHAPTER 14, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1405, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-1508, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE, TO PROVIDE CORRECT TERMINOLOGY, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1720, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE A PROVISION REGARDING A CERTAIN ACCOUNT, AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-1809, IDAHO CODE, RELATING TO THE STATE BOARD OF MEDICINE FUND; AMENDING CHAPTER 18, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1809, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO REPEAL SECTION 54-1921, IDAHO CODE, RELATING TO THE PUBLIC WORKS CONTRACTORS LICENSE FUND; AMENDING CHAPTER 19, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1921, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-2021, IDAHO CODE, RELATING TO DISPOSITION OF FUNDS; AMENDING CHAPTER 20, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2021, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-2059, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN FUND; AMENDING SECTION 54-2065, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2070, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2105, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-2121, IDAHO CODE, RELATING TO THE STATE BOARD OF VETERINARY MEDICINE ACCOUNT; AMENDING CHAPTER 21, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2121, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-2407, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-2630, IDAHO CODE, RELATING TO THE PLUMBING BOARD FUND; AMENDING CHAPTER 26, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2630, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-2911, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3205, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-3317, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3412, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3505, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN FUND; AMENDING SECTION 54-3719, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3915, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT; AMENDING SECTION 54-4113, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-4122, IDAHO CODE, TO REMOVE A CODE REFERENCE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-4216, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-4315, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT; AMENDING SECTION 54-4510, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING CERTAIN FEES; REPEALING SECTION 54-5024, IDAHO CODE, RELATING TO THE IDAO HEATING, VENTILATION AND AIR CONDITIONING BOARD FUND; AMENDING CHAPTER 50, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5024, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-5105, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN FUND; AMENDING SECTION 54-5308, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5313, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5613, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5822, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 55-2203, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A
CERTAIN FUND, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES, AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 55-2204, IDAHO CODE, RELATING TO THE DAMAGE PREVENTION BOARD FUND; AMENDING SECTION 55-2211, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 72-519, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY.

S 1026
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 36-2105, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 39-4106, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-4302, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-307, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-401, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-604, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-706, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-907, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1006, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1105, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1203, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1403, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1503, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1603, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1706, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1805, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-1905, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2005, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2105, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2205, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2304, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2404, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2605, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2803, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-2908, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3003, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-3105, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3203, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-3307, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-3403, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-3714, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4006, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4106, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4204, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4307, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4404, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4504, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4604, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4704, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4804, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-4904, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5004, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5206, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5309, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5403, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5503, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5606, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 54-5806, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 55-2203, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES.
S 1027
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE IDAHO WRONGFUL CONVICTION ACT; AMENDING TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 35, TITLE 6, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR A CLAIM OF COMPENSATION FOR A WRONGFUL CONVICTION, TO PROVIDE CERTAIN PROCEDURES AND CRITERIA FOR A CLAIM, TO PROVIDE CERTAIN IMMUNITY, TO PROVIDE FOR CERTAIN COMPENSATION AND DAMAGES, TO PROVIDE CERTAIN RESTRICTIONS ON DAMAGES, TO PROVIDE FOR COMPUTATION OF DAMAGES, TO PROVIDE FOR HOW DAMAGES ARE PAID, TO PROVIDE THAT CERTAIN DAMAGES SHALL BE TAX-EXEMPT, TO PROVIDE FOR A CERTIFICATE OF INNOCENCE, AND TO PROVIDE FOR THE CREATION OF THE INNOCENCE FUND; AND DECLARING AN EMERGENCY.

S 1028
BY BURGOYNE
AN ACT
RELATING TO LABOR; AMENDING SECTION 44-1502, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MINIMUM WAGE.

S 1029
BY WARD-ENGLIKING
AN ACT
RELATING TO SALES TAX; AMENDING SECTION 57-811, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 63-3620F, IDAHO CODE, TO REVISE THE DISTRIBUTION FORMULA FOR SALES AND USE TAXES COLLECTED BY MARKETPLACE FACILITATORS AND OUT-OF-STATE RETAILERS; AMENDING SECTION 63-3638, IDAHO CODE, TO REMOVE CERTAIN EXCEPTIONS TO THE SALES AND USE TAX REVENUE DISTRIBUTION FORMULA, TO REMOVE A CODE REFERENCE, AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 40-720, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 40-721, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1030
BY WINTROW
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 DEFINE TERMS 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 1031
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE STATE DISASTER EMERGENCY ACCOUNT; AMENDING SECTION 46-1005A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DISASTER EMERGENCY ACCOUNT AND TO PROVIDE SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1032
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE LEGISLATURE; AMENDING SECTION 67-404, IDAHO CODE, TO PROVIDE THAT EACH REGULAR LEGISLATIVE SESSION SHALL ADJOURN SINE DIE BY A CERTAIN DATE, TO PROVIDE EXCEPTIONS, AND TO MAKE TECHNICAL CORRECTIONS.

S 1033
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE LEGISLATIVE ACCOUNT; AMENDING SECTION 67-451, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TRANSFER OF FUNDS INTO THE LEGISLATIVE ACCOUNT; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1024, S 1025, S 1026, S 1027, S 1028, S 1029, S 1030, S 1031, S 1032, and S 1033 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HJR 1, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:21 a.m. until the hour of 11:15 a.m., Monday, January 25, 2021.

CHUCK WINDER, President Pro Tempore
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 25, 2021

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 Doug Armstrong.

The Pledge of Allegiance was led by Olivia Jones, 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 22, 2021, was read and approved as corrected.

**LAKEY, Chairman**

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

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

**Reports of Standing Committees**

January 25, 2021

The JUDICIARY AND RULES Committee reports that S 1024, S 1025, S 1026, S 1027, S 1028, S 1029, S 1030, S 1031, S 1032, and S 1033 have been correctly printed.

**LAKEY, Chairman**

S 1024, S 1025, and S 1026 were referred to the Commerce and Human Resources Committee.

S 1027 was referred to the Judiciary and Rules Committee.

S 1028 was referred to the State Affairs Committee.

S 1029 was referred to the Local Government and Taxation Committee.

S 1030, S 1031, and S 1032 were referred to the State Affairs Committee.

S 1033 was referred to the Finance Committee.

January 22, 2021

The FINANCE Committee reports out S 1022 and S 1023 with the recommendation that they do pass.

**BAIR, Chairman**

S 1022 and S 1023 were filed for second reading.

Senator Lodge was recorded present at this order of business.

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

**Motions and Resolutions**

On request by Senator Anthon, granted by unanimous consent, SCR 101 retained its place on the calendar for Wednesday, January 27, 2021.

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

On motion by Senator Thayn, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Sean Walsh as a member of the State Public Defense Commission was confirmed by voice vote.

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

The President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Jess Byrne was before the Senate for final consideration, the question being, “Shall the report be adopted?”

On motion by Senator Wintrow, seconded by Senator Martin, the Gubernatorial appointment of Jess Byrne as the Director of the Department of Environmental Quality was confirmed by voice vote.

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

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Russell Barron was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Stennett, the Gubernatorial appointment of Russell Barron as the Division Administrator of the Idaho Division of Occupational and Professional Licenses was confirmed by voice vote.

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

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Dennis Duehren was before the Senate for final consideration, the question being, "Shall the report be adopted?"
On motion by Senator Ricks, seconded by Senator Nye, the Gubernatorial reappointment of Dennis Duehren as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

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

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

On motion by Senator Burgoyne, seconded by Senator Lee, the Gubernatorial reappointment of Patricia Perkins as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

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

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Reed Hansen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Grow, seconded by Senator Stennett, the Gubernatorial appointment of Reed Hansen as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1034
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE COMMISSION OF PARDONS AND PAROLE FOR FISCAL YEAR 2021; CREATING THE FEDERAL COVID-19 RELIEF FUND; APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION OF PARDONS AND PAROLE FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1034 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1008, by Finance Committee, was read the second time at length and filed for third reading.

S 1006 and S 1007, by Education Committee, were read the second time at length and filed for third reading.

S 1004, by State Affairs Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11 a.m., Tuesday, January 26, 2021.

JANICE MCGEACHIN, President
Attest: JENNIFER NOVAK, Secretary
On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

January 25, 2021

Dear Madam President:

I transmit herewith HCR 2 and H 11, which have passed the House.

MAULIN, Chief Clerk

HCR 2 and H 11 were filed for first reading.

On request by Senator Anthon, 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 1035

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE STATE APPELLATE PUBLIC DEFENDER ACT; REPEALING SECTIONS 19-867 THROUGH 19-872, IDAHO CODE, RELATING TO THE STATE APPELLATE PUBLIC DEFENDER ACT; AMENDING TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 59, TITLE 19, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE FOR THE CREATION OF THE OFFICE OF STATE APPELLATE PUBLIC DEFENDER, TO PROVIDE FOR THE APPOINTMENT, QUALIFICATIONS, TERM, AND COMPENSATION OF THE STATE APPELLATE PUBLIC DEFENDER, TO PROVIDE FOR POWERS AND DUTIES, TO AUTHORIZE APPOINTMENT OF ADDITIONAL COUNSEL IN CERTAIN INSTANCES, AND TO PROVIDE FOR AN ANNUAL REPORT; AND AMENDING SECTION 19-863A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1036

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO TEMPORARY GUARDIANS; AMENDING SECTION 66-404A, IDAHO CODE, TO REVISE A PROVISION REGARDING A HEARING ON THE APPROPRIATENESS OF AN APPOINTMENT AND TO MAKE A TECHNICAL CORRECTION.

S 1037

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO HOSPITALIZATION OF THE MENTALLY ILL; AMENDING SECTION 66-329, IDAHO CODE, TO REVISE A PROVISION REGARDING WHEN A COURT MAY CONTINUE A HEARING.

S 1038

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE; REPEALING SECTION 56-209m, IDAHO CODE, RELATING TO A WEIGHT CONTROL PILOT PROGRAM; REPEALING SECTION 56-236, IDAHO CODE, RELATING TO THE IDAHO HEALTH INSURANCE ACCESS CARD ACT; REPEALING SECTION 56-237, IDAHO CODE, RELATING
TO LEGISLATIVE PURPOSE; AMENDING SECTION 56-238, IDAHO CODE; TO REMOVE DEFINITIONS AND TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTION 56-241, IDAHO CODE, RELATING TO THE SMALL BUSINESS HEALTH INSURANCE PILOT PROGRAM; REPEALING SECTION 56-242, IDAHO CODE, RELATING TO THE IDAHO HEALTH INSURANCE ACCESS CARD; AND AMENDING SECTION 56-254, IDAHO CODE, TO REMOVE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1039
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-526, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A WORKFORCE READINESS DIPLOMA.

S 1035, S 1036, S 1037, S 1038, and S 1039 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 2, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 11, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills
S 1022 and S 1023, by Finance 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
S 1008 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 1008 passed, title was approved, and the bill ordered transmitted to the House.

S 1007 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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 1007 passed, title was approved, and the bill ordered transmitted to the House.

S 1004 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

Whereupon the President declared S 1004 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business
On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:36 a.m. until the hour of 10:45 a.m., Wednesday, January 27, 2021.

JANICE MCGEACHIN, President
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

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SEVENTEENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 27, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:45 a.m.
Roll call showed all members present except Senator Rice, absent and formally excused by the Chair; and Senators Lakey and Martin, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Sophia Lind, 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 26, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

January 27, 2021

The JUDICIARY AND RULES Committee reports that S 1035, S 1036, S 1037, S 1038, and S 1039 have been correctly printed.

LAKEY, Chairman

S 1035, S 1036, and S 1037 were referred to the Judiciary and Rules Committee.

S 1038 was referred to the Health and Welfare Committee.

S 1039 was referred to the Education Committee.

January 26, 2021

The FINANCE Committee reports out H 11 and S 1034 with the recommendation that they do pass.

BAIR, Chairman

H 11 and S 1034 were filed for second reading.

Senator Martin was recorded present at this order of business.

January 26, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1012 with the recommendation that it do pass.

PATRICK, Chairman

S 1012 was filed for second reading.

January 26, 2021

The HEALTH AND WELFARE Committee reports out S 1015 with the recommendation that it do pass.

MARTIN, Chairman

S 1015 was filed for second reading.

January 26, 2021

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

Sue Walker to the Commission for the Blind and Visually Impaired, term to expire July 1, 2022.

Timothy Rarick to the State Board of Health and Welfare, term to expire January 1, 2025.

MARTIN, Chairman

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

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

Messages from the House

January 26, 2021

Dear Madam President:

I transmit herewith H 18, which has passed the House.

MAULIN, Chief Clerk

H 18 was filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Vick, granted by unanimous consent, SCR 101 was referred to the State Affairs Committee.

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

On motion by Senator Burgoyne, seconded by Senator Thayn, the Gubernatorial appointment of Michael Ross as a member of the Commission of Pardons and Parole was confirmed by voice vote.
The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Lakey was recorded present at this order of business.

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

On motion by Senator Lodge, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Patrick McDonald as a member of the Commission of Pardons and Parole was confirmed by voice vote.

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

On request by Senator Anthon, 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 1040**

**BY TRANSPORTATION COMMITTEE**

AN ACT
RELATING TO VETERANS PLATES; AMENDING SECTION 49-418, IDAHO CODE, TO PROVIDE FOR AMERICAN LEGION OR VETERANS OF FOREIGN WARS DESIGNATIONS AND TO MAKE TECHNICAL CORRECTIONS.

**S 1041**

**BY COMMERCE AND HUMAN RESOURCES COMMITTEE**

AN ACT
RELATING TO CONSUMER PROTECTION; AMENDING SECTION 48-603, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXCESSIVE INCREASED PRICES FOR CERTAIN ITEMS DURING AN EMERGENCY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**S 1042**

**BY COMMERCE AND HUMAN RESOURCES COMMITTEE**

AN ACT
RELATING TO PUBLIC CONTRACTS; AMENDING SECTION 67-2320, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN PROFESSIONAL SERVICE CONTRACTS.

S 1040, S 1041, and S 1042 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 18, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.
is fitting that a conversation on the state of the judiciary emanate from this place this year.

This building was dedicated in 1970. In the intervening 50 years, this courtroom has been the venue of many historical events. From the traditional hearing of thousands of cases, to formal ceremonies as we welcome new attorneys to the practice of law in Idaho, to the place where new Justices of the Supreme Court take their oath to uphold the Idaho and United States Constitutions.

In adopting the Idaho constitution, the people of the state of Idaho have created three co-equal branches of government, but they tasked us with a common interest - securing the blessings of freedom and promoting the common welfare of the people. Your continued interest in hearing from the third branch of government each session, and your support for our efforts to fulfill the responsibilities placed upon the judiciary by the Constitution and the people of Idaho, is very much appreciated.

I would like to begin by taking a moment to reflect on the longstanding dedication to, and stewardship of, the Idaho judiciary by my predecessor Justice Roger Burdick. Those who have had the honor to meet him know he is an approachable, jovial person who can find the humor in nearly any situation. Those of us blessed with the opportunity to work with him also know the seriousness with which he has devoted his career to the betterment of our state and our judiciary.

In November 1981, Justice Burdick took the bench for the first time as a magistrate judge. Through the 39 years since, he has not only been a judge or justice in a courtroom, but also a leader among his peers. He was the first magistrate judge to serve on the Idaho Judicial Council and was President of the Idaho Magistrate Judges Association. In 1993, he was appointed as a District Judge in Twin Falls, and in 2001 undertook the additional and significant responsibility of presiding over the Snake River Basin Adjudication. Justice Burdick continued leading the judiciary, becoming President of the District Judge’s Association and again serving as a member of the Idaho Judicial Council. In 2003, Judge Burdick became Justice Burdick when he was appointed as the fifty-first justice of the Idaho Supreme Court. During his tenure on the Court, his colleagues have twice elected him to the position of Chief Justice.

I wanted to take this opportunity to offer a public thank you to Justice Burdick, from myself, my colleagues on the Court, and all of our court and administrative staff. Justice, your tireless dedication, and continuous leadership have strengthened and improved the Idaho judiciary. The rule of law has been protected and enhanced by your service. As I reflect today on some of the successes of the Idaho judiciary, we recognize that your leadership over the last 39 years was essential to those achievements. We are all very grateful.

With all of that, I believe it becomes clear how much I have to live up to as the person elected by my fellow Justices to now become the 43rd Chief Justice of the State of Idaho.

As I begin my service as Chief Justice, I recognize that some of you know me well, while others of you do not know me at all. In the few minutes I have to speak with you today I hope that you leave knowing a little more about me personally and about my vision for Idaho’s courts.

I was born and raised in Twin Falls. After obtaining a bachelor's degree in finance, I went to law school, not with any grand aspirations of becoming a judge, or even a trial lawyer. I went to get a graduate degree that I could use simply to augment
my undergraduate degree. But fate had other plans. I began to study criminal law, civil procedure, and other core legal classes and I had an epiphany of sorts, realizing that I loved the law, and that I wanted to make my way of life in the trial courts.

Upon graduation I returned to my home town, taking a job with the largest firm in Twin Falls. I spent most of my first four years as a lawyer in the basement researching and writing briefs. My desire to be a trial lawyer did not appear likely in that setting, so I left that firm and went to work in 1991 with a small firm that had a contract with the cities of Kimberly and Hansen to prosecute misdemeanors and do their civil work. The chance to get into the courtroom appealed to me and I was in the courtroom the first week.

I still remember my first jury trial that came a few weeks later. It was a misdemeanor case, alleging cruelty to animals, based on a little dog that was left tied-up with balling twine around its neck for so long that its flesh grew around the twine. I lost the case, because as some jurors told me later, it was just a dog and the defendant's freedom was on the line. Even so, I learned some things in that so-called simple case. As the verdict was read, the defendant was crying, and a juror was crying. That day taught me what I had never really grasped about the law in all my education, researching and writing for 4 years in the basement - that is that the law really affects people. And the law is personal for individuals who have involvement with the justice system, whether as defendants, plaintiffs, jurors, or witnesses.

My history with the law after that, both as an elected prosecutor and as a private attorney, reinforced my view that the judicial system and individuals' interactions with the courts can be profound - and the law can truly make a difference in people's lives.

Fast forward to 2003. I once again felt the draw to the courtroom, but this time as a decider, an arbiter and hopefully an impartial judge for all kinds of cases. I served for more than 14 years as a district judge - vicariously experiencing a lot of highs and lows in people's lives from that side of the courtroom. Once again, I saw the law as the means to bring some order to the chaos that otherwise prevailed in some people's lives. I again managed to participate in trying to make a difference - especially as I presided in the mental health and veterans' courts. I saw people change; I saw moms get their kids back; I saw individuals on the brink of death realize the potential of their lives and make the necessary to changes to receive the promised blessings of life, liberty and the pursuit of happiness. All of this brought to light again my belief and my vision that the law as applied in the lives of our citizens can truly make a difference.

And so now, as Chief Justice, I continue to hold that vision of the importance of the judicial branch and the courts in the lives of many - and of our ability to make a real difference through our service. I serve with incredibly capable people, and it is our goal, to serve the cause of justice and to continue to make a difference with the work that we do every day.

Thus, it is my vision and hope that in coming years we will continue to see our citizens' ability to access the courts increase. I also am optimistic that the transparency of what we do can be enhanced through better access to data and evaluations of that data so we know how and where to improve.

I also hope to enhance the public's understanding of what the courts do. Several friends or acquaintances who are otherwise well informed have no idea who the judges in their community are - and they largely have no idea what we do. Where the blame for this might lie is debatable - but I have a vision of the court system - that judges, lawyers and the Bar play a greater role in educating our citizens about the rule of law and about the third branch of government.

What's more, as you can well imagine, my appreciation for the role of treatment courts motivates me to see that those courts continue to grow and prosper. I recognize that this takes resources, both at the county and state levels, and the goodwill of volunteer judges to preside over these important courts. But I hope that we will not retreat from the progress Idaho has made, thus maintaining the place we hold in the United States as a benchmark for other states to follow in this important work.

The people of the State of Idaho, through our state constitution, have placed great expectations and responsibilities on the Idaho judiciary. Article V, section 2 provides that "[t]he courts shall constitute a unified and integrated judicial system for administration and supervision by the Supreme Court." Section 6 further holds, "The chief justice shall be the executive head of the judicial system." All this to what end? So that, as the people required in art. I, sec. 18, and I quote, "Courts of justice shall be open to every person, and a speedy remedy afforded for every injury of person, property or character, [that] right and justice shall be administered without sale, denial, delay, or prejudice." The Idaho courts provide services essential to a thriving Idaho. The wellbeing of our state comes, in part, from the dependable and predictable application of the law. Through the rule of law the courts enable the settlement of disputes, not with violence or by chance, but by addressing grievances with debate, advocacy, reason, and yes - even compromise.

Right now, we are living in an extraordinary time and fulfilling the constitutional responsibilities placed upon the judiciary can be difficult, but I am proud to tell you that with your support, the Idaho judiciary is rising to the challenge. The novel coronavirus has changed the way many of Idaho's people live and the way we work. Whether going to the grocery store or going to court, many have had a different experience in 2020. However, as providence would have it, your investment in the Idaho Supreme Court's recent efforts to upgrade and modernize Idaho's court system and other technology helped ensure that even when the physical doors of the courthouses could not remain open for all to freely enter, the courts themselves remained open to any person filing a claim and seeking a remedy.

I need to take a moment here to acknowledge and thank Idaho's steadfast court clerks. Their investment of time and talent in managing cases and running the technology ensured the courts continued to accept filings, process cases, and hold hearings throughout the challenges of 2020. Despite some reduction in court operations at different times, emergency filings could always be made and processed in every county. Idaho's court clerks worked together to ensure that even when one county's courthouse could not be staffed, and even if it required a neighboring county's clerk to drive to another courthouse and collect documents, each of Idaho's courts remained open to anyone wishing to make or defend a claim.

I am also thankful for the focused efforts of our judges and court staff to ensure that parties and their representatives could safely appear in cases. Using the technology system built throughout the state, and over just a few weeks in March, they helped our courts transition to holding court hearings remotely for most proceedings. They were flexible and creative in developing virtual courtrooms as well as processes to ensure people could appear, whether from their own phone, using borrowed technology, or even from a socially distanced kiosk at their local county fairgrounds.
These changes helped ensure those whose liberty was restrained continued to have a timely initial appearance in front of a judge, and that most issues could be resolved as promptly as possible. In addition, when a courtroom cannot accommodate sufficient in-person public viewing, courts are using live streaming on the internet and internal simulcasting. As I said, it has been a different experience in 2020, and brick and mortar no longer confines the courts, but the fundamental tradition of access continues.

Unfortunately, the Idaho courts have been unable to eliminate all negative impacts caused by the pandemic. There are some proceedings which can only occur in person. For those proceedings, courts have had to weigh competing interests and make very difficult decisions. There are now considerations of risk when bringing groups of people together, whether a smaller group for an evidentiary hearing or over a hundred people for jury selection. Courts now must consider the specifics of spaces available for proceedings, including the size, shape, and ventilation of each courtroom in courthouses throughout forty-four counties. They must consider the local incidence rate of COVID-19, and the specific risks of prolonged and close contact among participants. They must be mindful of the reality that many who attend court do not do so voluntarily. They are compelled to appear, sometimes as the only way to seek a remedy and sometimes subject to serious penalty if they do not. And the courts must consider the effect of any delay on the rights of the parties seeking a resolution to the cases. These decisions must be made while navigating an ever-changing understanding of the dangers and the impact on available healthcare and all while the landscape of community spread rises and ebbs. The result has been that critical court proceedings have been delayed, including perhaps most prominently jury trials.

The Idaho judiciary is working hard to assess the impact of delays caused by the pandemic and there are some sobering things I can share today. Statewide, the number of case filings, whether civil or criminal, has decreased by ten percent since April. In that same time, case closures have decreased by 21 percent. The number of pending criminal cases has increased by 22 percent since January a year ago, and there are currently over 40,000 cases awaiting disposition. Finally, the average number of jury trials held throughout the state per month before the pandemic was about 197, while the average number now scheduled per month is 350.

We are not only working to recognize the scope of what faces us, we are conscientiously developing strategies to address this backlog. Already we are utilizing senior and active judges to mediate cases in an effort to reduce the number of pending cases and trials. When possible, we have provided technology to judges and court staff, so that they can work remotely when they are prevented from working in the office or traveling to another courthouse. We have also purchased and distributed additional hardware to each county to ensure that jury trials can be held as soon as possible, even if that includes using locations much different than a traditional courthouse.

A request from the Idaho Supreme Court to you in the legislature this year is for new judges for the Third Judicial District. To be clear, this request is not made solely as a reaction to the backlog of cases caused by the pandemic. However the need is significantly heightened by it. The request is for one new District Judge and requisite court reporter, and two magistrate judges, all to be chambered in Canyon County. In state fiscal year 2019, although the average filing per district judge in the state was 331, in the Third District it was 373. Additionally, at an average of 1,817, Canyon County had the highest average number of filings per magistrate judge in the state. Simply put, even before there was a backlog of cases, there was a shortage of judicial resources in the Third Judicial District. It is now even more essential that we provide adequate judicial resources to the district so that cases can be tried when necessary and resolved as quickly as possible.

Together with seeking additional judges, the Idaho Supreme Court intends to continue its efforts and investment in innovative ways of performing traditional court work. Technology has changed the way many people interact with the world. Just as people now apply for jobs and do their banking using personal computers and smart phones, people are increasingly interested in how to address their legal needs and responsibilities, not by taking time off work and coming to a building, but by using on-demand technology often from the phone in their hand. As we are required to reimagine how courts work to address our heavy workload, we also find opportunity.

Changes, efficiencies, ideas, and designs borne of necessity will be incorporated into our permanent operations. For example, in the initial response to reducing in-person court operations, one focus was how to ensure those who needed an emergency civil protection order could apply for one without having to come to the courthouse. Within two weeks of the first COVID19 case in Idaho, the Idaho Supreme Court deployed an on-line, guided questionnaire system that allows a person to complete and file a petition for a civil protection order remotely on the internet. This capability has made the courts more accessible to the people of Idaho and will continue.

It is our hope that as the judicial branch seeks solutions to address the impact of the pandemic, to remediate the delays, and to build upon the things we have learned, that our fellow branches of government will continue to support us. Your previous support of the implementation of Odyssey, our electronic case management system, was the cornerstone of our ability to ensure that the Idaho courts remained open to every person who wished to file or defend a claim this year. With the backlog we face, we may yet again need to seek your support in updating and improving our infrastructure or in recruiting necessary human resources. Should that time come, we will be grateful for your support.

Although the news this year may be dominated by the pandemic, it is not all the Idaho judiciary has focused on. There are other things that we are pleased to have accomplished in service to the people of Idaho this year.

First, the Idaho Supreme Court adopted the Idaho Treatment Court Best Practice Standards and a quality assurance plan that will be applied to all Idaho adult treatment courts beginning in the spring of 2021. These procedures set appropriate levels of treatment and accountability to provide the best chance at positive results for court participants. The quality assurance standards also provide a baseline for evaluation and analysis of these courts’ results, using observation and feedback from both peers and Supreme Court staff - with the goal to foster and ensure these courts’ alignment with best practices.

Second, the Administrative Office of Courts’ Data and Evaluation team has been developing its reporting and analysis capabilities, throughout the year. Work includes a review of available data, evaluation of accuracy and consistency in input, focused educational opportunities to improve data collection, and an effort to augment the information available both internally and
Third, the judiciary and administrative staff have also participated broadly in the efforts of the Idaho Behavioral Health Council. As you likely know, this is a unique collaboration of all three branches of government, working together to improve Idaho's mental health system. Its mission is to create a coordinated, statewide strategic plan to meet these objectives - to develop services for people when they need it and to improve behavioral health outcomes for the people of Idaho. The Commission is co-chaired by Sara Omundson, Administrative Director of Courts, and Director Dave Jeffpesen of the Idaho Department of Health and Welfare. A district and magistrate judge serve as council members or advisory members, providing valuable service and court perspectives into subjects such as behavioral health issues in the criminal justice system and the state's civil commitment process. The Council continues to work and is scheduled to deliver its strategic plan in June of 2021.

Finally, there is an additional thing we in the Idaho judiciary look forward to in 2021. This year marks a very special milestone as the 50th anniversary of the creation of the magistrate division of our district courts. From 1864 to January 1971, our lower court system was composed of justices of the peace, probate judges, and municipal judges. Thanks to the efforts of the Idaho State Bar, the Supreme Court, the Legislature, the Governor, and the people of Idaho, it became clear in the 1960's that Idaho's judiciary needed to adjust to meet the changing times occasioned by the passing century.

First, a constitutional amendment was adopted in 1962, and seven years later, in 1969, the necessary legislation was completed to pave the way for implementation. On January 11, 1971, all functions of the justices of the peace, probate judges, and municipal judges were assigned to Idaho's first Magistrate Judges, sixty of them to be exact. Of those sixty, forty were laymen and only twenty were attorneys.

As your Chief Justice, I am proud to report that with the strong support of the Idaho Legislature and the Governor, a half a century later, we now have ninety-seven attorneys serving as magistrate judges throughout the state with at least one in every county. These judges are assigned a variety of cases from small claims, to family law, to serving as treatment court judges. They perform a vital function and our Magistrate Judges make a difference in the lives of the people of Idaho every single day. We are proud of them, and we thank them. We hope that throughout this next year you will find the time and take the opportunity to learn more about your local magistrate judges and the service they provide, and that you will celebrate them and this anniversary with the Idaho judiciary.

Thank you again for the opportunity to present this summary of the state of Idaho's judiciary. In closing, may we remember the words of that legendary coach, Vince Lombardi, "Perfection is not attainable, but if we chase perfection we can catch excellence." I look forward to working with you as we chase perfection and thereby reach excellence in our common interest: to secure the blessings of freedom and to promote the common welfare of the people of Idaho.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the State of the Judiciary was ordered spread upon the pages of the Senate Journal.

The Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 102
BY HEALTH AND WELFARE COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE ACTIVATION OF CLOSED CAPTIONING ON TELEVISION MONITORS IN PUBLIC VENUES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, in the interest of eliminating isolation and segregation and encouraging the gathering and participation of all individuals, it is sound public policy to promote full and equal communication access to all; and
WHEREAS, televisions are increasingly used in venues open to the general public, such as hospital waiting rooms, restaurants, small businesses, health clubs, social recreation facilities, airport lounges, and more; and
WHEREAS, hearing loss is a part of life for many individuals in Idaho; and
WHEREAS, a 2011 study by Johns Hopkins researchers estimated that approximately one in five Americans who are 12 years of age or older have some type of hearing loss in one or both ears that affects their ability to communicate and receive information; and
WHEREAS, hearing loss is one of the most common disabilities in Idaho; and
WHEREAS, closed captioning displays the audio portion of a television program as text on the television screen, providing access to news, entertainment, and information for individuals who are deaf or hard of hearing; and
WHEREAS, the Federal Communications Commission requires video programming shown on television and over the internet, after being shown on television, to be closed captioned; and
WHEREAS, all modern televisions are built to support closed captioning; and
WHEREAS, activating closed captioning on television monitors located in public venues promotes full communication access for people who are deaf or hard of hearing; improves comprehension for viewers who are learning English as a second language; provides access to news and information for everyone in a noisy environment; improves comprehension of on-screen dialogue that is spoken very quickly, mumbled, or spoken with accents or when there is a lot of background noise; and assures full information is shared with all during times of emergencies.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature urges the activation of closed captioning on television monitors located in public venues during hours when the venue is open to the general public and the monitors are in use.

SCR 102 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 28, 2021

The JUDICIARY AND RULES Committee reports that S 1040, S 1041, and S 1042 have been correctly printed.

LAKEY, Chairman
**S 1040** was referred to the Transportation Committee.

**S 1041** and **S 1042** were referred to the Commerce and Human Resources Committee.

January 27, 2021

The FINANCE Committee reports out **H 18** with the recommendation that it do pass.

BAIR, Chairman

January 27, 2021

**H 18** was filed for second reading.

January 27, 2021

The JUDICIARY AND RULES Committee reports out **S 1027** with the recommendation that it do pass.

LAKEY, Chairman

January 27, 2021

**S 1027** was filed for second reading.

January 27, 2021

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

Scott Smith to the Commission of Pardons and Parole, term to expire January 1, 2023.

Shelly Parker to the Commission of Pardons and Parole, term to expire January 1, 2023.

LAKEY, 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.

January 27, 2021

The HEALTH AND WELFARE Committee reports out **S 1017** with the recommendation that it do pass.

MARTIN, Chairman

January 27, 2021

**S 1017** was filed for second reading.

January 27, 2021

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

**Messages from the House**

January 27, 2021

Dear Madam President:

I transmit herewith **H 15**, which has passed the House.

MAULIN, Chief Clerk

**H 15** was filed for first reading.

The Senate advanced to the Tenth Order of Business.

**Motions and Resolutions**

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Sue Walker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Crabtree, the Gubernatorial reappointment of Sue Walker as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

**S 1043**

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-205, IDAHO CODE, TO PROVIDE THAT A HEARING ON A PUPIL'S EXPULSION OR DENIAL OF ENROLLMENT SHALL BE HELD IN EXECUTIVE SESSION, TO PROVIDE THAT A CERTAIN FINDING MUST BE MADE IN EXECUTIVE SESSION, TO PROVIDE THAT PROCEDURES ON TEMPORARY SUSPENSION OF A PUPIL MUST AFFORD THE PUPIL PRIVACY, AND TO MAKE TECHNICAL CORRECTIONS.

**S 1043** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Bair was recorded present at this order of business.

**H 15**, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**H 11**, by Appropriations Committee, was read the second time at length and filed for third reading.

**S 1034**, by Finance Committee, was read the second time at length and filed for third reading.

**S 1012**, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

**S 1015**, by Health and Welfare Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

**S 1022** 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:


Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1022 passed, title was approved, and the bill ordered transmitted to the House.

S 1023 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1023 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11 a.m., Friday, January 29, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 29, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Burtenshaw and Harris, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Hannah Stephenson, 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 28, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 103
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, on December 30, 2020, the Governor and the Director of the Idaho Department of Health and Welfare issued an order of isolation restricting business activities, prohibiting public and private gatherings, requiring nonfamilial physical distancing, and prohibiting nonparticipants from being present at school extracurricular activities by virtue of powers granted to the Director by the Legislature in Section 56-1003(7), Idaho Code; and

WHEREAS, voluntarily limiting the number of people at a gathering, practicing physical distancing, and wearing facial coverings may be guidance for individuals to follow when making responsible health decisions, and such practices may encourage the preservation and enhancement of public safety; and

WHEREAS, the powers granted to the Director in Section 56-1003(7), Idaho Code, allow him to impose orders of isolation and quarantine only; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) and the Department of Health and Human Services (HHS) both define quarantine as something that "separates and restricts the movement of people who were exposed to a contagious disease to see if they become sick" and isolation as something that "separates sick people with a contagious disease from people who are not sick"; and

WHEREAS, restricting business activities, prohibiting gatherings, and requiring physical distancing are not properly considered quarantine or isolation per the CDC or HHS definitions and are therefore outside of the Director's statutory authority; and

WHEREAS, the order of isolation issued by the Governor and the Director is an order of general applicability affecting citizens and businesses throughout Idaho, regardless of their exposure to COVID-19; and

WHEREAS, as an order of general applicability, the order of isolation is in essence an administrative rule to be promulgated pursuant to the Idaho Administrative Procedure Act, Chapter 52, Title 67, Idaho Code; and

WHEREAS, proper procedures under the Administrative Procedure Act were not followed in the promulgation of the order of isolation; and

WHEREAS, the Legislature has the authority to reject any rule as provided by law pursuant to Section 29, Article III, of the Constitution of the State of Idaho; and

WHEREAS, the order states that a violation or failure to comply with a mandatory provision of the order may constitute a misdemeanor punishable by fine, imprisonment, or both; and

WHEREAS, the Legislature has determined to end orders that diminish personal accountability for health decisions, curtail family participation in extracurricular events, effectively quarantine and isolate all of the healthy individuals in the State of Idaho, and single out certain categories of Idaho businesses for enhanced regulation; and

WHEREAS, the order is currently in effect as of 12:00 a.m., December 30, 2020.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the general order of isolation and all of its prohibitions and requirements issued on December 30, 2020, in response to the COVID-19 outbreak in Idaho and pursuant to Section 56-1003(7), Idaho Code, by the Governor and the Director of the Idaho Department of Health and Welfare is hereby terminated.

SCR 103 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Jan 29, 2021

The JUDICIARY AND RULES Committee reports that SCR 102 and S 1043 have been correctly printed.

LAKEY, Chairman

SCR 102 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.
S 1043 was referred to the Education Committee.

January 28, 2021

The FINANCE Committee reports out S 1033 with the recommendation that it do pass.

BAIR, Chairman

S 1033 was filed for second reading.

January 28, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1009 and S 1013 with the recommendation that they do pass.

PATRICK, Chairman

S 1009 and S 1013 were filed for second reading.

January 28, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1014 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, S 1014 was referred to the Fourteenth Order of Business, General Calendar.

January 28, 2021

The EDUCATION Committee reports out S 1039 with the recommendation that it do pass.

THAYN, Chairman

S 1039 was filed for second reading.

January 29, 2021

The STATE AFFAIRS Committee reports out SJR 101 with the recommendation that it do pass.

LODGE, Chair

SJR 101 was filed for second reading.

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

Messages from the House

January 28, 2021

Dear Madam President:

I transmit herewith H 26, H 28, H 29, and H 22, which have passed the House.

MAULIN, Chief Clerk

H 26, H 28, H 29, and H 22 were filed for first reading.

On request by Senator Anthon, 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 1044

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO URBAN RENEWAL; AMENDING SECTION 7-701A, IDAHO CODE, TO PROVIDE A CERTAIN LIMITATION ON THE USE OF EMINENT DOMAIN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2006, IDAHO CODE, TO PROVIDE THAT PROPERTY OF AN URBAN RENEWAL AGENCY SHALL REVERT TO THE MUNICIPALITY UPON DISSOLUTION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 50-2010, IDAHO CODE, TO PROVIDE A CERTAIN LIMITATION ON THE USE OF EMINENT DOMAIN AND TO MAKE TECHNICAL CORRECTIONS.

S 1045

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 46, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4603, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING ADVANCED OPPORTUNITIES FUNDING FOR NONPUBLIC SCHOOL STUDENTS.

S 1046

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1636, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING INNOVATION CLASSROOMS.

S 1044, S 1045, and S 1046 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 26, H 28, and H 29, by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 22, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 18, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1027, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1017, by Health and Welfare Committee, was read the second time at length and filed for third reading.
On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:22 a.m. until the hour of 11 a.m., Monday, February 1, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWENTY-SECOND LEGISLATIVE DAY
MONDAY, FEBRUARY 1, 2021

Senator Chamber
President McGeachin called the Senate to order at 11 a.m.
Roll call showed all members present.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Olivia Jones, 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 29, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees
February 1, 2021

The JUDICIARY AND RULES Committee reports that SCR 103, S 1044, S 1045, and S 1046 have been correctly printed.

LAKEY, Chairman

SCR 103 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1044 was referred to the Local Government and Taxation Committee.

S 1045 and S 1046 were referred to the Education Committee.

February 1, 2021

The STATE AFFAIRS Committee reports out S 1018 with the recommendation that it do pass.

LODGE, Chair

S 1018 was filed for second reading.

February 1, 2021

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:

Kristine Raper to the Public Utilities Commission, term to expire January 13, 2027.

LODGE, Chair

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 Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor
January 28, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Elizabeth Elroy of Meridian, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2020, and expiring July 1, 2024.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the Health and Welfare Committee.

January 28, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Ted Pulver of Post Falls, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing January 21, 2021, and expiring January 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 appointment was referred to the Judiciary and Rules Committee.
January 28, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Rob Perez of Eagle, Idaho, was appointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing July 9, 2020, 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 appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 29, 2021

Dear Madam President:

I transmit herewith H 5, which has passed the House.

MAULIN, Chief Clerk

H 5 was filed for first reading.

January 29, 2021

Dear Madam President:

I return herewith S 1008, which has passed the House.

MAULIN, Chief Clerk

S 1008 was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Timothy Rarick was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ricks, seconded by Senator Burgoyne, the Gubernatorial reappointment of Timothy Rarick as a member of the State Board of Health and Welfare was confirmed by voice vote.

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

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

On motion by Senator Thayn, seconded by Senator Wintrrow, the Gubernatorial appointment of Scott Smith as a member of the Commission of Pardons and Parole was confirmed by voice vote.

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

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

On motion by Senator Lakey, seconded by Senator Rabe, the Gubernatorial appointment of Shelly Parker as a member of the Commission of Pardons and Parole was confirmed by voice vote.

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

On request by Senator Agenbroad, granted by unanimous consent, SCR 102 was referred to the Health and Welfare Committee.

The Senate advanced to the Eleventh Order of Business.

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

S 1047

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ALCOHOL; AMENDING SECTION 23-948, IDAHO CODE, TO PROVIDE FOR PROPERTY OWNED BY A COUNTY OR CITY, TO REVISE TERMINOLOGY, TO PROVIDE THAT LICENSES ISSUED SHALL REMAIN VALID AND MAY BE TRANSFERRED IN CERTAIN Instances, AND TO MAKE TECHNICAL CORRECTIONS.

S 1047 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 5, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1033, by Finance Committee, was read the second time at length and filed for third reading.

S 1009 and S 1013, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

S 1039, by Education Committee, was read the second time at length and filed for third reading.

SJR 101, by State Affairs Committee, was read the second time at length and filed for third reading.

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

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:26 a.m. until the hour of 11 a.m., Tuesday, February 2, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, FEBRUARY 2, 2021

Senate Chamber

President McGauchin called the Senate to order at 11 a.m.
Roll call showed all members present except Senator Patrick, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Jaylee Harris, Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 1, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 2, 2021

The JUDICIARY AND RULES Committee reports that S 1047 has been correctly printed.

LAKEY, Chairman

S 1047 was referred to the State Affairs Committee.

February 1, 2021

The JUDICIARY AND RULES Committee reports that S 1008 has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1008 and ordered it transmitted to the House for the signature of the Speaker.

February 1, 2021

The JUDICIARY AND RULES Committee reports out S 1036 and S 1037 with the recommendation that they do pass.

LAKEY, Chairman

S 1036 and S 1037 were filed for second reading.

February 1, 2021

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

Don Ebert to the Idaho Fish and Game Commission, term to expire June 30, 2023.

Gregory Cameron to the Idaho Fish and Game Commission, term to expire June 30, 2024.

Ronald Davies to the Idaho Fish and Game Commission, term to expire June 30, 2024.

VICK, 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.

February 1, 2021

The HEALTH AND WELFARE Committee reports out S 1016 and S 1038 with the recommendation that they do pass.

MARTIN, Chairman

S 1016 and S 1038 were filed for second reading.

February 1, 2021

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

Wendy Jaquet to the State Board of Health and Welfare, term to expire January 1, 2025.

MARTIN, 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 Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 1, 2021

Dear Madam President:

I transmit herewith H 27, H 42, and H 21, which have passed the House.

MAULIN, Chief Clerk

H 27, H 42, and H 21 were filed for first reading.

On request by Senator Anthon, 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 27, by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.
H 42, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 21, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1018, by State Affairs 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 Anthon, granted by unanimous consent, S 1027 was placed at the head of the Third Reading Calendar, followed by SJR 101, followed by Senate bills, followed by House bills.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:28 p.m. until the hour of 10:45 a.m., Wednesday, February 3, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE
____________________
TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 3, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:45 a.m.
Roll call showed all members present except Senator Lodge, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Curtis Keddington, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 2, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 2, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out S 1044 with the recommendation that it do pass.

RICE, Chairman

S 1044 was filed for second reading.

February 2, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1011 and S 1041 with the recommendation that they do pass.

PATRICK, Chairman

S 1011 and S 1041 were filed for second reading.

February 2, 2021

The EDUCATION Committee reports out S 1043 with the recommendation that it do pass.

THAYN, Chairman

S 1043 was filed for second reading.

February 2, 2021

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

Sherrilynn Bair to the Public Charter School Commission, term to expire May 12, 2024.

Wanda Quinn to the Public Charter School Commission, term to expire May 12, 2024.

Brian Scigliano to the Public Charter School Commission, term to expire May 12, 2024.

THAYN, Chairman

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

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

Messages from the House

February 2, 2021

Dear Madam President:

I transmit herewith HCR 3, which has passed the House.

MAULIN, Chief Clerk

HCR 3 was filed for first reading.

February 2, 2021

Dear Madam President:

I return herewith S 1023, which has passed the House.

MAULIN, Chief Clerk

S 1023 was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Vick, granted by unanimous consent, SCR 103 was referred to the State Affairs Committee.

On request by Senator Anthon, 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 1048
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO TAXING DISTRICT BUDGETS; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE LIMITATION ON TAXING DISTRICT BUDGET REQUESTS.
S 1049
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO BANKS; AMENDING SECTION 26-208, IDAHO CODE, TO REVISE PROVISIONS REGARDING MEETINGS OF A BANK BOARD OF DIRECTORS; AMENDING SECTION 26-213, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MEMBERSHIP AND MEETINGS OF A BANK BOARD OF DIRECTORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-707, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE REAL ESTATE HOLDINGS OF A BANK AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 26-1104, IDAHO CODE, TO REVISE PROVISIONS REGARDING FEES ON CERTAIN BANKS AND TO MAKE TECHNICAL CORRECTIONS.

S 1050
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1853, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE REQUIREMENTS FOR HEALTH BENEFIT PLANS AND STUDENT HEALTH BENEFIT PLANS COVERING CONTRACEPTION.

S 1051
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE PERSONNEL SYSTEM; AMENDING SECTION 67-5309C, IDAHO CODE, TO PROVIDE THAT CERTAIN INFORMATION BE INCLUDED IN THE ANNUAL REPORT SUBMITTED TO THE GOVERNOR AND THE LEGISLATURE BY THE ADMINISTRATOR OF THE DIVISION OF HUMAN RESOURCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1052
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING CHAPTER 61, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-6106, IDAHO CODE, TO PROVIDE FLEXIBLE SCHOOL SCHEDULES FOR CERTAIN ELEMENTARY SCHOOL STUDENTS; AMENDING CHAPTER 61, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-6107, IDAHO CODE, TO PROVIDE FLEXIBLE SCHEDULE ELIGIBILITY CRITERIA FOR KINDERGARTEN THROUGH GRADE 3 STUDENTS; AMENDING CHAPTER 61, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-6108, IDAHO CODE, TO PROVIDE FLEXIBLE SCHEDULE ELIGIBILITY CRITERIA FOR GRADE 4 THROUGH 6 STUDENTS; AMENDING CHAPTER 61, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-6109, IDAHO CODE, TO ESTABLISH MISCELLANEOUS PROVISIONS REGARDING FLEXIBLE SCHOOL SCHEDULES FOR ELEMENTARY SCHOOL STUDENTS; AND AMENDING THE HEADING FOR CHAPTER 61, TITLE 33, IDAHO CODE.

S 1053
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CODIFIER'S CORRECTIONS; AMENDING SECTION 19-4804, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-2110, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-4-613, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 30-24-801, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-25-103, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-25-110, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-25-205, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-25-701, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-25-703, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 30-25-705, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 31-2404, IDAHO CODE, TO PROVIDE A CORRECT REFERENCE; AMENDING SECTION 33-137, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-524, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 64, LAWS OF 2020, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1004B, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 62, TITLE 33, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 328, LAWS OF 2020, TO REDESIGNATE THE CHAPTER AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 39-118E, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-4429, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5204, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5608, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5803, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-6104, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-7904, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-7910, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-2006, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-2804, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-2870, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-3354, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE;
AMENDING SECTION 41-3401, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-3413, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-3608, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-619, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 47-704, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-402D, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS; AMENDING SECTION 49-443, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1116, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-4711, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5103, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-5408, IDAHO CODE, TO REMOVE SURPLUS VERBIAGE; AMENDING SECTION 67-1401, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 93, TITLE 67, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 296, LAWS OF 2019, TO REDISEIGN THE CHAPTER.

S 1054
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO MARTIAL LAW; AMENDING SECTION 46-601, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AUTHORITY OF THE GOVERNOR DURING A STATE OF EXTREME PERIL, TO DEFINE TERMS, TO PROVIDE THAT THE GOVERNOR MAY NOT ALTER, ADJUST, OR SUSPEND ANY PROVISION OF THE IDAHO CODE IN CERTAIN Instances, TO PROVIDE THAT NOTHING SHALL PROHIBIT THE GOVERNOR FROM DEPLOYING THE NATIONAL GUARD, AND TO PROVIDE SEVERABILITY; AMENDING SECTION 46-602, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1055
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO SPORT SHOOTING RANGES; AMENDING SECTION 55-2604, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 55-2605, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY.

S 1048, S 1049, S 1050, S 1051, S 1052, S 1053, S 1054, and S 1055 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 3, by Transportation and Defense Committee, was introduced, read at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1036 and S 1037, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1016 and S 1038, by Health and Welfare 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

S 1027 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks 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 1027 passed, title was approved, and the bill ordered transmitted to the House.

SJR 101 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 resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


Total - 35.

More than two-thirds having voted in the affirmative, the President declared SJR 101 adopted, title was approved, and the resolution ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:38 p.m. until the hour of 11 a.m., Thursday, February 4, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 4, 2021

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

Prayer was offered by Chaplain Doug Armstrong. The Pledge of Allegiance was led by Sophia Lind, Page. The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 3, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 4, 2021

The JUDICIARY AND RULES Committee reports that S 1048, S 1049, S 1050, S 1051, S 1052, S 1053, S 1054, and S 1055 have been correctly printed.

LAKEY, Chairman

S 1048 was referred to the Local Government and Taxation Committee.

S 1049, S 1050, and S 1051 were referred to the Commerce and Human Resources Committee.

S 1052 was referred to the Education Committee.

S 1053, S 1054, and S 1055 were referred to the State Affairs Committee.

February 3, 2021

The JUDICIARY AND RULES Committee reports that S 1023 has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1023 and ordered it transmitted to the House for the signature of the Speaker.

February 3, 2021

The RESOURCES AND ENVIRONMENT Committee reports out S 1005 with the recommendation that it do pass.

VICK, Chairman

S 1005 was filed for second reading.

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

Messages from the House

February 3, 2021

Dear Madam President:

I transmit herewith H 66, H 32, H 35, H 36, H 37, H 38, H 39, and H 40, which have passed the House.

MAULIN, Chief Clerk

H 66, H 32, H 35, H 36, H 37, H 38, H 39, and H 40 were filed for first reading.

February 3, 2021

Dear Madam President:

I return herewith Enrolled S 1008, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1008 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Bair was recorded present at this order of business.

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

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

On motion by Senator Grow, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Kristine Raper as a member of the Public Utilities Commission was confirmed by voice vote.

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

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Don Ebert was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Nelson, the Gubernatorial appointment of Don Ebert as a member of the Idaho Fish and Game Commission was confirmed by voice vote.
The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Gregory Cameron was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Anthon, seconded by Senator Stennett, the Gubernatorial reappointment of Gregory Cameron as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

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

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Ronald Davies was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Stennett, the Gubernatorial appointment of Ronald Davies as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

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

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Wendy Jaquet was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Lee, the Gubernatorial reappointment of Wendy Jaquet as a member of the State Board of Health and Welfare was confirmed by voice vote.

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

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

Second Reading of Bills

S 1044, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

S 1011 and S 1041, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

S 1043, 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

S 1034 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 1034 passed, title was approved, and the bill ordered transmitted to the House.

S 1012 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 President declared S 1012 passed, title was approved, and the bill ordered transmitted to the House.

S 1015 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared S 1015 passed, title was approved, and the bill ordered transmitted to the House.

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

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

H 66, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 32, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 35, H 36, H 37, H 38, H 39, and H 40, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.
Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:57 a.m. until the hour of 11 a.m., Friday, February 5, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 5, 2021

Senate Chamber
President McGeachin called the Senate to order at 11 a.m.
Roll call showed all members present except Senators Anthon, Burgoyne, and Rabe, absent and formally excused by the Chair; and Senators Crabtree and Woodward, absent and excused.
Prayer was offered by Chaplain Doug Armstrong. The Pledge of Allegiance was led by Hana Pfieffer, Page. The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal
The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 4, 2021, 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 Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees
February 4, 2021
The JUDICIARY AND RULES Committee reports that Enrolled S 1008 was delivered to the Office of the Governor at 1:13 p.m., February 4, 2021.

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

February 4, 2021
The COMMERCE AND HUMAN RESOURCES Committee reports out S 1010 with the recommendation that it do pass.

PATRICK, Chairman
S 1010 was filed for second reading.

February 4, 2021
The COMMERCE AND HUMAN RESOURCES Committee reports out S 1042 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman
There being no objection, S 1042 was referred to the Fourteenth Order of Business, General Calendar.

February 4, 2021
The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Brett Thomas to the Idaho Health Insurance Exchange Board, term to expire April 4, 2021.

PATRICK, 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.

February 4, 2021
The HEALTH AND WELFARE Committee reports out SCR 102 with the recommendation that it do pass.

MARTIN, Chairman
SCR 102 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 5, 2021
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:

Rob Perez to the Treasurer's Investment Advisory Board, term to expire July 1, 2024.

LODGE, Chair
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 Lee, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House
February 4, 2021
Dear Madam President:
I transmit herewith H 23, H 24, H 25, and H 58, which have passed the House.

MAULIN, Chief Clerk
H 23, H 24, H 25, and H 58 were filed for first reading.

February 5, 2021

Dear Madam President:

I return herewith S 1004, which has passed the House.

MAULIN, Chief Clerk

S 1004 was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Lee, 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 1056

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SECTION 67-2601, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND TO REMOVE PROVISIONS REGARDING CERTAIN BOARDS; REPEALING SECTION 67-2601A, IDAHO CODE, RELATING TO THE DIVISION OF BUILDING SAFETY; REPEALING SECTION 67-2602, IDAHO CODE, RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2602, IDAHO CODE, TO PROVIDE FOR THE ADMINISTRATOR OF THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; REPEALING SECTION 67-2602A, IDAHO CODE, RELATING TO LICENSE FEES; REPEALING SECTION 67-2603, IDAHO CODE, RELATING TO THE DIVISION ADMINISTRATOR; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2603, IDAHO CODE, TO PROVIDE FOR DIVISION EMPLOYEES; REPEALING SECTION 67-2604, IDAHO CODE, RELATING TO AUTHORITY GRANTED BY WRITTEN AGREEMENT; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2604, IDAHO CODE, TO PROVIDE DUTIES OF THE DIVISION ADMINISTRATOR; REPEALING SECTION 67-2605, IDAHO CODE, RELATING TO THE OCCUPATIONAL LICENSES ACCOUNT; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2605, IDAHO CODE, TO PROVIDE FOR CERTAIN SAFETY INSPECTIONS AND SAFETY DEPARTMENT; REPEALING SECTION 67-2606, IDAHO CODE, RELATING TO THE OCCUPATIONAL LICENSES ACCOUNT; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2606, IDAHO CODE, TO PROVIDE A MILITARY EXEMPTION FOR CERTAIN LICENSE FEES; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2607, IDAHO CODE, TO PROVIDE FOR EXPENSES OF THE DIVISION ADMINISTRATOR; REPEALING SECTION 67-2608, IDAHO CODE, RELATING TO DIVISION ADMINISTRATOR COOPERATION WITH OTHER AGENCIES; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2608, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 67-2609, IDAHO CODE, RELATING TO REGISTRATION OF OCCUPATIONS; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2609, IDAHO CODE, TO PROVIDE FOR DIVISION ADMINISTRATOR COOPERATION WITH OTHER AGENCIES; REPEALING SECTION 67-2613, IDAHO CODE, RELATING TO LIMITED APPLICATION OF CHAPTER; AMENDING CHAPTER 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2613, IDAHO CODE, TO PROVIDE CLARIFICATION OF DEFINITIONS; AMENDING SECTION 67-2614, IDAHO CODE, TO REVISE PROVISIONS REGARDING RENEWAL AND REINSTATEMENT OF LICENSES; REPEALING SECTION 67-2615, IDAHO CODE, RELATING TO REEXAMINATION AND PAYMENT OF CERTIFICATE FEES; REPEALING SECTION 67-2616, IDAHO CODE, RELATING TO CLARIFICATION OF DEFINITIONS; AMENDING SECTION 67-1406, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 6-1010, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND AND TO PROVIDE FOR THE OCCUPATIONAL LICENSE FUND; AMENDING SECTION 36-2116, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 36-2117, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT, AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 39-4124, IDAHO CODE, RELATING TO THE IDaho BUILDING CODE FUND; AMENDING CHAPTER 41, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-4124, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 39-4303, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT; REPEALING SECTION 54-217, IDAHO CODE, RELATING TO THE STATE BOARD OF ACCOUNTANCY ACCOUNT; AMENDING CHAPTER 2, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-217, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-308, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-313, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; REPEALING SECTION 54-910, IDAHO CODE, REPEALING TO THE STATE BOARD OF DENTISTRY FUND; AMENDING CHAPTER 9, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-910, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-1015, IDAHO CODE, RELATING TO THE ELECTRICAL BOARD FUND; AMENDING CHAPTER 10, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1015, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-1209, IDAHO CODE, RELATING TO RECEIPTS AND DISBURSEMENTS; AMENDING CHAPTER 12, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1209, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING RECEIPTS AND DISBURSEMENTS; REPEALING SECTION 54-1405, IDAHO CODE, RELATING TO THE STATE BOARD OF NURSING ACCOUNT; AMENDING CHAPTER 14, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1405, IDAHO CODE, TO PROVIDE FOR THE...
OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-1508, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; TO PROVIDE CORRECT TERMINOLOGY; AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1720, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE A PROVISION REGARDING A CERTAIN ACCOUNT, AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-1809, IDAHO CODE, RELATING TO THE STATE BOARD OF MEDICINE FUND; AMENDING CHAPTER 18, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1809, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-1921, IDAHO CODE, RELATING TO THE PUBLIC WORKS CONTRACTORS LICENSE FUND; AMENDING CHAPTER 19, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1921, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; REPEALING SECTION 54-2021, IDAHO CODE, RELATING TO DISPOSITION OF FUNDS; AMENDING CHAPTER 20, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2021, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-2059, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN FUND; AMENDING SECTION 54-2065, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2070, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2105, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-2121, IDAHO CODE, RELATING TO THE STATE BOARD OF VETERINARY MEDICINE AGENTS; AMENDING CHAPTER 21, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2121, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-2407, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-2630, IDAHO CODE, RELATING TO THE PLUMBING BOARD FUND; AMENDING CHAPTER 26, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2630, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-2911, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3205, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-3317, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3412, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-3505, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN FUND; AMENDING SECTION 54-3719, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3915, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT; AMENDING SECTION 54-4112, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-4122, IDAHO CODE, TO REMOVE A CODE REFERENCE, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-4216, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-4315, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN ACCOUNT; AMENDING SECTION 54-4510, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING CERTAIN FEES; REPEALING SECTION 54-5024, IDAHO CODE, RELATING TO THE IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD FUND; AMENDING CHAPTER 50, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5024, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND; AMENDING SECTION 54-5105, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND AND TO REMOVE PROVISIONS REGARDING A CERTAIN FUND; AMENDING SECTION 54-5308, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5313, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5613, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5822, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 55-2203, IDAHO CODE, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, TO PROVIDE FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES, AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 55-2204, IDAHO CODE, RELATING TO THE DAMAGE PREVENTION BOARD FUND; AMENDING SECTION 55-2211, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A CERTAIN FUND, TO PROVIDE FOR THE OCCUPATIONAL LICENSES FUND, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 72-519, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY.

S 1057

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE INSURED HOMEOWNER PROTECTION ACT; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 66, TITLE 41, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO REQUIRE COMPLIANCE WITH THE PROVISIONS OF THE CHAPTER, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING CERTAIN CONTRACTS OR AGREEMENTS, TO PROHIBIT CERTAIN ACTS, TO PROVIDE REQUIREMENTS FOR AN ASSIGNMENT OF BENEFITS CONTRACT OR AGREEMENT, TO REQUIRE AN ITEMIZED DESCRIPTION OF WORK, TO REQUIRE CERTAIN NOTICE, TO PROVIDE THAT RIGHTS
CONFERRED BY THE CHAPTER MAY NOT BE WAIVED, TO PROVIDE THAT CONTRACTS IN VIOLATION OF THE CHAPTER ARE VOID, AND TO PROVIDE RULEMAKING AUTHORITY.

S 1058
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO PUBLIC LIBRARIES; AMENDING SECTION 33-2604, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS SHALL NOT BE AN APPOINTED TRUSTEE OF A LIBRARY BOARD AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-2608, IDAHO CODE, TO REVISE A PROVISION REGARDING THE HIRING OF LIBRARY EMPLOYEES AND TO MAKE TECHNICAL CORRECTIONS.

S 1059
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO STATE GOVERNMENT; AMENDING SECTION 67-5311, IDAHO CODE, TO REVISE A CERTAIN LIMITATION ON STATE EMPLOYEES.

S 1060
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO PUBLIC HEALTH DISTRICTS; AMENDING SECTION 39-414, IDAHO CODE, TO PROVIDE FOR THE APPROVAL AND EXTENSION OF CERTAIN ORDERS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 39-419, IDAHO CODE, TO PROVIDE FOR AN INFRINGEMENT, TO REMOVE PROVISIONS REGARDING ASSOCIATIONS AND CORPORATIONS, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1061
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTIONS; AMENDING SECTION 34-106, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN ELECTION DEADLINES; AMENDING SECTION 34-116, IDAHO CODE, TO REVISE PROVISIONS REGARDING COMPUTATION OF TIME; AMENDING SECTION 34-715, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN ELECTION DEADLINES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-717, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN ELECTION DEADLINES; AND AMENDING SECTION 34-1707, IDAHO CODE, TO REVISE PROVISIONS REGARDING DUTIES RELATED TO THE RECALL OF AN OFFICER.

S 1062
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CANDIDATES; AMENDING SECTION 34-702A, IDAHO CODE, TO REVISE PROVISIONS REGARDING DECLARATIONS OF INTENT FOR WRITE-IN CANDIDATES; AMENDING SECTION 34-708, IDAHO CODE, TO REVISE PROVISIONS REGARDING SIGNATURE VERIFICATIONS FOR INDEPENDENT CANDIDATES; AND AMENDING SECTION 34-708A, IDAHO CODE, TO REVISE PROVISIONS REGARDING SIGNATURE VERIFICATIONS FOR INDEPENDENT CANDIDATES AND TO MAKE TECHNICAL CORRECTIONS.

S 1063
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE SECRETARY OF STATE; AMENDING SECTION 67-914, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE STORAGE OF CERTAIN RECORDS FILED WITH THE SECRETARY OF STATE.

S 1064
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTION BALLOTS; AMENDING SECTION 34-1003, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ISSUANCE OF AN ABSENTEE BALLOT, TO REMOVE OBSOLETE LANGUAGE, AND TO MAKE TECHNICAL CORRECTIONS.

S 1065
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO NOTARIES PUBLIC; AMENDING SECTION 59-1019, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE USE OF CERTAIN FACSIMILE SIGNATURES.

S 1066
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CAMPAIGN FINANCE; AMENDING SECTION 67-6602, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6603, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE APPOINTMENT OF A POLITICAL TREASURER; AMENDING SECTION 67-6607, IDAHO CODE, TO REVISE PROVISIONS REGARDING REPORTS OF CONTRIBUTIONS AND EXPENDITURES BY CANDIDATES AND POLITICAL COMMITTEES; AND AMENDING SECTION 67-6608, IDAHO CODE, TO REVISE PROVISIONS REGARDING SPECIAL PROVISIONS FOR CERTAIN ELECTIONS AND MEASURES.

S 1067
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTIONS; AMENDING SECTION 33-511, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION TO DISCONTINUE A SCHOOL AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-1401, IDAHO CODE, TO REVISE PROVISIONS REGARDING A DECLARATION OF INTENT FOR WRITE-IN CANDIDATES; AMENDING SECTION 34-1401, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-1702, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECALL PETITIONS; AMENDING SECTION 34-1703, IDAHO CODE, TO REVISE PROVISIONS REGARDING INFORMATION ON RECALL PETITIONS; AMENDING SECTION 34-1704, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECALL PETITION PROCEDURES; AMENDING SECTION 34-1706, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECALL
PETITIONS; AMENDING SECTION 34-1707, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECALL Petitions; AMENDING SECTION 34-1709, IDAHO CODE, TO REVISE A PROVISION REGARDING SPECIAL RECALL ELECTION RESULTS; AMENDING SECTION 34-1714, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROHIBITED ACTS; AMENDING SECTION 34-1715, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECALL PETITIONS; AMENDING SECTION 42-4204, IDAHO CODE, TO REVISE PROVISIONS REGARDING AQUIFER RECHARGE DISTRICT ELECTIONS; AMENDING SECTION 50-403, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ADMINISTRATION OF ELECTION LAWS; AND AMENDING SECTION 50-418, IDAHO CODE, TO REVISE PROVISIONS REGARDING INITIATIVE AND REFERENDUM ELECTIONS.

S 1068
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE LEGISLATURE; AMENDING SECTION 67-404, IDAHO CODE, TO PROVIDE THAT EACH REGULAR LEGISLATIVE SESSION SHALL ADJOURN SINE DIE BY A CERTAIN DATE, TO PROVIDE EXCEPTIONS, AND TO MAKE TECHNICAL CORRECTIONS.

S 1069
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ABSENTEE BALLOTS; AMENDING SECTION 34-1005, IDAHO CODE, TO REVISE PROVISIONS REGARDING ISSUES WITH ABSENTEE BALLOTS.

S 1056, S 1057, S 1058, S 1059, S 1060, S 1061, S 1062, S 1063, S 1064, S 1065, S 1066, S 1067, S 1068, and S 1069 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 23, H 24, and H 25, by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 58, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1005, by Resources and Environment Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Lee, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:28 a.m. until the hour of 11 a.m., Monday, February 8, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 8, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Lee and Stennett, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Hannah Stephenson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 5, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

SJM 101
BY STATE AFFAIRS COMMITTEE
A JOINT MEMORIAL
TO THE PRESIDENT OF THE UNITED STATES, TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Medal of Honor is the United States of America's highest and most-prestigious personal military decoration that may be awarded to recognize United States military service members who have distinguished themselves by acts of valor. The Medal of Honor represents the indomitable spirit, determination, selflessness, and gallantry of those who, in the face of overwhelming odds, performed far beyond the call of duty; and

WHEREAS, as members of the "Greatest Generation," which represented the character and strength of the State of Idaho and the United States, Captain Arthur Junior Jackson, United States Marine Corps, who served with the 3rd Battalion, 7th Marine Regiment, and Robert Dale Maxwell, United States Army, who served with the 7th Infantry Regiment, 3rd Infantry Division, were both awarded the Medal of Honor during World War II for gallantry, risking their lives, and acting with valor. Both Captain Arthur Junior Jackson and Robert Dale Maxwell, along with Idaho's other Medal of Honor recipients, are now deceased, leaving only memories of their heroic acts. The stories of these patriots' courage and valor during the war should never be forgotten; and

WHEREAS, the President of the United States holds the authority to designate a state funeral. A number of state funerals to honor our war heroes have been held in the past, including the 1921 state funeral for the Unknown Soldier of World War I and the 1964 state funeral honoring General Douglas MacArthur. These state funerals have offered our nation the opportunity to pause, reflect, and honor the service of those individuals and those who served alongside them; and

WHEREAS, the last surviving Medal of Honor recipients from World War II are 96-year-old Hershel "Woody" Williams, a retired United States Marine Corps warrant officer and United States Department of Veterans Affairs veterans service representative, and 99-year-old Charles H. Coolidge, who served as a United States Army technical sergeant.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that a state funeral be held at such time of the passing of the last World War II Medal of Honor recipient, to honor the last surviving Medal of Honor recipient from World War II, and to honor those who served in World War II, such distinction giving our nation the opportunity to thank those who saved the world from Nazism, fascism, and militaristic imperialism. This national recognition would also serve to honor the 473 service members who were awarded the Medal of Honor for service during World War II, along with the 16 million American men and women who faithfully served our nation, including many Idahoans, during that war, paying a final salute to the millions of men and women of the "Greatest Generation" who served our country from 1941 to 1945.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

SJM 101 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 8, 2021

The JUDICIARY AND RULES Committee reports that S 1056, S 1057, S 1058, S 1059, S 1060, S 1061, S 1062, S 1063, S 1064, S 1065, S 1066, S 1067, S 1068, and S 1069 have been correctly printed.

LAKEY, Chairman

S 1056 and S 1057 were referred to the Commerce and Human Resources Committee.
S 1058 was referred to the Local Government and Taxation Committee.

S 1059 was referred to the State Affairs Committee.

S 1060 was referred to the Health and Welfare Committee.

S 1061, S 1062, S 1063, S 1064, S 1065, S 1066, S 1067, S 1068, and S 1069 were referred to the State Affairs Committee.

February 5, 2021

The JUDICIARY AND RULES Committee reports that S 1004 has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1004 and ordered it transmitted to the House for the signature of the Speaker.

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

Messages from the House

February 5, 2021

Dear Madam President:

I transmit herewith H 46, H 47, H 48, and H 50, which have passed the House.

MAULIN, Chief Clerk

H 46, H 47, H 48, and H 50 were filed for first reading.

February 5, 2021

Dear Madam President:

I return herewith Enrolled S 1023, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1023 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Education Committee report relative to the Gubernatorial reappointment of Sherrilynn Bair was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Sherrilynn Bair as a member of the Public Charter School Commission was confirmed by voice vote.

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

The President announced that the Education Committee report relative to the Gubernatorial reappointment of Wanda Quinn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cook, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Wanda Quinn as a member of the Public Charter School Commission was confirmed by voice vote.

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

On request by Senator Anthon, 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 1070

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-1003, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ISSUANCE OF AN ABSENTEE BALLOT; AND AMENDING SECTION 34-1007, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE COUNTING OF ABSENTEE BALLOTS.

S 1070 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 46, H 47, and H 48, by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 50, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1010, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1017 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow 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, Zito. Total - 3.


Total - 35.

Whereupon the President declared S 1017 passed, title was approved, and the bill ordered transmitted to the House.

S 1033 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1033 passed, title was approved, and the bill ordered transmitted to the House.

S 1009 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Winder 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 S 1009 passed, title was approved, and the bill ordered transmitted to the House.

S 1013 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:


Total - 35.

Whereupon the President declared S 1013 passed, title was approved, and the bill ordered transmitted to the House.

S 1039 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.


Total - 35.

Whereupon the President declared S 1039 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Burgoyne, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 11 a.m., Tuesday, February 9, 2021.

JANICE MCGEACHIN, President
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 9, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Jaxon Griffin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 8, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 104
BY RESOURCES AND ENVIRONMENT COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND SUPPORTING THE CHANGE IN THE WINTER FLOOD CONTROL RULE CURVES OF THE RIRIE RESERVOIR PROJECT TO MORE PROPERLY BALANCE RIRIE RESERVOIR WATER SUPPLY AND IRRIGATION SUPPLIES WITH ADEQUATE FLOOD CONTROL.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the flood control rule curves for Ririe Reservoir were developed prior to the time Ririe storage space was contracted; and

WHEREAS, the storage space in Ririe Reservoir is now contracted to Mitigation, Inc., following the 1990 Fort Hall Indian Water Rights Agreement, and the contracted space has proven to be unreliable and difficult to fill; and

WHEREAS, the Ririe Dam enacting legislation allows for modification of flood control rule curves as additional information becomes available and standard operating procedures state the flood control objective of Ririe Dam is "to provide adequate storage space in the reservoir to regulate stream flow downstream insofar as possible to a non-damaging level, and yet still provide a near full reservoir at the end of the flood season for irrigation and other project purposes"; and

WHEREAS, conditions in the Willow Creek basin have changed since the flood control rule curves were developed, including the establishment of an annual maintenance schedule to keep Willow Creek Canal, Sand Creek Canal, and the Willow Creek Floodway Channel free of ice during the winter and the development of downstream storage facilities, all of which substantially reduce the risk of flooding; and

WHEREAS, the current flood control rule curves do not rely upon current or updated hydrologic conditions on Willow Creek; and

WHEREAS, the standard operating procedures require cooperation between the United States Bureau of Reclamation (USBR), the United States Army Corp of Engineers (USACE), the Idaho Department of Water Resources, the Water District 01 Watermaster, water users, the Idaho Department of Fish and Game, local interests, and others in order to provide maximum benefits for the region; and

WHEREAS, water users of Mitigation, Inc. are dependent upon available water supplies in order to mitigate the impacts to their water supply caused by the Fort Hall Indian Water Rights Agreement, and therefore adjusting the flood control rule curves may increase the reliability of contracted storage supplies in Ririe Reservoir; and

WHEREAS, increased carryover water in upper basin reservoirs, like Ririe Reservoir, benefits water user storage allocations in Water District 01 by holding water high in the storage system and exchanging it with other reservoir storage in order to increase reliability; and

WHEREAS, the USBR and the USACE have completed the phase 1 updated flood risk evaluation and additional water storage and feasibility study at Ririe Reservoir, which has shown how the reevaluation of winter flood control operations could retain flood control benefits while also providing valuable storage benefits during some years; and

WHEREAS, the USBR completed a Draft Environmental Assessment: Ririe Winter Storage Study for Ririe Dam and Reservoir in 2014 that compares No Action to Alternative 1 with a finding of no significant natural resource or socioeconomic impact; and

WHEREAS, legislation, including the Water Infrastructure Improvements for the Nation Act, has been passed by Congress to facilitate efforts to improve and update the Ririe Reservoir winter flood control rule curves by leveraging federal infrastructure for increased water supplies; and

WHEREAS, notwithstanding the compelling reasons for a change in the flood control curves to retain storage in Ririe Reservoir, those involved in the federal government agencies are reluctant to allow reasonable modifications based, in part, on using statistically low probabilities of a flood occurring in Willow Creek, which has never been seen in the history of the basin or region; and

WHEREAS, the Idaho Legislature and the State of Idaho have gone on record as fully supporting additional storage in the State of Idaho and recognize that the Ririe Dam is clearly capable of retaining additional storage without the substantial costs associated with constructing new storage facilities and without increasing the risks imposed on any other reservoir within Water District 01; and

WHEREAS, the Idaho Legislature intends to provide a portion of the current economic surplus enjoyed by the State of Idaho to the Idaho Water Resource Board for projects and studies similar to those of the Ririe Reservoir flood control rule curve modifications and recognizes that the costs associated with
those studies and projects are beyond the means available to Mitigation, Inc. to undertake to their conclusion.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Legislature does hereby resolve to call upon the federal government through its applicable agencies and personnel to finish the flood risk study, which will result in changing the flood control rule curves of the Ririe Reservoir based on the hydrologic analysis completed in phase 1 of the study, to better match the current conditions in the Willow Creek basin and allow for a more dependable contracted storage supply in Water District 01, and to provide for full mitigation of the impacts resulting from the 1990 Fort Hall Indian Water Rights Agreement.

BE IT FURTHER RESOLVED that the Idaho Legislature supports and encourages the Idaho Water Resource Board to consider a proposal to provide financial resources to Mitigation, Inc. to finalize the studies and projects necessary to change the Ririe Reservoir flood control rule curves.

BE IT FURTHER RESOLVED that the Idaho Governor be encouraged to join with the Idaho Legislature in supporting the change in the winter flood control rule curves of the Ririe Reservoir project to more properly balance Ririe Reservoir water supply and irrigation supplies with adequate flood control.

SCR 104 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 9, 2021

The JUDICIARY AND RULES Committee reports that SJM 101 and S 1070 have been correctly printed.

LAKEY, Chairman

SJM 101 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1070 was referred to the State Affairs Committee.

February 8, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1023 was delivered to the Office of the Governor at 1:01 p.m., February 8, 2021.

LAKEY, Chairman

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

February 8, 2021

The STATE AFFAIRS Committee reports out S 1053 with the recommendation that it do pass.

LODGE, Chair

S 1053 was filed for second reading.

February 8, 2021

The RESOURCES AND ENVIRONMENT Committee reports out S 1020 with the recommendation that it do pass.

VICK, Chairman

S 1020 was filed for second reading.

February 8, 2021

The JUDICIARY AND RULES Committee reports out H 26, H 28, and H 29 with the recommendation that they do pass.

LAKEY, Chairman

H 26, H 28, and H 29 were filed for second reading.

February 8, 2021

The HEALTH AND WELFARE Committee reports out H 35 and H 36 with the recommendation that they do pass.

MARTIN, Chairman

H 35 and H 36 were filed for second reading.

February 8, 2021

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

Elizabeth Elroy to the Board of Environmental Quality, term to expire July 1, 2024.

MARTIN, 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.

The Senate advanced to the Seventh Order of Business.

Reports of Special Committees

February 3, 2021

To: Senate Judiciary and Rules Committee
House Judiciary, Rules and Administration Committee

Pursuant to Idaho Code Section 67-509:

The Joint Printing Committee recommends the continued endorsement of limiting the printing of the Idaho Session Laws to a total of 100 copies given the accessibility and decrease in expenditures associated with online access. The Committee also acknowledges the significant decrease in the 2020 publishing price to $1,800 in legislative expenditures as state agencies are required to cover the cost of the volumes they order.

The Joint Printing Committee also requests that the Secretary of the Senate and the Chief Clerk of the House of Representatives be allotted the time to continue to process, review, and upload historic Session Law volumes and Journals to the legislative website during the next two legislative interims.

The Joint Printing Committee
/s/ Senators Lakey and Burgooyne
/s/ Representatives Chaney and Gannon
/s/ Secretary Novak
/s/ Chief Clerk Maulin

The recommendations of the Joint Printing Committee were referred to Judiciary and Rules Committee.

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

February 9, 2021

Dear Madam President:

I transmit herewith H 83 and H 43, which have passed the House.

MAULIN, Chief Clerk

H 83 and H 43 were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

On motion by Senator Ward-Engelking, seconded by Senator Heider, the Gubernatorial reappointment of Brian Scigliano as a member of the Public Charter School Commission was confirmed by voice vote.

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

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Brett Thomas was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Brett Thomas as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

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

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Rob Perez was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Nye, the Gubernatorial appointment of Rob Perez as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

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

The President announced that SCR 102 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Agenbroad, seconded by Senator Wintrow, SCR 102 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1071

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE ADMINISTRATION AND SUPPORT SERVICES PROGRAM FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE WATER QUALITY PROGRAM FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1072

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-209, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FILLING OF VACANCIES.

S 1073

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IRRIGATION; AMENDING SECTION 42-1208, IDAHO CODE, TO PROVIDE THAT CERTAIN REAL PROPERTY IS NOT SUBJECT TO ADVERSE POSSESSION.

S 1074

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IRRIGATION; REPEALING SECTION 42-1101, IDAHO CODE, RELATING TO THE RIGHTS OF LANDOWNERS TO WATER; AMENDING SECTION 42-1102, IDAHO CODE, TO REVISE RIGHT-OF-WAY PROVISIONS; AND AMENDING SECTION 42-1204, IDAHO CODE, TO REVISE RIGHT-OF-WAY PROVISIONS.

S 1075

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 3, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-358, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A KINDERGARTEN JUMP-START PROGRAM.

S 1076

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO JOURNALS AND SESSION LAWS; AMENDING SECTION 67-509, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PUBLICATION AND DISTRIBUTION OF JOURNALS AND THE PRINTING AND PRESERVING OF SESSION LAWS AND TO MAKE A TECHNICAL CORRECTION.
S 1077  
BY JUDICIARY AND RULES COMMITTEE  
AN ACT  
RELATING TO THE UNIFORM ELECTRONIC WILLS ACT; AMENDING CHAPTER 16, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW PART I, CHAPTER 16, TITLE 15, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR THE LAW APPLICABLE TO AN ELECTRONIC WILL, TO PROVIDE FOR CHOICE OF LAW REGARDING EXECUTION, TO PROVIDE FOR THE EXECUTION OF AN ELECTRONIC WILL, TO PROVIDE FOR REVOCATION OF AN ELECTRONIC WILL, TO PROVIDE THAT AN ELECTRONIC WILL MAY BE ATTESTED AND MADE SELF-PROVING AT THE TIME OF EXECUTION, TO PROVIDE FOR CERTIFICATION OF A PAPER COPY, TO PROVIDE FOR UNIFORMITY OF APPLICATION AND CONSTRUCTION, AND TO PROVIDE APPLICABILITY.

S 1078  
BY JUDICIARY AND RULES COMMITTEE  
AN ACT  
RELATING TO COUNTY RECORDERS; AMENDING SECTION 31-2402, IDAHO CODE, TO PROVIDE FOR THE RECORDING OF DEATH CERTIFICATES, TO CLARIFY THAT CERTAIN DOCUMENTS MUST BERecorded, AND TO MAKE A TECHNICAL CORRECTION.

S 1079  
BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT  
RELATING TO ENVIRONMENTAL QUALITY; AMENDING CHAPTER 36, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3628A, IDAHO CODE, TO ESTABLISH THE AGRICULTURAL BEST MANAGEMENT PRACTICES (BMP) FUND, TO PROVIDE FOR GRANT ELIGIBILITY, AND TO PROVIDE FOR REPORTS; AND DECLARING AN EMERGENCY.

S 1080  
BY FINANCE COMMITTEE  
AN ACT  
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1081  
BY FINANCE COMMITTEE  
AN ACT  
RELATING TO THE APPROPRIATION TO THE CATASTROPHIC HEALTH CARE PROGRAM FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE CATASTROPHIC HEALTH CARE PROGRAM FOR FISCAL YEAR 2021 AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE CATASTROPHIC HEALTH CARE COST FUND; AND DECLARING AN EMERGENCY.

S 1071, S 1072, S 1073, S 1074, S 1075, S 1076, S 1077, S 1078, S 1079, S 1080, and S 1081 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 83, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 43, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

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

Second Reading of Bills

On request by Senator Anthon, granted by unanimous consent, S 1053 was referred to the Fourteenth Order of Business, General Calendar.

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

Third Reading of Bills

S 1018 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1018 passed, title was approved, and the bill ordered transmitted to the House.

H 11 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair 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 11 passed, title was approved, and the bill ordered returned to the House.

H 18 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS—None.

Absent and excused—Heider, Martin, Winder, Woodward.

Total - 4.

Total - 35.

Whereupon the President declared H 18 passed, title was approved, and the bill ordered returned to the House.
On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:02 p.m. until the hour of 11 a.m., Wednesday, February 10, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.01, Rules Governing Administration, Section 250., Subsections 01., 04., and 05., adopted as a pending rule under Docket Number 08-0201-2001, only, be, and the same are hereby rejected and declared null, void, and of no force and effect.

SCR 105 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 10, 2021

The JUDICIARY AND RULES Committee reports that SCR 104, S 1071, S 1072, S 1073, S 1074, S 1075, S 1076, S 1077, S 1078, S 1079, S 1080, and S 1081 have been correctly printed.

LAKEY, Chairman

On request by Senator Vick, granted by unanimous consent, SCR 104 was referred to the Resources and Environment Committee.

S 1071 was referred to the Finance Committee.

S 1072, S 1073, and S 1074 were referred to the Resources and Environment Committee.

S 1075 was referred to the Education Committee.

S 1076, S 1077, and S 1078 were referred to the Judiciary and Rules Committee.

S 1079 was referred to the Agricultural Affairs Committee.

S 1080 and S 1081 were referred to the Finance Committee.

February 9, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1024, S 1026, and S 1056 with the recommendation that they do pass.

PATRICK, Chairman

S 1024, S 1026, and S 1056 were filed for second reading.

February 9, 2021

The FINANCE Committee reports out H 83 and S 1071 with the recommendation that they do pass.

BAIR, Chairman

H 83 and S 1071 were filed for second reading.

February 9, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 15, H 32, and H 58 with the recommendation that they do pass.

RICE, Chairman

H 15, H 32, and H 58 were filed for second reading.
February 9, 2021

The EDUCATION Committee reports out S 1045 with the recommendation that it do pass.

THAYN, Chairman

S 1045 was filed for second reading.

February 10, 2021

The STATE AFFAIRS Committee reports out S 1055 and S 1068 with the recommendation that they do pass.

LODGE, Chair

S 1055 and S 1068 were filed for second reading.

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

Messages from the Governor

February 5, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Julie DeLorenzo of Boise, Idaho, was reappointed as a member of the Idaho Transportation Board to serve a term commencing January 31, 2021, and expiring January 31, 2027.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial reappointment was referred to the Transportation Committee.

February 5, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Carol Mascarenas of Idaho Falls, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2020, and expiring July 1, 2024.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

February 5, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that James Yost of Meridian, Idaho, was reappointed as a member of the Northwest Power and Conservation Council to serve a term commencing January 15, 2021, and expiring January 15, 2024.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

February 9, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Chris Pomeroy of Hailey, Idaho, was appointed as a member of the Aeronautics Advisory Board to serve a term commencing January 31, 2021, and expiring January 31, 2026.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the Transportation Committee.

Senator Burtenshaw was recorded present at this order of business.

February 9, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on February 9, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1008 and S 1023

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**

February 9, 2021

Dear Madam President:

I transmit herewith **H 57** and **H 90**, which have passed the House.

MAULIN, Chief Clerk

**H 57** and **H 90** were filed for first reading.

February 9, 2021

Dear Madam President:

I return herewith Enrolled **S 1004**, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled **S 1004** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, 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 1082**

**BY COMMERCE AND HUMAN RESOURCES COMMITTEE**

**AN ACT**

RELATING TO THE STATE INSURANCE FUND; AMENDING SECTION 67-5333, IDAHO CODE, TO PROVIDE THAT STATE INSURANCE FUND EMPLOYEES HIRED AFTER A CERTAIN DATE SHALL NOT PARTICIPATE IN THE SICK LEAVE PROGRAM ESTABLISHED BY THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 72-910, IDAHO CODE, TO PROVIDE THAT THE MANAGER OF THE STATE INSURANCE FUND SHALL BE THE CUSTODIAN OF THE STATE INSURANCE FUND AND TO REVISE PROVISIONS REGARDING SUCH FUND; AMENDING SECTION 72-912, IDAHO CODE, TO REMOVE REFERENCES TO THE STATE TREASURER AND TO MAKE TECHNICAL CORRECTIONS; AND REPEALING SECTION 72-927, IDAHO CODE, RELATING TO PAYMENT OF COMPENSATION AND REFUNDS.

**S 1083**

**BY COMMERCE AND HUMAN RESOURCES COMMITTEE**

**AN ACT**

RELATING TO LICENSURE BY ENDORSEMENT; AMENDING SECTION 67-9306, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 296, LAWS OF 2019, TO REVISE PROVISIONS REGARDING LICENSURE BY ENDORSEMENT FOR MILITARY MEMBERS, VETERANS, AND SPOUSES.

**S 1084**

**BY COMMERCE AND HUMAN RESOURCES COMMITTEE**

**AN ACT**

RELATING TO THE OCCUPATIONAL LICENSING REFORM ACT; AMENDING SECTION 67-9408, IDAHO CODE, TO ESTABLISH A PROCESS FOR REVIEW OF LICENSING AUTHORITIES AND RELATED LAWS AND REGULATIONS.

**S 1085**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO THE FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT; AMENDING TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 87, TITLE 18, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE LEGISLATIVE FINDINGS AND INTENT, TO PROVIDE FOR THE DETERMINATION OF A FETAL HEARTBEAT, TO PROHIBIT AN ABORTION FOLLOWING DETECTION OF A FETAL HEARTBEAT, TO PROVIDE EXCEPTIONS IN CERTAIN INSTANCES, TO PROVIDE A PENALTY, TO PROVIDE AN EFFECTIVE DATE UPON A CERTAIN OCCURRENCE, TO PROVIDE THAT A PREGNANT WOMAN MAY BRING A CIVIL ACTION IN CERTAIN INSTANCES, AND TO PROVIDE SEVERABILITY.

**S 1086**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO THE ANTI-BOYCOTT AGAINST ISRAEL ACT; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2346, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROHIBIT A PUBLIC ENTITY FROM ENTERING INTO CERTAIN CONTRACTS WITH COMPANIES THAT BOYCOTT ISRAEL, TO DEFINE TERMS, TO PROVIDE THAT CERTAIN CONTRACTS SHALL BE VOID, TO PROVIDE RULEMAKING AUTHORITY, AND TO PROVIDE APPLICABILITY.

**S 1087**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO TOBACCO AND ELECTRONIC SMOKING DEVICES; AMENDING SECTION 39-5702, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-5703, IDAHO CODE, TO PROVIDE THAT PARENTS OR GUARDIANS OF CERTAIN MINORS MAY BE REQUIRED TO PARTICIPATE IN AWARENESS PROGRAMS; AMENDING SECTION 39-5704, IDAHO CODE, TO REVISE AN AGE REQUIREMENT AND TO REVISE PROVISIONS REGARDING MINOR EMPLOYEES; AMENDING SECTION 39-5705, IDAHO CODE, TO REVISE AN AGE REQUIREMENT; AMENDING SECTION 39-5710, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PARTICIPATION OF MINORS IN CERTAIN INSPECTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-5713, IDAHO CODE, TO PROHIBIT CERTAIN LOCAL REGULATION AND TAXES; AMENDING SECTION 39-5714, IDAHO CODE, TO REVISE AN AGE REQUIREMENT; AMENDING SECTION 39-5715, IDAHO CODE, TO REVISE AN AGE REQUIREMENT; AND AMENDING SECTION 39-5717, IDAHO CODE, TO REVISE PROVISIONS REGARDING SHIPPING REQUIREMENTS.

**S 1082, S 1083, S 1084, S 1085, S 1086, and S 1087** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.
H 57, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 90, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1020, by Resources and Environment Committee, was read the second time at length and filed for third reading.

H 26, H 28, and H 29, by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

H 35 and H 36, by Health and Welfare 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

S 1036 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito 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–Martin. Total - 1.

Total - 35.

Whereupon the President declared S 1036 passed, title was approved, and the bill ordered transmitted to the House.

S 1037 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow 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–Martin. Total - 1.

Total - 35.

Whereupon the President declared S 1037 passed, title was approved, and the bill ordered transmitted to the House.

S 1016 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Wintrow, granted by unanimous consent, the following typographical correction was made to S 1016, pursuant to Senate Rule 9(F):

On page 3, line 31, change "(h)" to "(n)".

Roll call resulted as follows:


NAYS–None.

Absent and excused–Martin. Total - 1.

Total - 35.

Whereupon the President declared S 1016 passed, title was approved, and the bill ordered transmitted to the House.

S 1038 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–Martin. Total - 1.

Total - 35.

Whereupon the President declared S 1038 passed, title was approved, and the bill ordered transmitted to the House.

S 1044 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Martin. Total - 1.

Total - 35.

Whereupon the President declared S 1044 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, S 1011 retained its place on the Third Reading Calendar for one legislative day.
S 1041 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H): President Pro Tempore Winder and Senators Anthon, Den Hartog, Lakey, and Nye disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


NAYS–None.

Absent and excused–Martin. Total - 1.

Total - 35.

Whereupon the President declared S 1041 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Burgoyne, by voice vote, the Senate adjourned at 12:13 p.m. until the hour of 11 a.m., Thursday, February 11, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 11, 2021

Senate Chamber

President McGeachin called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Burtenshaw, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Olivia Jones, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 10, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

SJM 102
BY JUDICIARY AND RULES COMMITTEE
A JOINT MEMORIAL
TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, AND TO EACH OF THE SPEAKERS AND SENATE PRESIDENTS OF THE NINETY-NINE STATE LEGISLATIVE CHAMBERS IN THE 50 STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, an independent United States Supreme Court is an essential element of America's system of checks and balances that protects our constitutional rights; and

WHEREAS, the Supreme Court has been composed of nine justices for more than 150 years; and

WHEREAS, the President and Congress should be prohibited from undermining the independence of the Supreme Court by changing the number of justices on the Court.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature of the State of Idaho urges Congress to propose the "Keep Nine Amendment" to the United States Constitution that states: "The Supreme Court of the United States shall be composed of nine Justices."

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the Majority Leader of the United States Senate, the Speaker of the House of Representatives of Congress, to the congressional delegation representing the State of Idaho in the Congress of the United States, and to each of the speakers and senate presidents of the 99 state legislative chambers in the 50 states.

SCR 106
BY AGRICULTURAL AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE IDAHO WHEAT COMMISSION TO ENTER INTO AGREEMENTS WITH THE STATE BUILDING AUTHORITY TO FINANCE THE CONSTRUCTION OF A NEW BUILDING AT 821 W. STATE STREET IN BOISE TO HOUSE OFFICES OF THE IDAHO WHEAT COMMISSION AND OTHER STATE COMMODITY COMMISSIONS AND AGRICULTURAL GROUPS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Idaho Wheat Commission, a self-governed agency of the State of Idaho, currently owns the property and building at 821 W. State Street, Boise; and

WHEREAS, the building is nearly 80 years old and approaching the end of its useful life as maintenance and upkeep costs continue to rise; and

WHEREAS, the Idaho Wheat Commission building has been instrumental in creating an office environment where agricultural commissions and groups may share office expenses and collaborate on matters of mutual interest; and

WHEREAS, funds employed in the original purchase of the building have been a wise investment of wheat grower dollars; and

WHEREAS, the timing is favorable for bonding due to historically low interest rates.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature authorizes and approves the Idaho Wheat Commission to enter into an agreement or agreements with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary, to provide financing to construct a new office building to house commodity commissions and other related agricultural groups.

BE IT FURTHER RESOLVED that this resolution constitutes authorization required by the provisions of Section 67-6410, Idaho Code.

SJM 102 and SCR 106 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.
Reports of Standing Committees

February 11, 2021

The JUDICIARY AND RULES Committee reports that SCR 105, S 1082, S 1083, S 1084, S 1085, S 1086, and S 1087 have been correctly printed.

LAEKEY, Chairman

SCR 105 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1082, S 1083, and S 1084 were referred to the Commerce and Human Resources Committee.

S 1085, S 1086, and S 1087 were referred to the State Affairs Committee.

February 10, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1004 was delivered to the Office of the Governor at 1:26 p.m., February 10, 2021.

LAEKEY, Chairman

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

February 10, 2021

The JUDICIARY AND RULES Committee reports out H 27 with the recommendation that it do pass.

LAEKEY, Chairman

H 27 was filed for second reading.

February 10, 2021

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:

Ted Pulver to the Sexual Offender Management Board, term to expire January 1, 2024.

LAEKEY, 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.

February 10, 2021

The JUDICIARY AND RULES Committee reports it has had under consideration the recommendations of the Joint Publishing Committee, pursuant to Idaho Code Section 67-509, the Committee recommends the report be adopted.

LAEKEY, Chairman

The recommendations of the Joint Publishing Committee and the Judiciary and Rules Committee report were referred to the Tenth Order of Business, Motions and Resolutions.

February 9, 2021

The FINANCE Committee reports out S 1080 and S 1081 with the recommendation that they do pass.

BAIR, Chairman

S 1080 and S 1081 were filed for second reading.

February 10, 2021

The HEALTH AND WELFARE Committee reports out H 37, H 38, H 39, H 40, and S 1060 with the recommendation that they do pass.

MARTIN, Chairman

H 37, H 38, H 39, H 40, and S 1060 were filed for second reading.

February 10, 2021

The EDUCATION Committee reports out S 1046 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THAYN, Chairman

There being no objection, S 1046 was referred to the Fourteenth Order of Business, General Calendar.

February 11, 2021

The AGRICULTURAL AFFAIRS Committee reports out H 50 with the recommendation that it do pass.

BURTENSHAW, Chairman

H 50 was filed for second reading.

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

Messages from the House

February 10, 2021

Dear Madam President:

I transmit herewith H 49 and HCR 5, which have passed the House.

MAULIN, Chief Clerk

H 49 and HCR 5 were filed for first reading.

February 10, 2021

Dear Madam President:

I return herewith S 1034, which has passed the House.

MAULIN, Chief Clerk

S 1034 was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, SJM 101 retained its place on the calendar for Monday, February 15, 2021.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Elizabeth Elroy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Stennett, the Gubernatorial reappointment of Elizabeth Elroy as a member
of the Board of Environmental Quality was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1088
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO FORCIBLE ENTRY AND UNLAWFUL DETAINER; AMENDING CHAPTER 3, TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 6-303A, IDAHO CODE, TO PROVIDE CERTAIN LIMITATIONS ON FEES FOR RESIDENTIAL TENANTS AND TO PROVIDE APPLICABILITY.

S 1089
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO RAPE; AMENDING SECTION 18-6101, IDAHO CODE, TO REVISE A PROVISION REGARDING RAPE WHERE THE VICTIM IS SIXTEEN OR SEVENTEEN YEARS OF AGE; AND REPEALING SECTION 18-6107, IDAHO CODE, RELATING TO RAPE OF A SPOUSE.

S 1090
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO THE DEPARTMENT OF LANDS; AMENDING SECTION 58-120, IDAHO CODE, TO REVISE PROVISIONS REGARDING LEGAL REPRESENTATION OF THE DEPARTMENT OF LANDS.

S 1091
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL FUNDS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1092
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO MEDICAID; AMENDING SECTION 56-265, IDAHO CODE, TO PROVIDE FOR REIMBURSEMENT FOR NEW IN-STATE HOSPITALS SERVING AS MEDICAID PROVIDERS AND TO MAKE A TECHNICAL CORRECTION.

S 1093
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO PHYSICIAN ASSISTANTS; AMENDING SECTION 54-1807A, IDAHO CODE, TO PROVIDE REQUIREMENTS REGARDING PHYSICIAN ASSISTANTS WHO PRACTICE AT CERTAIN FACILITIES OR PRACTICES OR WHO OWN A MEDICAL PRACTICE.

S 1094
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL FUNDS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE HIGHWAY OPERATIONS PROGRAM FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL FUNDS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION PROGRAM FOR CAPITAL OUTLAY FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL FUNDS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR THE CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION PROGRAM FOR TRUSTEE AND BENEFIT PAYMENTS FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

HCR 5
by State Affairs Committee, was introduced, read at first time, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1024, S 1026, and S 1056, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

H 83, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1071, by Finance Committee, was read the second time at length and filed for third reading.

H 15, H 32, and H 58, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

S 1045, by Education Committee, was read the second time at length and filed for third reading.

S 1055 and S 1068, 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

S 1011, having been held, 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:


NAYS–None.

Absent and excused–Burtenshaw. Total - 1.
Whereupon the President declared **S 1011** passed, title was approved, and the bill ordered transmitted to the House.

**S 1043** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito 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–Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared **S 1043** passed, title was approved, and the bill ordered transmitted to the House.

**S 1005** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared **S 1005** passed, title was approved, and the bill ordered transmitted to the House.

**S 1010** 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?"

On request by Senator Harris, granted by unanimous consent, the following typographical correction was made to **S 1020**, pursuant to Senate Rule 9(F):

On page 2, line 2, change "purposed", to "purposes".

Roll call resulted as follows:


NAYS–Burgoyne, Nye, Stennett. Total - 3.

Absent and excused–Burtenshaw, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **S 1020** passed, title was approved, and the bill ordered transmitted to the House.

Having voted on the prevailing side by which **S 1043** passed the Senate, Senator Rice served notice that he may on this or the next legislative day move for reconsideration of the vote.

**S 1043** was ordered held at the Secretary's desk.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:19 p.m. until the hour of 10:30 a.m., Friday, February 12, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 12, 2021

February 11, 2021

The JUDICIARY AND RULES Committee reports that S 1034 has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1034 and ordered it transmitted to the House for the signature of the Speaker.

February 11, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out H 42, S 1049, and S 1057 with the recommendation that they do pass.

PATRICK, Chairman

H 42, S 1049, and S 1057 were filed for second reading.

February 12, 2021

The FINANCE Committee reports out S 1091 and S 1094 with the recommendation that they do pass.

BAIR, Chairman

S 1091 and S 1094 were filed for second reading.

February 12, 2021

The STATE AFFAIRS Committee reports out S 1047, S 1062, S 1067, S 1069, and S 1070 with the recommendation that they do pass.

LODGE, Chair

S 1047, S 1062, S 1067, S 1069, and S 1070 were filed for second reading.

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

Messages from the Governor

February 11, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on February 11, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1004

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

February 11, 2021

Dear Madam President:

I transmit herewith H 78, H 70, H 67, H 68, H 74, and H 7, which have passed the House.

MAULIN, Chief Clerk

H 78, H 70, H 67, H 68, H 74, and H 7 were filed for first reading.

February 11, 2021

Dear Madam President:

I return herewith S 1012, which has passed the House.

MAULIN, Chief Clerk

S 1012 was referred to the Judiciary and Rules Committee for enrolling.

February 11, 2021

Dear Madam President:

I transmit herewith Enrolled H 11 and H 18 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 11 and H 18 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having voted on the prevailing side and proper notice having been served, Senator Rice requested unanimous consent that the vote by which S 1043 passed the Senate be now reconsidered.

Senator Rice's request was granted by unanimous consent, and S 1043 was placed before the Senate for final consideration.

On request by Senator Rice, granted by unanimous consent, S 1043 was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Lincoln Day Service.

The Lincoln Day Program was presented to the members of the Senate with Co-chairman Senator Rabe providing opening remarks. The prayer was offered by Co-chairman Senator Rigg.

Remarks were provided by Dr. Rachel Miller, Assistant Professor of History, College of Idaho. The Hukum Hi-Flyers performed "Hop high," "Sadie at the Back Door," "Snake River Reel," "Payday," and "Going Across the Sea," with Scott Knickerbocker on the Banjo, and Travis Ward on the guitar.

Closing remarks were provided by Co-chairman Senator Rabe. She extended gratitude to all who helped with the program and the Lincoln Day Service was dissolved.

On request by Senator Anthon, 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 1095
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1304, IDAHO CODE, TO REVISE A PROVISION REGARDING BOARD MEMBER COMPENSATION.

S 1096
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO PERSI; AMENDING CHAPTER 13, TITLE 59, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 59-1352B, IDAHO CODE, TO PROVIDE FOR PUBLIC SAFETY OFFICER CATASTROPHIC LINE OF DUTY BENEFITS.

S 1097
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO TRUST DEEDS; AMENDING SECTION 45-1512, IDAHO CODE, TO PROVIDE NEW TERMS, AND TO PROVIDE REQUIREMENTS FOR HEALTH BENEFIT PLANS AND STUDENT HEALTH BENEFIT PLANS COVERING PRESCRIPTION CONTRACEPTION, AND TO PROVIDE THAT THE SECTION SHALL NOT BE CONSTRUED TO REQUIRE CERTAIN REIMBURSEMENT.

S 1098
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1853, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR HEALTH BENEFIT PLANS AND STUDENT HEALTH BENEFIT PLANS COVERING PRESCRIPTION CONTRACEPTION, AND TO PROVIDE THAT THE SECTION SHALL NOT BE CONSTRUED TO REQUIRE CERTAIN REIMBURSEMENT.

S 1099
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-236, IDAHO CODE, TO PROVIDE A PENALTY FOR CERTAIN VIOLATIONS OF A STEADY RED INDICATION.

S 1100
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO HIGHWAYS AND BRIDGES; AMENDING SECTION 40-109, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

S 1101
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO HIGHWAYS AND BRIDGES; AMENDING SECTION 40-203, IDAHO CODE, TO PROVIDE FOR VACATION OF CERTAIN RIGHTS-OF-WAY WITHOUT
COMPENSATION AND TO MAKE TECHNICAL CORRECTIONS.

S 1102
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO ELECTRONIC MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-401A, IDAHO CODE, TO REVISE PROVISIONS REGARDING MOTOR VEHICLE REGISTRATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-401C, IDAHO CODE, TO PROVIDE FOR ELECTRONIC VEHICLE CREDENTIAL PROVIDERS; AMENDING SECTION 49-504, IDAHO CODE, TO PROVIDE FOR THE RETENTION OF CERTAIN RECORDS, TO PROVIDE FOR ELECTRONIC VEHICLE CREDENTIAL PROVIDERS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-505, IDAHO CODE, TO PROVIDE FOR ELECTRONIC RECORDS OF TITLE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 49-522, IDAHO CODE, TO CLARIFY TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

S 1103
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO THE IDAHO AIR TRAVEL ENHANCEMENT PROGRAM; AMENDING CHAPTER 1, TITLE 21, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 21-143, IDAHO CODE, TO ESTABLISH THE IDAHO AIR TRAVEL ENHANCEMENT PROGRAM, TO PROVIDE FOR THE IDAHO AIR TRAVEL ENHANCEMENT PROGRAM FUND, TO PROVIDE FOR APPROPRIATED MONEYS TO BE DISTRIBUTED TO THE FUND, TO PROVIDE THAT INTEREST EARNED ON THE INVESTMENT OF IDLE MONEYS IN THE PROGRAM FUND SHALL BE PAID TO THE PROGRAM FUND, AND TO PROVIDE THAT PROGRAM FUNDS SHALL BE USED FOR THE DEVELOPMENT AND EXPANSION OF INTRASTATE COMMERCIAL AIR TRAVEL BETWEEN COMMUNITIES LOCATED IN IDAHO.

S 1104
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO RULES OF THE ROAD; AMENDING SECTION 49-614, IDAHO CODE, TO PROVIDE FOR ON-TRACK EQUIPMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-648, IDAHO CODE, TO PROVIDE FOR ON-TRACK EQUIPMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-649, IDAHO CODE, TO PROVIDE FOR ON-TRACK EQUIPMENT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 49-650, IDAHO CODE, TO PROVIDE FOR ON-TRACK EQUIPMENT AND TO MAKE TECHNICAL CORRECTIONS.

S 1105
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO BONDS AND LEVIES; AMENDING SECTION 63-803, IDAHO CODE, TO REVISE PROVISIONS REGARDING BOND AND LEVY INFORMATION TO BE PROVIDED BY TAXING UNITS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 63-902, IDAHO CODE, TO REVISE PROVISIONS REGARDING BOND AND LEVY INFORMATION ON PROPERTY TAX NOTICES AND TO PROVIDE CORRECT CODE REFERENCES.

S 1106
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6528, IDAHO CODE, TO PROVIDE THAT PLANS AND ORDINANCES SHALL NOT APPLY TO STATE AND LOCAL TRANSPORTATION SYSTEMS AND ESSENTIAL FACILITIES AND TO MAKE TECHNICAL CORRECTIONS.

S 1107
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO HIGHWAY DISTRICTS; AMENDING SECTION 40-1415, IDAHO CODE, TO PROVIDE FOR AGREEMENTS REGARDING CERTAIN FINANCIAL RESPONSIBILITY FOR URBAN RENEWAL PROJECTS AND TO MAKE TECHNICAL CORRECTIONS.

S 1108
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO TAXING DISTRICT BUDGETS; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE LIMITATION ON TAXING DISTRICT BUDGET REQUESTS.

S 1109
BY EDUCATION COMMITTEE
AN ACT
RELATING TO WORKFORCE DEVELOPMENT; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-138, IDAHO CODE, TO ESTABLISH AN IDAHO PROMISE MENTOR PROGRAM.

S 1110
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO BALLOT INITIATIVES AND REFERENDUM; AMENDING SECTION 34-1805, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE NUMBER OF SIGNATURES REQUIRED TO SIGN A PETITION AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1095, S 1096, S 1097, S 1098, S 1099, S 1100, S 1101, S 1102, S 1103, S 1104, S 1105, S 1106, S 1107, S 1108, S 1109, and S 1110 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 78, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.
H 70, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 67 and H 68, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 74, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 7, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 27, by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

S 1080 and S 1081, by Finance Committee, were read the second time at length and filed for third reading.

H 37, H 38, H 39, and H 40, by Health and Welfare Committee, were read the second time at length and filed for third reading.

S 1060, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 50, by Agricultural Affairs 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 Anthon, granted by unanimous consent, H 58 was placed before the Senate for consideration at this time.

H 58 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:


NAYS--None.


Total - 35.

Whereupon the President declared H 58 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 10:30 a.m., Monday, February 15, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
The President signed Enrolled **S 1012** and ordered it transmitted to the House for the signature of the Speaker.

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

**Messages from the House**

February 12, 2021

Dear Madam President:

I transmit herewith **H 109, H 114**, and **H 95**, which have passed the House.

MAULIN, Chief Clerk

**H 109, H 114**, and **H 95** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

**Motions and Resolutions**

Having been held, the President announced that **SJM 101** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Zito, seconded by Senator Burgoyne, **SJM 101** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that **SCR 105** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Woodward, seconded by Senator Stennett, **SCR 105** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that **SJM 102** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Vick, seconded by President Pro Tempore Winder, **SJM 102** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that **SCR 106** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On request by Senator Anthon, granted by unanimous consent, **SCR 106** retained its place on the calendar for Thursday, February 18, 2021.

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

**Messages from the Governor**

February 15, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Jeff Siddoway of Terreton, Idaho, to the office of Acting State Senator for Legislative District 35, Jefferson County, State of Idaho.
This appointment is effective February 15, 2021, and will continue until for as long as necessary.

Sincerely,
/s/ Brad Little
Governor
THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, Idaho Code, Van Burtneshaw, State Senator, District 35, Jefferson County, State of Idaho, has nominated Jeff Siddoway of Terreton, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 35, Jefferson County, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Jeff Siddoway of Terreton, Idaho to the office of Acting State Senator, District 35, for a term commencing Monday, February 15, 2021, and will continue for as long as necessary.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Fifteenth day of February, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America, the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE

/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Siddoway, and he was recorded present at this order of business.

On request by Senator Anthon, 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 109 and H 114, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 95, by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

H 42, by Business Committee, was read the second time at length and filed for third reading.

S 1049 and S 1057, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

S 1091 and S 1094, by Finance Committee, were read the second time at length and filed for third reading.

S 1047, S 1062, S 1067, S 1069, and S 1070, 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**

On request by Senator Anthon, granted by unanimous consent, S 1024, S 1026, and S 1056 retained their place on the Third Reading Calendar for one legislative day.

S 1071 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 1071 passed, title was approved, and the bill ordered transmitted to the House.

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

**Reading of Communications**

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

**Petitions, Resolutions, and Memorials**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:55 a.m. until the hour of 4:30 p.m. of this day.

**RECESS**

**AFTERNOON SESSION**

The Senate reconvened at 4:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Grow and Harris, 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**

The STATE AFFAIRS Committee reports out S 1085 with the recommendation that it do pass.

LODGE, Chair

S 1085 was filed for second reading.

February 15, 2021

The FINANCE Committee reports out H 114 and H 109 with the recommendation that they do pass.

BAIR, Chairman
H 114 and H 109 were filed for second reading.

February 15, 2021

The JUDICIARY AND RULES Committee reports out S 1035 and S 1076 with the recommendation that they do pass.

LAKEY, Chairman

S 1035 and S 1076 were filed for second reading.

February 15, 2021

The RESOURCES AND ENVIRONMENT Committee reports out S 1072, S 1073, S 1074, and SCR 104 with the recommendation that they do pass.

VICK, Chairman

S 1072, S 1073, and S 1074 were filed for second reading.

SCR 104 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 15, 2021

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

Tammy Overacker to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 2023.

VICK, 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 Anthon, 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 1111

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 50-707A, IDAHO CODE, TO REVISE PROVISIONS REGARDING CITY COUNCIL ELECTIONS BY DISTRICT; AND DECLARING AN EMERGENCY.

S 1112

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE LEGISLATURE; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-465, IDAHO CODE, TO PROVIDE CERTAIN REQUIREMENTS FOR A SPECIAL SESSION CONVENED BY THE LEGISLATURE.

S 1113

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO HIGHWAYS AND BRIDGES; AMENDING SECTION 40-511, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM STOPPING AND INSPECTION FOR PRIVATELY OWNED, NONCOMMERCIAL VEHICLES AND TO MAKE TECHNICAL CORRECTIONS.

S 1114

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1636, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE THAT CERTAIN FUNDS SHALL BE ALLOCATED FOR A TECHNOLOGY-BASED PROGRAM FOR KINDERGARTEN THROUGH GRADE 3 STUDENTS, TO PROVIDE FOR A CERTAIN CONTRACT, TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION MAY ESTABLISH ELIGIBILITY CRITERIA, AND TO PROVIDE FOR CERTAIN REPORTS.

S 1115

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-5209A, IDAHO CODE, TO REMOVE PROVISIONS REGARDING A PERFORMANCE FRAMEWORK; AND AMENDING SECTION 33-5213, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PUBLIC CHARTER SCHOOL COMMISSION.

S 1116

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-205, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXPULSION OF OR DENIAL OF ENROLLMENT TO STUDENTS WHO POSSESS CERTAIN WEAPONS ON SCHOOL PROPERTY, TO DEFINE TERMS, AND TO MAKE TECHNICAL CORRECTIONS.

S 1117

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE QUALITY EDUCATOR LOAN ASSISTANCE PROGRAM; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 64, TITLE 33, IDAHO CODE, TO ESTABLISH THE QUALITY EDUCATOR LOAN ASSISTANCE PROGRAM AND TO PROVIDE RULEMAKING AUTHORITY, TO DEFINE TERMS, TO PROVIDE DUTIES OF THE STATE BOARD OF EDUCATION AND STATE DEPARTMENT OF EDUCATION REGARDING CRITICAL QUALITY EDUCATOR SHORTAGES, TO PROVIDE LOAN REPAYMENT ASSISTANCE AND ELIGIBILITY AND AWARD CRITERIA, AND TO PROVIDE FOR AWARD PROTOCOLS AND STATUTORY CONSTRUCTION; AND PROVIDING SEVERABILITY.

S 1118

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-2503, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE A LIMITATION ON CERTAIN COVERAGE, TO PROVIDE CERTAIN RULEMAKING AUTHORITY, AND TO MAKE TECHNICAL CORRECTIONS.

S 1119

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO UNCLAIMED PROPERTY; AMENDING SECTION 55-403, IDAHO CODE, TO REVISE PROVISIONS
REGARDING ABANDONED OR UNCLAIMED PROPERTY IN POSSESSION OF A SHERIFF OR CITY POLICE DEPARTMENT AND TO MAKE TECHNICAL CORRECTIONS.

S 1120
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO PEACE OFFICERS; AMENDING TITLE 44, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 28, TITLE 44, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR COLLECTIVE BARGAINING RIGHTS OF PEACE OFFICERS, TO PROVIDE FOR EXCLUSIVE BARGAINING AGENTS, TO ESTABLISH PROVISIONS REGARDING NEGOTIATIONS AND COLLECTIVE BARGAINING AGREEMENTS, TO PROVIDE FOR SUBMISSION OF CERTAIN ISSUES TO FACT-FINDING, TO PROVIDE FOR APPOINTMENT OF A FACT-FINDING COMMISSION, TO PROVIDE FOR CONTRACTS BETWEEN PEACE OFFICERS AND PUBLIC EMPLOYERS, TO ESTABLISH PROVISIONS REGARDING REQUESTS TO BARGAIN AND TO PROVIDE FOR MATTERS REQUIRING APPROPRIATION, TO ESTABLISH FACT-FINDING PROCEDURES, TO PROVIDE FOR FACT-FINDING RECOMMENDATIONS, TO PROHIBIT STRIKES DURING CONTRACTS, AND TO PROVIDE FOR EXISTING BARGAINING RELATIONSHIPS.

S 1121
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER MANAGEMENT FUND; AND DECLARING AN EMERGENCY.

S 1122
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO SOIL CONSERVATION; AMENDING THE HEADING FOR CHAPTER 27, TITLE 22, IDAHO CODE; AMENDING SECTION 22-2715, IDAHO CODE, TO REVISE THE SHORT TITLE; AMENDING SECTION 22-2716, IDAHO CODE, TO REVISE REFERENCES TO SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2717, IDAHO CODE, TO REVISE AND REMOVE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2718, IDAHO CODE, TO REVISE REFERENCES TO SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION, TO REMOVE PROVISIONS REGARDING THE IDAHO ONEPLAN, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-2719, IDAHO CODE, TO REVISE REFERENCES TO SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-2720, IDAHO CODE, TO REVISE REFERENCES TO THE STATE SOIL AND WATER CONSERVATION COMMISSION; AMENDING SECTION 22-2721, IDAHO CODE, TO REVISE REFERENCES TO SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTIONS 22-2722, 22-2725, 22-2726, 22-2727, 22-2730, 22-2731, 22-2732, 22-2733, 22-2734, 22-2735, 36-2404, 38-1306, AND 39-3601, IDAHO CODE, TO REVISE REFERENCES TO SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION; AMENDING SECTION 39-3602, IDAHO CODE, TO REVISE AND REMOVE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTIONS 39-6609, 42-3703, 42-3705, 42-3706, AND 42-3707, IDAHO CODE, TO REVISE REFERENCES TO SOIL CONSERVATION DISTRICTS AND THE STATE SOIL AND WATER CONSERVATION COMMISSION; AMENDING SECTION 42-3717, IDAHO CODE, TO REVISE REFERENCES TO THE STATE SOIL AND WATER CONSERVATION COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-36220, IDAHO CODE, TO REVISE A REFERENCE TO A SOIL CONSERVATION DISTRICT; AMENDING SECTION 67-818, IDAHO CODE, TO REVISE A REFERENCE TO THE STATE SOIL AND WATER CONSERVATION COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 74-108, TO REVISE A REFERENCE TO A SOIL CONSERVATION DISTRICT.

S 1123
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO LAVA HOT SPRINGS; AMENDING SECTION 67-4405, IDAHO CODE, TO PROVIDE THAT MONEYS IN THE LAVA HOT SPRINGS FOUNDATION FUND SHALL BE CONTINUOUSLY APPROPRIATED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-4408, IDAHO CODE, TO PROVIDE FOR CONTINUOUS APPROPRIATION FOR OPERATION WHEN NOT LEASED, TO REVISE A CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-4409, IDAHO CODE, TO PROVIDE THAT THE LAVA HOT SPRINGS CAPITAL IMPROVEMENT ACCOUNT SHALL BE CONTINUOUSLY APPROPRIATED AND TO MAKE TECHNICAL CORRECTIONS.

S 1124
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO INSURANCE; AMENDING SECTION 41-1849, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTRACTS WITH PROVIDERS OF DENTAL SERVICES; AND AMENDING SECTION 41-3444, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTRACTS WITH PROVIDERS OF DENTAL SERVICES.

S 1125
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO HEALTH; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 97, TITLE 39, IDAHO CODE, TO PROVIDE A DECLARATION OF POLICY AND INTENT, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING RECOGNIZED
STATE CRISIS CARE AND SUICIDE HOTLINES, TO PROVIDE FOR MOBILE RESPONSE TEAMS, TO PROVIDE FOR A SUICIDE AND MENTAL HEALTH CRISIS ACCESS FUND, TO PROVIDE FOR A SUICIDE AND MENTAL HEALTH CRISIS ACCESS FEE, TO PROVIDE FOR USE OF THE FEE, TO PROVIDE AUDITING AND REPORTING REQUIREMENTS, AND TO PROVIDE A FEE IMPLEMENTATION DEADLINE.

S 1126
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO VIRTUAL CARE ACCESS; AMENDING THE HEADING FOR CHAPTER 57, TITLE 54, IDAHO CODE; AMENDING SECTION 54-5701, IDAHO CODE, TO PROVIDE FOR THE IDAHO VIRTUAL CARE ACCESS ACT; AMENDING SECTION 54-5702, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 54-5703, IDAHO CODE, RELATING TO DEFINITIONS; AMENDING CHAPTER 57, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5703, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 54-5704, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE AND TO PROVIDE FOR PROVIDER-PATIENT RELATIONSHIPS; AMENDING CHAPTER 57, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5705, IDAHO CODE, TO PROVIDE FOR PROVIDER-PATIENT RELATIONSHIPS; AMENDING SECTION 54-5706, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE AND TO PROVIDE FOR CERTAIN EVALUATIONS AND PROCEDURES; AMENDING SECTION 54-5707, IDAHO CODE, TO PROVIDE FOR CERTAIN PRESCRIPTIONS TO BE ISSUED THROUGH VIRTUAL CARE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5708, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE, AMENDING SECTION 54-5709, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE; AMENDING SECTION 54-5710, IDAHO CODE, TO REMOVE UNNECESSARY VERBIAGE; AMENDING SECTION 54-5711, IDAHO CODE, TO PROVIDE FOR CERTAIN MEDICAL RECORD REQUIREMENTS REGARDING VIRTUAL CARE; AMENDING SECTION 54-5712, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE, TO ESTABLISH CERTAIN PROVISIONS REGARDING VENUE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5713, IDAHO CODE, TO PROVIDE FOR VIRTUAL CARE AND TO PROVIDE FOR CERTAIN RULEMAKING AUTHORITY; AND AMENDING CHAPTER 57, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-5714, IDAHO CODE, TO ESTABLISH A VIRTUAL CARE ADVISORY BOARD.

S 1127
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO TELEHEALTH; AMENDING SECTION 54-5705, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ESTABLISHMENT OF A PROVIDER-PATIENT RELATIONSHIP.

S 1128
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO NATUROPATHIC PRACTITIONER LICENSING; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 59, TITLE 54, IDAHO CODE, TO PROVIDE A DECLARATION OF POLICY, TO DEFINE TERMS, TO ESTABLISH A BOARD OF NATUROPATHIC HEALTH CARE, TO PROVIDE FOR BOARD DUTIES AND POWERS, TO PROVIDE FOR CERTAIN FEES, TO ESTABLISH LICENSE REQUIREMENTS, TO PROVIDE FOR CERTAIN EXEMPTIONS FROM LICENSURE, TO PROVIDE FOR LICENSE RENEWAL AND REINSTATEMENT, TO ESTABLISH VIOLATIONS, TO PROVIDE FOR SUSPENSION AND REVOCATION, TO ESTABLISH CERTAIN IMMUNITY, TO PROVIDE FOR COMPLIANCE WITH PUBLIC HEALTH LAW, AND TO ESTABLISH A FORMULARY COMMITTEE.

S 1111, S 1112, S 1113, S 1114, S 1115, S 1116, S 1117, S 1118, S 1119, S 1120, S 1121, S 1122, S 1123, S 1124, S 1125, S 1126, S 1127, and S 1128 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business
On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:01 p.m. until the hour of 10:30 a.m., Tuesday, February 16, 2021.

JANICE MCGEACHIN, President
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 16, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and Senator Grow, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Hana Pfriiffer, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 15, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 16, 2021

The JUDICIARY AND RULES Committee reports that S 1111, S 1112, S 1113, S 1114, S 1115, S 1116, S 1117, S 1118, S 1119, S 1120, S 1121, S 1122, S 1123, S 1124, S 1125, S 1126, S 1127, and S 1128 have been correctly printed.

LAKEY, Chairman

S 1111 and S 1112 were referred to the State Affairs Committee.

S 1113 was referred to the Transportation Committee.

S 1114 and S 1115 were referred to the Education Committee.

S 1116 was referred to the State Affairs Committee.

S 1117 was referred to the Education Committee.

S 1118 was referred to the Commerce and Human Resources Committee.

S 1119 and S 1120 were referred to the Judiciary and Rules Committee.

S 1121 was referred to the Finance Committee.

S 1122 was referred to the Agricultural Affairs Committee.

S 1123 was referred to the Resources and Environment Committee.

S 1124 was referred to the Commerce and Human Resources Committee.

S 1125, S 1126, and S 1127 were referred to the Health and Welfare Committee.

S 1128 was referred to the Commerce and Human Resources Committee.

February 16, 2021

The AGRICULTURAL AFFAIRS Committee reports out S 1079 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BAYER, Vice Chair

There being no objection, S 1079 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the Governor

February 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that John Dinger of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2021, and expiring January 1, 2024.

This reappointment 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.

February 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Melissa Hultberg of Meridian, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2021, and expiring January 1, 2024.

This reappointment 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.

February 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Moira Lynch of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2021, and expiring January 1, 2024.

This appointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

February 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Jefferson McCray of Burley, Idaho, was appointed as a member of the State Tax Commission to serve a term commencing October 13, 2020, and expiring April 26, 2025.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

February 12, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Evelyn Johnson of Boise, Idaho, was appointed as a member of the Idaho Commission on Human Rights to serve a term commencing March 4, 2020, and expiring July 1, 2020.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 15, 2021

Dear Madam President:

I transmit herewith H 73, H 106, and H 117, which have passed the House.

MAULIN, Chief Clerk

H 73, H 106, and H 117 were filed for first reading.

February 15, 2021

Dear Madam President:

I return herewith Enrolled S 1034, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1034 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, 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 73, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 106, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 117, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1085, by State Affairs Committee, was read the second time at length and filed for third reading.

H 114 and H 109, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1035 and S 1076, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1072, S 1073, and S 1074, by Resources and Environment 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**

Having been held, **S 1024** 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:


Absent and excused–Bair, Grow. Total - 2.

Total - 35.

Whereupon the President declared **S 1024** passed, title was approved, and the bill ordered transmitted to the House.

Having been held, **S 1026** 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:


Absent and excused–Bair, Grow. Total - 2.

Total - 35.

Whereupon the President declared **S 1026** passed, title was approved, and the bill ordered transmitted to the House.

Having been held, **S 1056** 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:


Absent and excused–Bair, Grow. Total - 2.

Total - 35.

Whereupon the President declared **S 1056** passed, title was approved, and the bill ordered transmitted to the House.

**S 1055** 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–Burgoyne. Total - 1.

Absent and excused–Bair. Total - 1.

Total - 35.

Whereupon the President declared **S 1055** passed, title was approved, and the bill ordered transmitted to the House.

**S 1068** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Johnson, Martin, Rice, Riggs, Siddoway (Burtenshaw), Wintrow, Zito. Total - 8.

Absent and excused–Bair. Total - 1.

Total - 35.

Whereupon the President declared **S 1068** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

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

Roll call resulted as follows:


Absent and excused–Bair. Total - 1.

Total - 35.
Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:19 p.m. until the hour of 10:30 a.m., Wednesday, February 17, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THIRTY-EIGHTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 17, 2021

President McGeachin called the Senate to order at 10:30 a.m.
Roll call showed all members present except Senator Bair,
absent and formally excused by the Chair.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Jaxon Griffin, Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 16, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 16, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1034 was delivered to the Office of the Governor at 2:40 p.m., February 16, 2021.

LAKEY, Chairman

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

February 16, 2021

The FINANCE Committee reports out S 1121 with the recommendation that it do pass.

BAIR, Chairman

S 1121 was filed for second reading.

February 16, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1051, S 1083, S 1084, and S 1095 with the recommendation that they do pass.

PATRICK, Chairman

S 1051, S 1083, S 1084, and S 1095 were filed for second reading.

February 16, 2021

The HEALTH AND WELFARE Committee reports out H 74 and S 1093 with the recommendation that they do pass.

MARTIN, Chairman

H 74 and S 1093 were filed for second reading.

February 16, 2021

The EDUCATION Committee reports out H 67, H 68, and S 1075 with the recommendation that they do pass.

THAYN, Chairman

H 67, H 68, and S 1075 were filed for second reading.

February 17, 2021

The FINANCE Committee reports out H 117 with the recommendation that it do pass.

BAIR, Chairman

H 117 was filed for second reading.

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

Messages from the Governor

February 16, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Julie Van Orden of Pingree, Idaho, to the office of Acting State Senator for Legislative District 31, Bingham County, State of Idaho.

This appointment is effective Wednesday, February 17, 2021, and will continue for as long as necessary.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, Idaho Code, Steve Bair, State Senator, District 31, Bingham County, State of Idaho, has nominated Julie Van Orden of Pingree, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 31, Bingham County, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Julie Van Orden of Pingree, Idaho to the office of State Senator, District 31, State of Idaho, for a term commencing Wednesday, February 17, 2021, and will continue for as long as necessary.
IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of the State of Idaho at the Capitol in Boise on this Sixteenth day of February, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America, the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE  
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 16, 2021

Dear Madam President:

I transmit herewith H 135, which has passed the House.

MAULIN, Chief Clerk

H 135 was filed for first reading.

February 16, 2021

Dear Madam President:

I transmit herewith Enrolled H 58 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 58 and ordered it returned to the House.

February 16, 2021

Dear Madam President:

I return herewith Enrolled S 1012, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1012 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, 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 135, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

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

Third Reading of Bills

S 1080 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs 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–Bair. Total - 1.

Total - 35.

Whereupon the President declared S 1080 passed, title was approved, and the bill ordered transmitted to the House.

S 1081 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:


Absent and excused–Bair. Total - 1.

Total - 35.

Whereupon the President declared S 1081 passed, title was approved, and the bill ordered transmitted to the House.

S 1060 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Burgoyne. Total - 1.

Absent and excused–Bair, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared S 1060 passed, title was approved, and the bill ordered transmitted to the House.

S 1049 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Bair. Total - 1.

Total - 35.
Whereupon the President declared S 1049 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, S 1057 retained its place on the Third Reading Calendar for Friday, February 19, 2021.

S 1091 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Bair. Total - 1.

Total - 35.

Whereupon the President declared S 1091 passed, title was approved, and the bill ordered transmitted to the House.

S 1094 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:


NAYS–None.

Absent and excused–Bair. Total - 1.

Total - 35.

Whereupon the President declared S 1094 passed, title was approved, and the bill ordered transmitted to the House.

S 1047 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Bair. Total - 1.

Total - 35.
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 18, 2021

Senate Chamber
President McGeachin called the Senate to order at 10:30 a.m.
Roll call showed all members present.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Hannah Stephenson, Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal
The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 17, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees
February 18, 2021
The JUDICIARY AND RULES Committee reports that Enrolled S 1012 was delivered to the Office of the Governor at 1:03 p.m., February 17, 2021.

LAKEY, Chairman

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

February 17, 2021
The RESOURCES AND ENVIRONMENT Committee reports out H 23 and H 24 with the recommendation that they do pass.

VICK, Chairman

H 23 and H 24 were filed for second reading.

February 17, 2021
The JUDICIARY AND RULES Committee reports out S 1078 with the recommendation that it do pass.

LAKEY, Chairman

S 1078 was filed for second reading.

SENATE JOURNAL
February 18, 2021

The JUDICIARY AND RULES Committee reports out S 1088 and S 1089 with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, S 1088 and S 1089 were referred to the Fourteenth Order of Business, General Calendar.

February 17, 2021
The STATE AFFAIRS Committee reports out HJR 1, S 1063, S 1065, and S 1112 with the recommendation that they do pass.

LODGE, Chair

HJR 1, S 1063, S 1065, and S 1112 were filed for second reading.

February 17, 2021
The LOCAL GOVERNMENT AND TAXATION Committee reports out S 1058 with the recommendation that it do pass.

RICE, Chairman

S 1058 was filed for second reading.

February 18, 2021
The TRANSPORTATION Committee reports out HCR 3, H 5, and S 1104 with the recommendation that they do pass.

DEN HARTOG, Chair

HCR 3 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

H 5 and S 1104 were filed for second reading.

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

Messages from the Governor
February 17, 2021
The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on February 17, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1034

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

February 17, 2021

Dear Madam President:

I transmit herewith H 123, H 134, H 91, H 93, and H 79, which have passed the House.

MAULIN, Chief Clerk

H 123, H 134, H 91, H 93, and H 79 were filed for first reading.

On request by Senator Anthon, 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 1129

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE INSURANCE; AMENDING SECTION 41-2503, IDAHO CODE, TO PROVIDE THAT CERTAIN POLICIES SHALL BE CONSTRUED TO PROVIDE COVERAGE IN EXCESS OF THE LIABILITY COVERAGE OF ANY UNDERSERVED MOTOR VEHICLE INVOLVED IN AN ACCIDENT.

S 1130

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO BURGLARY; AMENDING SECTION 18-1401, IDAHO CODE, TO REVISE THE DEFINITION OF "BURGLARY"; AND AMENDING SECTION 18-1401A, IDAHO CODE, TO REVISE THE DEFINITION OF "COMMERCIAL BURGLARY."

S 1131

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO GARNISHMENT; AMENDING SECTION 11-703, IDAHO CODE, TO REVISE PROVISIONS REGARDING GARNISHMENT SEARCH FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 11-710, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN FINANCIAL INSTITUTION FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 11-714, IDAHO CODE, TO REVISE PROVISIONS REGARDING FINANCIAL INSTITUTION OBLIGATIONS WHEN SERVED WITH A WRIT OF GARNISHMENT; AND AMENDING SECTION 11-720, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ANSWER OF A GARNISHEE.

S 1129, S 1130, and S 1131 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 123 and H 134, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 91 and H 93, by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 79, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1121, by Finance Committee, was read the second time at length and filed for third reading.

S 1051, S 1083, S 1084, and S 1095, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

H 74, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1093, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 67 and H 68, by Education Committee, were read the second time at length and filed for third reading.

S 1075, by Education Committee, was read the second time at length and filed for third reading.

H 117, by Appropriations Committee, was read the second time at length and filed for third reading.

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

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee 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 Lee, Chair of the Committee of the Whole, reported out S 1014, S 1042, S 1053, S 1043, and S 1079, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1014

AMENDMENT TO SECTION 5

On page 6 of the printed bill, delete lines 16 through 27, and insert: "shall collect any attorney's fees or litigation costs unless such attorney's fees or litigation costs are reasonable, are for actual attorney services performed, and are limited to those costs actually incurred."

SENATE AMENDMENT TO S 1042

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 38, delete "issuing" and insert: "receiving responses to".

On page 2, in line 4, following "longevity;" insert: "past performance;"; in line 8, following "Select" insert: "for negotiation"; in line 9, delete "to pro-" and insert: ";"; and delete line 10.
SENATE AMENDMENT TO S 1053
AMENDMENT TO SECTION 2
On page 4 of the printed bill, delete lines 10 and 11, and insert:
"(f) Credit unions may become members of other Idaho credit unions for the purposes provided in section 26-2120, Idaho Code."

SENATE AMENDMENT TO S 1043
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 41, delete ",", and in line 42, delete "in executive session."
On page 2, in line 3, following "charge." insert:
"Notwithstanding the provisions of sections 74-205 and 74-206, Idaho Code, a decision to expel or to deny enrollment of a student may be made in executive session, and the student shall not be named in the minutes of the meeting. A record of the decision shall be placed in the student's educational record and in the official records of the board."

CORRECTION TO TITLE
On page 1, delete lines 3 and 4, and insert: "CERTAIN DECISIONS AND FINDINGS SHALL BE MADE IN"

SENATE AMENDMENT TO S 1079
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 24, delete ", loan,"

The Committee also has S 1046 under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

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

S 1014, as amended, S 1042, as amended, S 1053, as amended, S 1043, as amended, and S 1079, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Motions and Resolutions
The President announced that SCR 106, having previously been read at length and debate having previously been opened, was before the Senate for final consideration. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

Whereupon the President declared SCR 106 adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that SCR 104 was before the Senate for final consideration.

Moved by Acting Senator Siddoway, seconded by Senator Harris, that SCR 104 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

Whereupon the President declared SCR 104 adopted, title was approved, and the resolution ordered transmitted to the House.

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

On motion by Senator Thayn, seconded by Senator Burgoyne, the Gubernatorial appointment of Ted Pulver as a member of the Sexual Offender Management Board was confirmed by voice vote.

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

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Tammy Overacker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Rabe, the Gubernatorial appointment of Tammy Overacker as a member of the Idaho Outfitters and Guides Licensing Board was confirmed by voice vote.

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

The President announced that the Judiciary and Rules Committee report relative to the Joint Printing Committee's recommendations was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Burgoyne, the recommendation's of the Joint Printing Committee was adopted by voice vote, and ordered transmitted to the House.

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

Third Reading of Bills
S 1067 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


Whereupon the President declared S 1067 passed, title was approved, and the bill ordered transmitted to the House.

S 1069 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1069 passed, title was approved, and the bill ordered transmitted to the House.

S 1070 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1070 passed, title was approved, and the bill ordered transmitted to the House.

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

Reports of Standing Committees

February 18, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1014, S 1042, S 1053, S 1043, and S 1079 have been correctly printed.

LAKEY, Chairman

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

February 18, 2021

The JUDICIARY AND RULES Committee reports that S 1014, as amended, S 1042, as amended, S 1053, as amended, S 1043, as amended, and S 1079, as amended, have been correctly engrossed.

LAKEY, Chairman
President McGeachin called the Senate to order at 10:30 a.m.
Roll call showed all members present.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Jaylee Harris, Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 18, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 19, 2021

The JUDICIARY AND RULES Committee reports that S 1129, S 1130, and S 1131 have been correctly printed.

LAKEY, Chairman

S 1129 was referred to the Commerce and Human Resources Committee.

S 1130 and S 1131 were referred to the Judiciary and Rules Committee.

February 18, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out H 78, S 1082, S 1096, and S 1124 with the recommendation that they do pass.

PATRICK, Chairman

H 78, S 1082, S 1096, and S 1124 were filed for second reading.

February 18, 2021

The TRANSPORTATION Committee reports out H 49, S 1100, and S 1101 with the recommendation that they do pass.

DEN HARTOG, Chair

H 49, S 1100, and S 1101 were filed for second reading.

February 18, 2021

The EDUCATION Committee reports out S 1109 with the recommendation that it do pass.

THAYN, Chairman

S 1109 was filed for second reading.

February 18, 2021

The EDUCATION Committee reports out H 22 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THAYN, Chairman

S 1108 was filed for second reading.

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

Messages from the Governor

February 18, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on February 18, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1012

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

February 18, 2021

Dear Madam President:

I transmit herewith H 80, H 81, H 41, H 94, H 96, HCR 7, H 119, H 75, H 115, and HCR 6, which have passed the House.

MAULIN, Chief Clerk

H 80, H 81, H 41, H 94, H 96, HCR 7, H 119, H 75, H 115, and HCR 6 were filed for first reading.
February 18, 2021

Dear Madam President:

I return herewith S 1017, SCR 102, S 1036, S 1037, and S 1071, which have passed the House.

MAULIN, Chief Clerk

S 1017, SCR 102, S 1036, S 1037, and S 1071 were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Anthon, 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 1132
BY STATE AFFAIRS COMMITTEE

AN ACT
RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-202, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGES RECORDS; AMENDING SECTION 49-203, IDAHO CODE, TO PROVIDE FOR NONDISCLOSURE OF CERTAIN DRIVING AUTHORIZATION CARD INFORMATION; AMENDING SECTION 49-301, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-303, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-304, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS AND TO PROVIDE THAT A PERSON WITHOUT A SOCIAL SECURITY NUMBER MAY APPLY FOR A DRIVING AUTHORIZATION CARD; AMENDING SECTION 49-307, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING CHAPTER 3, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-307B, IDAHO CODE, TO DEFINE TERMS, TO AUTHORIZE THE DEPARTMENT TO ISSUE DRIVING AUTHORIZATION CARDS TO CERTAIN INDIVIDUALS, TO PROVIDE ELIGIBILITY REQUIREMENTS, TO PROVIDE CRITERIA FOR DRIVING AUTHORIZATION CARDS, AND TO PROVIDE LIMITATIONS; AMENDING SECTION 49-313, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-315, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-316, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-317, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-318, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-320, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-321, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-322, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-326, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-327, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-328, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS; AMENDING SECTION 49-331, IDAHO CODE, TO PROVIDE FOR DRIVING AUTHORIZATION CARDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-1208, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGES; AMENDING SECTION 18-8002, IDAHO CODE, TO PROVIDE FOR CERTAIN SUSPENSION OF DRIVING PRIVILEGES; AND PROVIDING AN EFFECTIVE DATE.

S 1133
BY STATE AFFAIRS COMMITTEE

AN ACT
RELATING TO GUARDIANS OF MINORS; AMENDING SECTION 15-5-207, IDAHO CODE, TO LIMIT THE TIME DURING WHICH A TEMPORARY GUARDIANSHIP MAY BE EXTENDED, TO PROVIDE THAT A COURT MUST TAKE APPROPRIATE ACTION PRIOR TO THE END OF AN EXTENSION PERIOD, AND TO PROVIDE THAT NO TEMPORARY GUARDIANSHIP MAY LAST LONGER THAN TWELVE MONTHS IN TOTAL.

S 1132 and S 1133 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 80 and H 81, by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 41, by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 94 and H 96, by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

HCR 7, by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 119, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 75, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 115, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

HCR 6, by Health and Welfare Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 23 and H 24, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

S 1078, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

HJR 1, by State Affairs Committee, was read the second time at length and filed for third reading.
S 1063, S 1065, and S 1112, by State Affairs Committee, were read the second time at length and filed for third reading.

S 1058, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

H 5, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

S 1104, by Transportation Committee, was read the second time at length and filed for third reading.

S 1014, as amended, and S 1042, as amended, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

S 1053, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1043, as amended, by Education Committee, was read the second time at length and filed for third reading.

S 1079, as amended, by Agricultural Affairs 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 Anthon, granted by unanimous consent, S 1085 was placed at the head of the Third Reading Calendar, followed by H 42, followed by Senate Bills, followed by House bills.

On request by Senator Burgoyne, granted by unanimous consent, S 1057 was recommitted to the Commerce and Human Resources Committee.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:15 a.m. until the hour of 10 a.m., Monday, February 22, 2021.

JANICE MCGEACHIN, President
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FORTY-THIRD LEGISLATIVE DAY
MONDAY, FEBRUARY 22, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except President Pro Tempore Winder, Senators Harris, Lodge, Ricks, and Wintrow, and Acting Senator Siddoway, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Charlotte Brockman, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 19, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 22, 2021

The JUDICIARY AND RULES Committee reports that S 1132 and S 1133 have been correctly printed.

LAKEY, Chairman

S 1132 was referred to the Transportation Committee.

S 1133 was referred to the Judiciary and Rules Committee.

February 22, 2021

The JUDICIARY AND RULES Committee reports that S 1017, SCR 102, S 1036, S 1037, and S 1071 have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1017, SCR 102, S 1036, S 1037, and S 1071 and ordered them transmitted to the House for the signature of the Speaker.

Senator Wintrow was recorded present at this order of business.

February 22, 2021

The FINANCE Committee reports out H 123 and H 134 with the recommendation that they do pass.

AGENBROAD, Vice Chairman

H 123 and H 134 were filed for second reading.

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

Messages from the House

February 19, 2021

Dear Madam President:

I transmit herewith H 176 and H 85, which have passed the House.

MAULIN, Chief Clerk

H 176 and H 85 were filed for first reading.

On request by Senator Anthon, 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 176, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 85, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Ricks was recorded present at this order of business.

H 78, by Business Committee, was read the second time at length and filed for third reading.

S 1082 and S 1096, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

S 1124, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 49, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

S 1100 and S 1101, by Transportation Committee, were read the second time at length and filed for third reading.

S 1109, by Education Committee, was read the second time at length and filed for third reading.

S 1108, by Local Government and Taxation 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 Anthon, granted by unanimous consent, S 1085 retained its place on the Third Reading Calendar.

H 42 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Winder. Total - 1.

Total - 35.

Whereupon the President declared S 1072 passed, title was approved, and the bill ordered transmitted to the House.

S 1072 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Winder. Total - 1.

Total - 35.

Whereupon the President declared S 1073 passed, title was approved, and the bill ordered transmitted to the House.

S 1073 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Winder. Total - 1.

Total - 35.

Whereupon the President declared S 1074 passed, title was approved, and the bill ordered transmitted to the House.

S 1074 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie 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 1074 passed, title was approved, and the bill ordered transmitted to the House.

S 1121 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent 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 and Acting Senator Van Orden disclosed a possible conflict of interest under applicable law.
Roll call resulted as follows:


NAYS–Wintrow. Total - 1.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1121 passed, title was approved, and the bill ordered transmitted to the House.

S 1051 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie 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 1051 passed, title was approved, and the bill ordered transmitted to the House.

S 1083 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1083 passed, title was approved, and the bill ordered transmitted to the House.

S 1084 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 declared S 1084 passed, title was approved, and the bill ordered transmitted to the House.

S 1095 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 declared S 1095 passed, title was approved, and the bill ordered transmitted to the House.

S 1093 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1093 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, S 10755 retained its place on the Third Reading Calendar for Wednesday, February 24, 2021.

S 1078 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 President declared S 1078 passed, title was approved, and the bill ordered transmitted to the House.

S 1063 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1063 passed, title was approved, and the bill ordered transmitted to the House.
S 1065 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1065 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, S 1113 retained its place on the Third Reading Calendar for Wednesday, February 24, 2021.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 10 a.m., Tuesday, February 23, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FORTY-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 23, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Rice and Stennett, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Grace Kuhn, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 22, 2021, was read and approved as corrected.

LAKELY, Chairman

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

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

Reports of Standing Committees

February 22, 2021

The STATE AFFAIRS Committee reports out S 1110 and S 1111 with the recommendation that they do pass.

LODGE, Chair

S 1110 and S 1111 were filed for second reading.

February 22, 2021

The STATE AFFAIRS Committee reports out S 1116 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, S 1116 was referred to the Fourteenth Order of Business, General Calendar.

February 22, 2021

The FINANCE Committee reports out H 176 with the recommendation that it do pass.

AGENBROAD, Vice Chairman

H 176 was filed for second reading.

February 22, 2021

The JUDICIARY AND RULES Committee reports out S 1119, S 1130, and S 1131 with the recommendation that they do pass.

LAKELY, Chairman

S 1119, S 1130, and S 1131 were filed for second reading.

February 22, 2021

The JUDICIARY AND RULES Committee reports out S 1120 with the recommendation that it be re-referred.

LAKELY, Chairman

There being no objection, S 1120 was re-referred to the Commerce and Human Resources Committee.

February 22, 2021

The EDUCATION Committee reports out S 1115 with the recommendation that it do pass.

THAYN, Chairman

S 1115 was filed for second reading.

February 22, 2021

The HEALTH AND WELFARE Committee reports out S 1092 with the recommendation that it do pass.

MARTIN, Chairman

S 1092 was filed for second reading.

February 22, 2021

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

Carol Mascarenas to the Board of Environmental Quality, term to expire July 1, 2024.

MARTIN, 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.

February 23, 2021

The AGRICULTURAL AFFAIRS Committee reports out S 1122 with the recommendation that it do pass.

BAYER, Vice Chair

S 1122 was filed for second reading.

February 23, 2021

Senator Stennett was recorded present at this order of business.

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

February 22, 2021

Dear Madam President:

I transmit herewith H 128, H 51, H 64, H 104, H 107, H 120, H 170, H 171, H 200, and H 138, which have passed the House.

MAULIN, Chief Clerk

H 128, H 51, H 64, H 104, H 107, H 120, H 170, H 171, H 200, and H 138 were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that HCR 3 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Woodward, seconded by Senator Ward-Engelking, HCR 3 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1134
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE STATE DISASTER EMERGENCY ACCOUNT; AMENDING SECTION 46-1005A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DISASTER EMERGENCY ACCOUNT AND TO PROVIDE SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1135
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO FIREARMS AND OTHER DEADLY WEAPONS; AMENDING SECTION 18-3302D, IDAHO CODE, TO REVISE PROVISIONS REGARDING POSSESSION OF A FIREARM OR OTHER DEADLY WEAPON ON SCHOOL GROUNDS AND TO PROVIDE THAT A SCHOOL BOARD OF TRUSTEES SHALL ADOPT A CERTAIN POLICY; AMENDING SECTION 33-512, IDAHO CODE, TO REVISE A PROVISION REGARDING A SCHOOL SAFETY PLAN; AND AMENDING SECTION 74-106, IDAHO CODE, TO PROVIDE THAT CERTAIN RECORDS OF SCHOOLS ARE EXEMPT FROM DISCLOSURE.

S 1136
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO MARTIAL LAW; AMENDING SECTION 46-601, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AUTHORITY OF THE GOVERNOR DURING A STATE OF EXTREME PERIL, TO DEFINE TERMS, TO PROVIDE THAT THE GOVERNOR MAY NOT ALTER, ADJUST, OR SUSPEND ANY PROVISION OF THE IDAHO CODE IN CERTAIN Instances, TO PROVIDE THAT NOTHING SHALL PROHIBIT THE GOVERNOR FROM DEPLOYING THE NATIONAL GUARD, AND TO PROVIDE SEVERABILITY; AMENDING SECTION 46-602, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 46-604, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 46-607, IDAHO CODE, TO REVISE TERMINOLOGY; AND DECLARING AN EMERGENCY.

S 1137
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO JUDGES; AMENDING SECTION 59-502, IDAHO CODE, TO REVISE THE SALARIES OF JUSTICES OF THE SUPREME COURT.

S 1134, S 1135, S 1136, and S 1137 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 128, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 51 and H 64, by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 104 and H 107, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 120, H 170, and H 171, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 200, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 138, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 123 and H 134, by Appropriations 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

On request by Senator Harris, granted by unanimous consent, S 1124 was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, S 1085 retained its place on the Third Reading Calendar for Friday, February 26, 2021.

S 1058 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito 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, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rick, Riggs, Sidorway (Burtenshaw), Souza, Stennett, Thayn,

NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1058 passed, title was approved, and the bill ordered transmitted to the House.

S 1104 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1104 passed, title was approved, and the bill ordered transmitted to the House.

S 1014, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Cook, Crabtree, Lent, Vick, Zito. Total - 6.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1014, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1042, as amended, 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:


NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1042, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1053, as amended, 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 President declared S 1053, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:15 a.m. until the hour of 10 a.m., Wednesday, February 24, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FORTY-FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 24, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.
Roll call showed all members present except Senators Den Hartog and Johnson, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Ella Lukena, Page.
The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 23, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 24, 2021

The JUDICIARY AND RULES Committee reports that S 1134, S 1135, S 1136, and S 1137 have been correctly printed.

LAKEY, Chairman

Senator Johnson was recorded present at this order of business.

S 1134, S 1135, and S 1136 were referred to the State Affairs Committee.

S 1137 was referred to the Judiciary and Rules Committee.

February 23, 2021

The TRANSPORTATION Committee reports out S 1102 with the recommendation that it do pass.

DEN HARTOG, Chair

S 1102 was filed for second reading.

February 23, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out H 79, HCR 6, and S 1098 with the recommendation that they do pass.

PATRICK, Chairman

H 79 and S 1098 were filed for second reading.

HCR 6 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 23, 2021

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

David Kinghorn to the Board of Tax Appeals, term to expire June 30, 2022.

Kenneth Nuhn to the Board of Tax Appeals, term to expire June 30, 2023.

RICE, Chairman

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

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

Messages from the Governor

February 22, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Linda Clark of Boise, Idaho, was reappointed as a member of the State Board of Education to serve a term commencing July 1, 2020, and expiring July 1, 2025.

This appointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial reappointment was referred to the Education Committee.

February 22, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Valisa Say of Idaho Falls, Idaho, was reappointed as a member of the Bingo-Raffle
Advisory Board to serve a term commencing January 7, 2021, and expiring January 7, 2024.

This reappointment 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 State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 23, 2021

Dear Madam President:

I transmit herewith H 139 and H 140, which have passed the House.

MAULIN, Chief Clerk

H 139 and H 140 were filed for first reading.

February 23, 2021

Dear Madam President:

I return herewith S 1027, which has passed the House.

MAULIN, Chief Clerk

S 1027 was referred to the Judiciary and Rules Committee for enrolling.

February 23, 2021

Dear Madam President:

I return herewith Enrolled S 1036, S 1037, S 1071, S 1017, and SCR 102 which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1036, S 1037, S 1071, and S 1017 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled SCR 102 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On motion by Senator Anthon, seconded by Senator Rice, by voice vote, the following attachees were elected to fill the offices provided for by the Constitution of the State of Idaho and by statute:

Pages:
Charlotte Brockman, Gooding
Grace Kuhn, Boise
Ella Lueckenga, Nampa
Julissa Melendez, Parma
Josh Nelson, Eagle

Colton Rietema, Wilder
Tyler Tippets, Meridian

Whereupon the President instructed the Sergeant-at-Arms, Sarah Jane McDonald, to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

On request by Senator Anthon, 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 1138

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE MILITARY DIVISION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE MILITARY DIVISION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING A CONTINUOUS APPROPRIATION.

S 1138 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 139 and H 140, by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1110 and S 1111, by State Affairs Committee, were read the second time at length and filed for third reading.

H 176, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1119, S 1130, and S 1131, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1115, by Education Committee, was read the second time at length and filed for third reading.

S 1092, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1122, by Resources and Environment 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 Rice, granted by unanimous consent, S 1108 was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Riggs, granted by unanimous consent, S 1092 was referred to the Fourteenth Order of Business, General Calendar.

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

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee 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 Lee, Chairman of the Committee of the Whole, reported out S 1046, S 1088, S 1116, S 1124, and S 1108, without recommendation, amended, as follows:

SENATE AMENDMENT TO S 1046
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 25, delete "Must" and insert: "May".

SENATE AMENDMENT TO S 1088
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 10, delete "Any fees imposed on a resi"; delete lines 11 and 12; in line 13, delete "(2)"; in line 14, delete "agreement" and insert: "notice, and for any change to such fees, the landlord shall provide not less than thirty (30) days' notice, in writing, to the tenant"; and in line 15, delete "3" and insert "2".

SENATE AMENDMENT TO S 1089
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 12, delete "and" and insert: "and", and in line 13, following "older" insert: ", and the victim is not lawfully married to the perpetrator".

CORRECTION TO TITLE
On page 1, in line 2, following "CODE," insert: "TO REVISE A PROVISION REGARDING RAPE WHERE THE VICTIM IS UNDER THE AGE OF SIXTEEN AND".

SENATE AMENDMENT TO S 1116
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 24, delete "carried a possessed a deadly"; and in line 25, delete "or dangerous weapon or" and insert: "carried a weapon or possession a".

SENATE AMENDMENT TO S 1124
AMENDMENT TO SECTION 1
On page 2 of the printed bill, in line 9, delete "confirm or"; and following line 9, insert: "This subsection shall not apply to a person operating in accordance with the same brand licensees program as the contracting person or to a person that is an affiliate, as long as the contractual terms, obligations, and fee schedule remain the same as the original agreement."

AMENDMENT TO SECTION 2
On page 3, in line 11, delete "confirm or"; and following line 11, insert: "This subsection shall not apply to a person operating in accordance with the same brand licensees program as the contracting person or to a person that is an affiliate, as long as the contractual terms, obligations, and fee schedule remain the same as the original agreement."

SENATE AMENDMENT TO S 1108
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 38, delete "assessor," and insert: "assessors, except for a fire protection district annexing property prior to July 1, 2021, pursuant to section 31-1429, Idaho Code, the new levy rate shall be multiplied by one hundred percent (100%) of the value of any such property annexed prior to July 1, 2021."; and following line 42, insert: "(v) Following the first year in which a fire protection district has annexed an area embraced within the limits of a city pursuant to section 31-1429, Idaho Code, the city shall subtract from its budget limitations under this subsection an amount equal to the moneys spent by the city on fire protection services during the last full year in which the city provided fire protection services to its residents."

The Committee also has H 22 under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

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

S 1046, as amended, S 1088, as amended, S 1089, as amended, S 1116, as amended, S 1124, as amended, and S 1108 were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

S 1043, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Guthrie, Harris, Lakey, Lee, Lodge, Martin, Patrick, Ricks, Sadoway (Burtenshaw), Souza. Total - 10.

Absent and excused–Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared S 1043, as amended, passed, title was approved, and the bill ordered transmitted to the House.

Having been held to a date certain, S 1075 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:
AYES—Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Van Orden (Bair), Ward-Engelking, Wintrow, Woodward. Total - 32.

NAYS—Zito. Total - 1.

Absent and excused—Vick, Winder. Total - 2.

Total - 35.

Whereupon the President declared S 1075 passed, title was approved, and the bill ordered transmitted to the House.

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

Reports of Standing Committees

February 24, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1046, S 1088, S 1089, S 1116, S 1124, and S 1108 have been correctly printed.

LAKEY, Chairman

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

February 24, 2021

The JUDICIARY AND RULES Committee reports that S 1046, as amended, S 1088, as amended, S 1089, as amended, S 1116, as amended, S 1124, as amended, and S 1108, as amended, have been correctly engrossed.

LAKEY, Chairman

S 1046, as amended, S 1088, as amended, S 1089, as amended, S 1116, as amended, S 1124, as amended, and S 1108, as amended, were filed for first reading.

On request by Senator Anthon, 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 1046, as amended, by Education Committee, was read the first time at length and filed for second reading.

S 1088, as amended, and S 1089, as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

S 1116, as amended, by Education Committee, was read the first time at length and filed for second reading.

S 1124, as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

S 1108, as amended, by Local Government and Taxation Committee, was read the first time at length and filed for second reading.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:56 a.m. until the hour of 10 a.m., Thursday, February 25, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 25, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.
Roll call showed all members present except Senators Heider and Vick, absent and formally excused by the Chair; and Senators Den Hartog and Harris, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Julissa Melendez, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 24, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

February 25, 2021

The JUDICIARY AND RULES Committee reports that S 1138 has been correctly printed.

LAKEY, Chairman

S 1138 was referred to the Finance Committee.

February 25, 2021

The JUDICIARY AND RULES Committee reports that S 1027 has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1027 and ordered it transmitted to the House for the signature of the Speaker.

February 24, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1036, S 1037, S 1071, and S 1017 were delivered to the Office of the Governor at 2:55 p.m., February 24, 2021.

LAKEY, Chairman

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

February 24, 2021

The JUDICIARY AND RULES Committee reports that Enrolled SCR 102 was delivered to the Office of the Secretary of State at 3:59 p.m., February 24, 2021.

LAKEY, Chairman

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

February 24, 2021

The STATE AFFAIRS Committee reports out S 1061, S 1064, S 1086, and S 1087 with the recommendation that they do pass.

LODGE, Chair

S 1061, S 1064, S 1086, and S 1087 were filed for second reading.

February 24, 2021

The HEALTH AND WELFARE Committee reports out H 115 and S 1126 with the recommendation that they do pass.

MARTIN, Chairman

H 115 and S 1126 were filed for second reading.

February 24, 2021

The JUDICIARY AND RULES Committee reports out S 1137 with the recommendation that it do pass.

LAKEY, Chairman

S 1137 was filed for second reading.

February 24, 2021

The JUDICIARY AND RULES Committee reports out S 1133 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, S 1133 was referred to the Fourteenth Order of Business, General Calendar.

February 24, 2021

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:

Melissa Huiberg to the Sexual Offender Management Board, term to expire January 1, 2024.

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.

February 24, 2021

The RESOURCES AND ENVIRONMENT Committee reports out H 43 with the recommendation that it do pass.

VICK, Chairman

H 43 was filed for second reading.

February 25, 2021

The AGRICULTURAL AFFAIRS Committee reports out H 64 with the recommendation that it do pass.

BURTENSHWAY, Chairman

H 64 was filed for second reading.

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

Messages from the Governor

February 24, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Flynn Vick of Dalton Gardens, Idaho, to the office of Acting State Senator for Legislative District 2, Kootenai County, State of Idaho.

This appointment is effective February 25, 2021, and will continue for as long as necessary.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, Idaho Code, Steve Vick, State Senator, District 2, Kootenai County, State of Idaho, has nominated Flynn Vick of Dalton Gardens, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 2, Kootenai County, State of Idaho.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Flynn Vick of Dalton Gardens, Idaho to the office of Acting State Senator, District 2, for a term commencing Thursday, February 25, 2021, and will continue for as long as necessary.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Twenty-fourth day of February, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America, the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Vick, and he was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 24, 2021

Dear Madam President:

I transmit herewith H 142, H 204, H 205, H 206, H 207, H 101, H 110, H 124, H 86, and H 157, which have passed the House.

MAULIN, Chief Clerk

H 142, H 204, H 205, H 206, H 207, H 101, H 110, H 124, H 86, and H 157 were filed for first reading.

February 24, 2021

Dear Madam President:

I transmit herewith Enrolled H 42 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 42 and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Harris was recorded present at this order of business.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Carol Mascarenas was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Stennett, the Gubernatorial reappointment of Carol Mascarenas as a member of the Board of Environmental Quality was confirmed by voice vote.

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

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial reappointment of David Kinghorn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Grow, seconded by Senator Burgoyne, the Gubernatorial reappointment of David Kinghorn as a member of the Board of Tax Appeals was confirmed by voice vote.

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

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial reappointment of Kenneth Nuhn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bauer, seconded by Senator Nelson, the Gubernatorial reappointment of Kenneth Nuhn as a member of the Board of Tax Appeals was confirmed by voice vote.

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

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

On request by Senator Anthon, 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 1139
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO HEALTH AND WELFARE; AMENDING SECTION 56-1001, IDAHO CODE, TO DEFINE TERMS, TO REVISE DEFINITIONS, AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 56-1003, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE POWERS AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE.

S 1140
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR A SECOND VETERANS CEMETERY; AND PROVIDING REAPPROPRIATION AUTHORITY FOR A FOURTH VETERANS HOME.

S 1141
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND AMENDING SECTION 61-215, IDAHO CODE, TO INCREASE THE SALARIES OF THE PUBLIC UTILITIES COMMISSIONERS.

S 1142
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE OFFICE OF ENERGY AND MINERAL RESOURCES FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF ENERGY AND MINERAL RESOURCES FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1143
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO STATE AFFAIRS; AMENDING SECTION 41-4404, IDAHO CODE, TO REVISE PROVISIONS REGARDING STANDARDS FOR MEDICARE SUPPLEMENT POLICIES AND CERTIFICATES AND TO MAKE TECHNICAL CORRECTIONS.

S 1144
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1145
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REQUIREMENTS FOR TRUSTEE AND BENEFIT PAYMENTS DISTRIBUTION.

S 1139, S 1140, S 1141, S 1142, S 1143, S 1144, and S 1145 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 142, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 204, H 205, H 206, and H 207, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 101, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 110 and H 124, by Local Government Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 86 and H 157, by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1102, by Transportation Committee, was read the second time at length and filed for third reading.
H 79, by Business Committee, was read the second time at length and filed for third reading.

S 1098, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1046, as amended, by Education Committee, was read the second time at length and filed for third reading.

S 1088, as amended, and S 1089, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1116, as amended, by Education Committee, was read the second time at length and filed for third reading.

S 1124, as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1108, as amended, by Local Government and Taxation 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 Lodge, granted by unanimous consent, S 1085 was referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, S 1112 retained its place on the Third Reading Calendar for Monday, March 1, 2021.

On request by Senator Anthon, granted by unanimous consent, H 67 was placed before the Senate for final consideration.

H 67 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:


Absent and excused–Heider. Total - 1.

Total - 35.

Whereupon the President declared H 67 passed, title was approved, and the bill ordered returned to the House.

S 1079, as amended, 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, Bauer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick (Vick), Ward-Engelking, Winder, Winrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Heider. Total - 1.

Total - 35.

Whereupon the President declared S 1079 passed, title was approved, and the bill ordered transmitted to the House.

S 1082 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick (Vick), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Heider. Total - 1.

Total - 35.

Whereupon the President declared S 1082 passed, title was approved, and the bill ordered transmitted to the House.

S 1096 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bair, Johnson, Siddoway (Burtenshaw), Thayn. Total - 4.

Absent and excused–Heider. Total - 1.

Total - 35.

Whereupon the President declared S 1096 passed, title was approved, and the bill ordered transmitted to the House.

S 1100 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Rice, Ricks, Riggs, Siddoway (Burtenshaw), Souza, Stennett, Thayn, Vick (Vick), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Heider. Total - 1.

Total - 35.

Whereupon the President declared S 1100 passed, title was approved, and the bill ordered transmitted to the House.

S 1101 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?"
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 26, 2021

Senate Chamber

President McGeechim called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Den Hartog, Heider, Lent, and Nelson, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Colton Rietema, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 25, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

PETITION TO WAIVE JOINT RULE 20

We, the majority leadership of the Senate, petition that the President waive the provisions of Joint Rule 20 pertaining to the limitation on introduction of proposed constitutional amendments, which would permit the introduction and consideration of SJR 102 to present an amendment to the Idaho Constitution to amend Section 8, Article III, to provide that the Legislature may convene into an extraordinary session within 15 days of a written request of 60 percent of each bodies membership.

/s/ President Pro Tem, Chuck Winder
/s/ Senate Majority Leader, Kelly Anthon
/s/ Assistant Majority Leader, Abby Lee
/s/ Majority Caucus Chair, Mark Harris

Upon presentation of the petition, the President waived the provisions of Joint Rule 20 for the introduction of SJR 102. The correspondence was ordered filed in the office of the Secretary of the Senate.

SJR 102
BY STATE AFFAIRS COMMITTEE
A JOINT RESOLUTION
PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO RELATING TO SESSIONS OF THE LEGISLATURE;
STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE;
DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW;
AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

SJR 102 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 26, 2021

The JUDICIARY AND RULES Committee reports that SJR 1139, S 1140, S 1141, S 1142, S 1143, S 1144, and S 1145 have been correctly printed.

LAKEY, Chairman

S 1139 was referred to the Health and Welfare Committee.

S 1140, S 1141, and S 1142 were referred to the Finance Committee.

S 1143 was referred to the Commerce and Human Resources Committee.

S 1144 and S 1145 were referred to the Finance Committee.

February 25, 2021

The FINANCE Committee reports out H 200, S 1138, H 204, H 205, H 206, and H 207 with the recommendation that they do pass.

BAIR, Chairman

H 200, S 1138, H 204, H 205, H 206, and H 207 were filed for second reading.

February 25, 2021

The TRANSPORTATION Committee reports out H 128 with the recommendation that it do pass.

DEN HARTOG, Chair

H 128 was filed for second reading.

February 25, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out H 75 and H 80 with the recommendation that they do pass.

PATRICK, Chairman

H 75 and H 80 were filed for second reading.
February 25, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 120, H 170, and S 1105 with the recommendation that they do pass.

RICE, Chairman

H 120, H 170, and S 1105 were filed for second reading.

February 26, 2021

The STATE AFFAIRS Committee reports out S 1134 with the recommendation that it do pass.

LODGE, Chair

S 1134 was filed for second reading.

February 26, 2021

The STATE AFFAIRS Committee reports out S 1136 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, S 1136 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

February 25, 2021

Dear Madam President:

I transmit herewith H 158, H 165, H 167, H 216, H 214, H 223, H 111, H 112, H 160, H 136, H 208, and H 210, which have passed the House.

MAULIN, Chief Clerk

H 158, H 165, H 167, H 216, H 214, H 223, H 111, H 112, H 160, H 136, H 208, and H 210 were filed for first reading.

February 25, 2021

Dear Madam President:

I transmit herewith Enrolled HCR 3 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled HCR 3 and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that HCR 6 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Harris, HCR 6 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Anthon, 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 1146

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1147

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2022; AND EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS.

S 1148

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE STEM ACTION CENTER FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE STEM ACTION CENTER FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1149

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO BROADBAND COMMUNICATIONS INFRASTRUCTURE AND SYSTEMS; AMENDING CHAPTER 3, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-346, IDAHO CODE, TO PROVIDE CERTAIN POWERS AND AUTHORITY TO A MUNICIPALITY REGARDING BROADBAND COMMUNICATIONS INFRASTRUCTURE AND SYSTEMS, TO PROVIDE THAT A MUNICIPALITY SHALL ACCOUNT FOR CERTAIN MONEYS, TO PROHIBIT A MUNICIPALITY FROM USING EMINENT DOMAIN, TO PROVIDE THAT A MUNICIPALITY SHALL NOT BE LIMITED IN THE USE OF OTHER POWERS, AND TO DEFINE TERMS; AND DECLARING AN EMERGENCY.

S 1150

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO INITIATIVES AND REFERENDUMS; AMENDING SECTION 34-1807, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CIRCULATION AND SIGNING OF BALLOT INITIATIVE AND REFERENDUM PETITIONS; AND DECLARING AN EMERGENCY.

S 1146, S 1147, S 1148, S 1149, and S 1150 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.
H 158 and H 165, by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

H 167, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 216, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 214, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 223, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 111, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 112, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 160, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 136, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 208, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 210, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1061, S 1064, S 1086, and S 1087, by State Affairs Committee, were read the second time at length and filed for third reading.

H 115, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1126, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1137, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 43, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

H 64, by Agricultural Affairs 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

H 26 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks 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, Heider, Lent, Nelson.

Total - 4.

Total - 35.

Whereupon the President declared H 26 passed, title was approved, and the bill ordered returned to the House.

H 28 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow 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, Heider, Lent, Nelson.

Total - 4.

Total - 35.

Whereupon the President declared H 28 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

Reports of Standing Committees

February 26, 2021

The JUDICIARY AND RULES Committee reports that SJR 102 has been correctly printed.

LAKEY, Chairman

SJR 102 was referred to the State Affairs Committee.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:03 a.m. until the hour of 10 a.m., Monday, March 1, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTIETH LEGISLATIVE DAY
MONDAY, MARCH 1, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Lodge, absent and formally excused by the Chair.

 Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Josh Nelson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 26, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

March 1, 2021

The JUDICIARY AND RULES Committee reports that S 1146, S 1147, S 1148, S 1149, and S 1150 have been correctly printed.

LAKEY, Chairman

S 1146, S 1147, and S 1148 were referred to the Finance Committee.

S 1149 and S 1150 were referred to the State Affairs Committee.

February 26, 2021

The FINANCE Committee reports out S 1140, S 1141, S 1142, S 1144, S 1145, and H 216 with the recommendation that they do pass.

BAIR, Chairman

S 1140, S 1141, S 1142, S 1144, S 1145, and H 216 were filed for second reading.

March 1, 2021

The STATE AFFAIRS Committee reports out SJR 102 with the recommendation that it do pass.

LODGE, Chair

SJR 102 was filed for second reading.

March 1, 2021

The STATE AFFAIRS Committee reports out H 66 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, H 66 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the Governor

February 26, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on February 26, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1017, S 1036, S 1037, and S 1071

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

February 26, 2021

Dear Madam President:

I transmit herewith H 154, H 211, H 217, H 224, and H 225, which have passed the House.

MAULIN, Chief Clerk

H 154, H 211, H 217, H 224, and H 225 were filed for first reading.

February 26, 2021

Dear Madam President:

I return herewith Enrolled S 1027, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1027 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.
On request by Senator Anthon, 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 Lodge was recorded present at this order of business.

S 1151
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE COMMISSION ON AGING FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE COMMISSION ON AGING FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REAPPROPRIATION AUTHORITY.

S 1152
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1153
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1154
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DIVISION OF CAREER TECHNICAL EDUCATION; APPROPRIATING MONEYS TO THE DIVISION OF CAREER TECHNICAL EDUCATION FOR FISCAL YEAR 2022; EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS FOR THE POSTSECONDARY PROGRAM; PROVIDING REAPPROPRIATION AUTHORITY; APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF CAREER TECHNICAL EDUCATION FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1151, S 1152, S 1153, and S 1154 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 154, by Environment, Energy and Technology Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 211 and H 217, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 224 and H 225, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 200, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1138, by Finance Committee, was read the second time at length and filed for third reading.

H 204, H 205, H 206, and H 207, by Appropriations Committee, were read the second time at length and filed for third reading.

H 128, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

H 75, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 80, by Business Committee, was read the second time at length and filed for third reading.

H 120 and H 170, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

S 1105, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

S 1134, by State Affairs 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 Thayn, granted by unanimous consent, S 1046, as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by President Pro Tempore Winder, granted by unanimous consent, S 1112 retained its place on the Third Reading Calendar for Thursday, March 4, 2021.

S 1110 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Paired and voting included in roll call:

AYE - Bair
NAY - Ward-Engelking

Total - 35.

Whereupon the President declared S 1110 passed, title was approved, and the bill ordered transmitted to the House.

S 1111 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Winder 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–Bair. Total - 1.
Total - 35.

Whereupon the President declared S 1111 passed, title was approved, and the bill ordered transmitted to the House.

S 1119 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks 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–Bair Total - 1.
Total - 35.

Whereupon the President declared S 1119 passed, title was approved, and the bill ordered transmitted to the House.

S 1130 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Bair. Total - 1.
Total - 35.

Whereupon the President declared S 1131 passed, title was approved, and the bill ordered transmitted to the House.

S 1131 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Bair. Total - 1.
Total - 35.

Whereupon the President declared S 1115 passed, title was approved, and the bill ordered transmitted to the House.

S 1115 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Bair Total - 1.
Total - 35.

Whereupon the President declared S 1115 passed, title was approved, and the bill ordered transmitted to the House.

S 1132 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Bair Total - 1.
Total - 35.

Whereupon the President declared S 1132 passed, title was approved, and the bill ordered transmitted to the House.

S 1102 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:


NAYS–None.

Absent and excused–Bair. Total - 1.
Total - 35.

Whereupon the President declared S 1102 passed, title was approved, and the bill ordered transmitted to the House.
S 1098 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrrow 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–Bair. Total - 1.

Total - 35.

Whereupon the President declared that S 1098 had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:03 p.m. until the hour of 10 a.m., Tuesday, March 2, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, MARCH 2, 2021

Senate Chamber
President McGeachin called the Senate to order at 10 a.m.
Roll call showed all members present except Senator Rice, absent and formally excused by the Chair; and Senator Nye, absent and excused.
Prayer was offered by President Pro Tempore Chuck Winder.
The Pledge of Allegiance was led by Tyler Tippets, 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 1, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees
March 2, 2021
The JUDICIARY AND RULES Committee reports that S 1151, S 1152, S 1153, and S 1154 have been correctly printed.

LAKEY, Chairman

S 1151, S 1152, S 1153, and S 1154 were referred to the Finance Committee.

March 1, 2021
The JUDICIARY AND RULES Committee reports that Enrolled S 1027 was delivered to the Office of the Governor at 1:44 p.m., March 1, 2021.

LAKEY, Chairman

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

March 1, 2021
The FINANCE Committee reports out S 1146, S 1147, S 1148, H 224, and H 225 with the recommendation that they do pass.

BAIR, Chairman

S 1146, S 1147, S 1148, H 224, and H 225 were filed for second reading.

March 1, 2021

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:

Evelyn Johnson to the Idaho Commission on Human Rights, term to expire July 1, 2020.

LODGE, Chair

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 1, 2021

The RESOURCES AND ENVIRONMENT Committee reports out H 25, H 57, H 93, and HCR 7 with the recommendation that they do pass.

VICK, Chairman

H 25, H 57, and H 93 were filed for second reading.

HCR 7 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 1, 2021

The JUDICIARY AND RULES Committee reports out H 94, H 95, and H 96 with the recommendation that they do pass.

LAKEY, Chairman

H 94, H 95, and H 96 were filed for second reading.

Senator Nye was recorded present at this order of business.

March 1, 2021

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

John Dinger to the Sexual Offender Management Board, term to expire January 1, 2024.

Moira Lynch to the Sexual Offender Management Board, term to expire January 1, 2024.

LAKEY, 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 1, 2021

The HEALTH AND WELFARE Committee reports out H 208 and S 1139 with the recommendation that they do pass.

MARTIN, Chairman

H 208 and S 1139 were filed for second reading.
March 2, 2021

The AGRICULTURAL AFFAIRS Committee reports out H 51 with the recommendation that it do pass.

BURTENSHAW, Chairman

H 51 was filed for second reading.

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

Messages from the House

March 1, 2021

Dear Madam President:


MAULIN, Chief Clerk


March 1, 2021

Dear Madam President:

I return herewith S 1016, S 1038, and S 1033, which have passed the House.

MAULIN, Chief Clerk

S 1016, S 1038, and S 1033 were referred to the Judiciary and Rules Committee for enrolling.

March 1, 2021

Dear Madam President:

I transmit herewith Enrolled H 67, H 68, and H 176 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 67, H 68, and H 176 and ordered them returned to the House.

On request by Senator Anthon, 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 1155

BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE PERMANENT BUILDING FUND TO THE ADMINISTRATION AND ACCOUNTING SERVICES FUND; AND PROVIDING REQUIREMENTS FOR THE STATE EMPLOYEE INSURANCE AND BENEFITS PLAN STRUCTURE.

S 1156

BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE BOND PAYMENTS PROGRAM FOR FISCAL YEAR 2022; AND APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE BOND PAYMENTS PROGRAM FOR FISCAL YEAR 2022.

S 1157

BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE CAPITOL MAINTENANCE RESERVE FUND TO THE CAPITOL COMMISSION OPERATING FUND; AND PROVIDING REAPPROPRIATION AUTHORITY.

S 1158

BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR CONTINUOUS APPROPRIATION; AND PROVIDING REAPPROPRIATION AUTHORITY.

S 1155, S 1156, S 1157, and S 1158 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 99, by Environment, Energy and Technology Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 228, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 229, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 230, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 102, H 103, and H 143, by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 187, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 148, H 149, H 150, and H 193, by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 235, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.
H 129 and H 131, by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

H 127, by Environment, Energy and Technology Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 166, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 132, as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 141, as amended, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HJM 1, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1140, S 1141, S 1142, S 1144, and S 1145, by Finance Committee, were read the second time at length and filed for third reading.

H 216, by Appropriations Committee, was read the second time at length and filed for third reading.

SJR 102, by State Affairs 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 Anthon, granted by unanimous consent, H 5 was placed before the Senate for final consideration.

H 5 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Winder 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–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1088, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1089, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow 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–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1089, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1116, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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 1116, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1124, as amended, 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–Bayer, Zito. Total - 2.
Total - 35.

Whereupon the President declared S 1124, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, S 1108, as amended, retained its place on the Third Reading Calendar for Friday, March 5, 2021.

S 1061 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs 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 1061 passed, title was approved, and the bill ordered transmitted to the House.

S 1064 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs 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 S 1064 passed, title was approved, and the bill ordered transmitted to the House.

S 1086 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared S 1086 passed, title was approved, and the bill ordered transmitted to the House.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:55 a.m. until the hour of 4:30 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Harris and Lodge, 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 2, 2021

The JUDICIARY AND RULES Committee reports that S 1016, S 1038, and S 1033 have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1016, S 1038, and S 1033 and ordered them transmitted to the House for the signature of the Speaker.

March 2, 2021

The STATE AFFAIRS Committee reports out H 46 with the recommendation that it do pass.

LODGE, Chair

H 46 was filed for second reading.

March 2, 2021

The FINANCE Committee reports out H 228, H 230, S 1151, S 1152, S 1153, and S 1154 with the recommendation that they do pass.

BAIR, Chairman

H 228, H 230, S 1151, S 1152, S 1153, and S 1154 were filed for second reading.

March 2, 2021

The TRANSPORTATION Committee reports out S 1103 with the recommendation that it do pass.

DEN HARTOG, Chair

S 1103 was filed for second reading.

On request by Senator Anthon, 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 1159

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR
S 1160
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS; AND APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE FIRE SUPPRESSION DEFICIENCY FUND.

S 1159 and S 1160 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

S 1087 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:


Total - 35.

Whereupon the President declared S 1087 passed, title was approved, and the bill ordered transmitted to the House.

S 1126 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Crabtree, Rice, Vick, Zito. Total - 5.

Total - 35.

Whereupon the President declared S 1126 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, SJR 102 was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:31 p.m. until the hour of 10 a.m., Wednesday, March 3, 2021.

JANICE MCGEACHIN, President
Attest: JENNIFER NOVAK, Secretary

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the Health and Welfare Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 2, 2021

Dear Madam President:

I transmit herewith H 251, H 220, H 178, H 172, H 173, and H 175, which have passed the House.

MAULIN, Chief Clerk

H 251, H 220, H 178, H 172, H 173, and H 175 were filed for first reading.

March 2, 2021

Dear Madam President:

I transmit herewith Enrolled HCR 6, H 26, and H 28 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled HCR 6, H 26, and H 28 and ordered them returned to the House.

On request by Senator Anthon, 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 251, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 220, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 178, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 172, H 173, and H 175, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

Senator Bair was recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1146, S 1147, and S 1148, by Finance Committee, were read the second time at length and filed for third reading.
H 224 and H 225, by Appropriations Committee, were read the second time at length and filed for third reading.

H 25, H 57, and H 93, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

H 94, H 95, and H 96, by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

H 208, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1139, by State Affairs Committee, was read the second time at length and filed for third reading.

H 51, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 46, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

H 228 and H 230, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1151, S 1152, S 1153, and S 1154, by Finance Committee, were read the second time at length and filed for third reading.

S 1103, by Transportation Committee, was read the second time at length and filed for third reading.

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

Senators Harris and Stennett were recorded present at this order of business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee 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 Lee, Chairman of the Committee of the Whole, reported out H 22, S 1092, S 1133, and S 1046, as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO H 22
AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 19 through 21, and insert: "division of twelve (12) and the minimum units shall not apply." No public charter school shall receive an increase in support units that exceeds the support units it received in the prior year by more than thirty (30), provided that this limitation shall not apply for the 2020-2021 school year. Funding".

CORRECTION TO TITLE
On page 1, in line 3, delete "REMOVE" and insert: "PROVIDE AN EXCEPTION TO".

SENATE AMENDMENT TO S 1092
AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 11, delete "will" and insert: "may, at the hospital's option,"; in line 12, following "period", insert: "up to;" in line 13, delete "thirty-six"; in line 14, delete "thirty-six month"; also in line 14, following "period" insert: "of operation up to thirty-six (36) months"; in line 31, delete "first thirty-six (36) months of oper-"; delete line 32, and insert: "initial period of operation is complete"; and following line 38, insert: "(10) The provisions of subsection (6)(e) of this section shall be effective only from July 1, 2021, through June 30, 2024."

CORRECTION TO TITLE
On page 1, in line 3, following "PROVIDERS" insert: "; TO PROVIDE A LIMITATION.".

SENATE AMENDMENT TO S 1133
AMENDMENT TO THE BILL

On page 3 of the printed bill, following line 30, insert: "SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

CORRECTION TO TITLE
On page 1, in line 6, following "TOTAL," insert: "; AND DECLARING AN EMERGENCY.".

SENATE AMENDMENT TO S 1046, As Amended
AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, delete lines 24 through 33, and insert:

"(2) A school district may enter into an innovation classroom agreement with a requesting party if the requesting party represents a group of students that is equal to or greater than the average class size in the school. The school district must indicate willingness or nonwillingness to enter into negotiation within sixty (60) days of the receipt of the request."

On page 2, delete lines 3 through 10, and insert:

"(d) Growth criteria or other measures of student learning, such as those found in section 33-1001(18), Idaho Code;
(e) The alternative curriculum and instructional materials to be used in the innovation classroom. The parents of the participating students must agree to the alternative curriculum, and the school district will determine whether the alternative curriculum meets state standards and recommend ways to supplement the alternative curriculum, if applicable;
(f) A description of an innovation classroom student's access to or use of the school district's transportation, playground, cafeteria, after-school activities, special education, and other services or facilities; and
(g) The date upon which the innovation classroom will start.".

The Committee also has S 1136 and H 66 under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

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

S 1092, as amended, S 1133, as amended, and S 1046, as amended, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 22, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

SJR 102 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Temore Winder arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


Total - 35.

More than two-thirds having voted in the affirmative, the President declared SJR 102 adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, H 74 was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

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

Petitions, Resolutions, and Memorials

SJM 103
BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES
OF THE UNITED STATES IN CONGRESS ASSEMBLED
AND TO THE CONGRESSIONAL DELEGATION
REPRESENTING THE STATES OF IDAHO, MONTANA,
WASHINGTON, AND OREGON IN THE CONGRESS OF
THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Idaho Legislature recognizes the Columbia-Snake River System as part of the United States Marine Highway network; and

WHEREAS, the Columbia-Snake River System and its tributaries, collectively and in its entirety, are a multisystem providing navigation, transportation, fish and wildlife habitat, recreation, hydropower generation, flood control, and irrigation to the citizens and industry of the Pacific Northwest; and

WHEREAS, the Columbia-Snake River System and its tributaries provide a vital contribution to the well-being of the State of Idaho and to the quality of life of its citizens, being among the most operationally important and cost-effective projects in the Federal Columbia River Power System; and

WHEREAS, a balanced river system produces economic benefits like jobs, trade, and renewable electricity while caring for environmental values through good management practices and reinvestment in our natural resources; and

WHEREAS, no amount of money can replace the lifestyle and economies of the communities that depend upon the Columbia-Snake River System's hydropower, navigation, irrigation, flood risk management, recreation, and municipal and industrial water supply benefits; and

WHEREAS, the State of Idaho reasserts and confirms sovereign control over all water resources within the state; and

WHEREAS, the decline of anadromous fish is due to many factors, including increased predation, unfavorable ocean conditions, and harvest levels; and

WHEREAS, breaching the four lower Snake River dams is an idealistic, single variable model to Pacific salmon recovery that flies in the face of reality for salmon, is illogical from an environmental perspective, hurts industry and communities, puts politics over science and local jobs, and may neither restore Idaho salmon nor prevent their extinction; and

WHEREAS, only four of the thirteen Endangered Species Act-listed salmon runs swim past the lower Snake River dams, and they do so with over 95% survival at each of the dams; and

WHEREAS, breaching the four lower Snake River dams would be a drastic measure that would forever alter our way of life in the Pacific Northwest; and

WHEREAS, breaching the lower Snake River dams is an outdated argument that is not supported by current dam passage survival studies of juvenile Pacific salmon; and

WHEREAS, in 2008, 2014, and 2020 the National Oceanic and Atmospheric Administration produced biological opinions that stated breaching the four lower Snake River dams was not necessary action for salmon recovery; and

WHEREAS, the governor of Idaho commissioned the Governor's Salmon Workgroup, a diverse group of stakeholders that worked for 18 months to study the issue of salmon recovery, representing for the first time broad interests working collaboratively to help shape the state's salmon and steelhead policy; and

WHEREAS, that workgroup developed many practical recommendations to address the issue of improved river systems and habitat conditions for healthy salmon populations, specifically excluding any recommendations for removing dams; and

WHEREAS, due to the efforts of the state, the Nez Perce Tribe, and Idaho water users in entering into the 2004 Snake River Water Rights Agreement, up to 487,000 acre-feet of Idaho's water is used for flow augmentation for salmon and steelhead in the lower Snake and Columbia rivers, with water being released through willing-buyer, willing-seller arrangements. In return for flow augmentation, the 2004 agreement provides protections to Idaho water users in the form of a 30-year biological opinion; and

WHEREAS, agricultural and industrial applications of water have a legal priority within the state; and

WHEREAS, the Port of Lewiston, Idaho's only seaport, is part of the collective Columbia-Snake River System and is an asset to the State of Idaho and an asset to the Inland Northwest region, providing global competitiveness and connectivity for regional products, economic development investment, and multimodal transportation; and

WHEREAS, the State of Idaho supports the Port of Lewiston activities and believes that reservoir drawdowns or removal of the dams on the lower Snake and Columbia rivers would inflict on the citizenry a loss of recreation, an increase in electric rates, a loss of navigation, a risk of floods, economic hardship, and an impaired quality of life; and

WHEREAS, cruise boat traffic to the Port of Lewiston has steadily increased over the last 10 years and is projected to increase from 19,000 passengers in 2019 to over 33,000 passengers in 2022, a growth of 76%, bringing much financial growth to the entire Snake River area; and

WHEREAS, the Columbia-Snake River System acts as a top wheat export gateway in the United States, with approximately 10% of all United States wheat exports barged through the four dams on the Snake River and about 50% of all Idaho-grown wheat
barged from Lewiston to Portland and then onto export markets around the world; and
WHEREAS, barging on the Columbia and Snake rivers is the safest, most fuel-efficient means of transporting cargo in the Northwest, being 40% more fuel-efficient than freight trains and 270% more fuel-efficient than semitrucks; and
WHEREAS, without the ability to barge goods down the river, diesel fuel consumption would increase by nearly 5 million gallons per year as barges would be replaced by less efficient truck-to-rail shipments, resulting in increases in carbon dioxide and other harmful emissions by over 1.2 million tons per year; and
WHEREAS, the Columbia-Snake River System is also highly valued on the west coast for forest product exports and mineral exports, is second in the nation for soy exports, and is a major gateway for auto imports and exports. Each year, around 250,000 tons of wood chips are barged from the Lower Granite Pool to be turned into pulp for paper production at mills on the lower Columbia River; and
WHEREAS, hydroelectric power is one of the best energy sources we have, with clean, reliable, renewable baseload generation that is more valuable than ever as the four lower Snake River dams produce thousands of megawatts of low-cost, affordable electricity, which is renewable energy that provides power to 22 rural Idaho utilities serving tens of thousands of Idahoans, numerous Idaho cities, farmers, and industries, while acting as a battery to integrate other intermittent renewable energy resources on the system; and
WHEREAS, the Idaho Legislature believes that any actions to degrade the functionality, in whole or in part, or to remove or breach dams on the Columbia-Snake River System or its tributaries, or to take water from the state for anadromous fish enhancement efforts would inflict on the citizenry of the state a loss in economic and trade opportunities, a loss of recharging waters for the state’s aquifers, a loss of navigation and transportation, an increased risk of floods, an increase in electrical rates, a shortfall in power generation, a loss of recreational opportunities, and a threatened quality of life for Idaho citizens.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that Idaho opposes the removal or breaching of the dams on the Columbia-Snake River System and its tributaries, has sovereignty of its water resources, prohibits contributions of water from Idaho’s reservoirs for flow augmentation except those expressly authorized by state law, contends that efforts for further recovery of anadromous fish must be based on sound science, and supports maintenance and multiple-use benefits of the Columbia-Snake River System. Additionally, the Idaho Legislature recognizes and supports the international competitiveness, multimodal transportation, and economic development benefits provided by the Port of Lewiston.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress and to the congressional delegations representing the states of Idaho, Montana, Washington, and Oregon in the Congress of the United States.

SP 101
BY STATE AFFAIRS COMMITTEE
A PROCLAMATION
COMMENDING MARQUEE RICKS FOR HER ACCOMPLISHMENT DURING THE 2021 AMERICAN FARM BUREAU FEDERATION’S NATIONAL YOUNG FARMERS AND RANCHERS DISCUSSION MEET COMPETITION;

We, the members of the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby proclaim:
WHEREAS, Marquee Ricks, a farmer from Newdale, Idaho, won the Idaho Farm Bureau Federation Discussion Meet in December 2020, qualifying her for the American Farm Bureau Federation’s national Young Farmers and Ranchers Discussion Meet competition, held virtually January 10 through 13, 2021; and
WHEREAS, Marquee Ricks participated in the national Young Farmers and Ranchers Discussion Meet, which simulates a committee meeting in which active discussion, collaboration, and participation are expected and participants are evaluated on their ability to constructively exchange ideas and information on predetermined topics; and
WHEREAS, Marquee Ricks competed among other young farmers and ranchers from around the United States, demonstrating superior knowledge of agriculture and a commitment to promoting the agricultural industry; and
WHEREAS, Marquee Ricks won the national Young Farmers and Ranchers Discussion Meet, finishing in first place among a field of her peers from other state Farm Bureau organizations from across the nation; and
WHEREAS, Marquee Ricks was presented with a 2021 Ford F-150 pickup truck by Ford Motor Company as the grand prize for winning the national Young Farmers and Ranchers Discussion Meet competition; and
WHEREAS, Marquee Ricks is a positive role model for all young farmers and ranchers, FFA students, and other citizens of the importance and power of setting goals and working hard to achieve them.

NOW, THEREFORE, BE IT PROCLAIMED by the members of the Senate assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, that we recognize and congratulate Marquee Ricks for her superior and award-winning performances in the Idaho Farm Bureau Federation Discussion Meet, as well as in the American Farm Bureau Federation’s Young Farmers and Ranchers Discussion Meet, and for the pride she brings to the young farmers and ranchers of Idaho and the United States.

SJM 103 and SP 101 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 3, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to H 22, S 1092, S 1133, and S 1046, as amended, have been correctly printed.

LAKEY, Chairman

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

March 3, 2021

The JUDICIARY AND RULES Committee reports that S 1092, as amended, S 1133, as amended, and S 1046, as amended, as amended, have been correctly engrossed.

LAKEY, Chairman
S 1092, as amended, S 1133, as amended, and S 1046, as amended, were filed for first reading.

March 3, 2021

The STATE AFFAIRS Committee reports out S 1150 and H 136 with the recommendation that they do pass.

LODGE, Chair

S 1150 and H 136 were filed for second reading.

On request by Senator Anthon, 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 1161
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION 54-1003A, IDAHO CODE, TO PROVIDE FOR CERTAIN ON-THE-JOB SUPERVISION AND TRAINING REQUIREMENTS FOR APPRENTICE ELECTRICIANS AND PROVISIONAL JOURNEYMAN ELECTRICIANS.

S 1161 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 22, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

S 1092, as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

S 1133, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1046, as amended, as amended, by Education Committee, was read the first time at length and filed for second reading.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Burgoyne, by voice vote, the Senate adjourned at 12:12 p.m. until the hour of 10 a.m., Thursday, March 4, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 3, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

March 4, 2021

The JUDICIARY AND RULES Committee reports that S 1161, SJM 103, and SP 101 have been correctly printed.

LAKEY, Chairman

S 1161 was referred to the Commerce and Human Resources Committee.

On request by Senator Bayer, granted by unanimous consent, SJM 103 was referred to the Resources and Environment Committee.

SP 101 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary’s desk for one legislative day.

March 3, 2021

The RESOURCES AND ENVIRONMENT Committee reports out H 91, H 99, and S 1123 with the recommendation that they do pass.

VICK, Chairman

H 91, H 99, and S 1123 were filed for second reading.

March 3, 2021

The FINANCE Committee reports out S 1155, S 1156, S 1157, S 1158, S 1159, and S 1160 with the recommendation that they do pass.

BAIR, Chairman

S 1155, S 1156, S 1157, S 1158, S 1159, and S 1160 were filed for second reading.

March 3, 2021

The EDUCATION Committee reports out H 111 with the recommendation that it do pass.

THAYN, Chairman

H 111 was filed for second reading.

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

March 3, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 73 with the recommendation that it do pass.

RICE, Chairman

H 73 was filed for second reading.

March 4, 2021

The JUDICIARY AND RULES Committee reports out H 149 with the recommendation that it do pass.

LAKEY, Chairman

H 149 was filed for second reading.

March 4, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 154 with the recommendation that it be re-referred.

RICE, Chairman

There being no objection, H 154 was re-referred to the Transportation Committee.

March 4, 2021

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

Chris Pomeroy to the Aeronautics Advisory Board, term to expire January 31, 2026.

Julie DeLorenzo to the Idaho Transportation Board, term to expire January 31, 2027.

DEN HARTOG, Chair

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

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

I transmit herewith H 203, H 241, H 246, H 182, H 184, H 185, H 186, H 152, H 259, H 261, H 233, and HCR 8, which have passed the House.

MAULIN, Chief Clerk

H 203, H 241, H 246, H 182, H 184, H 185, H 186, H 152, H 259, H 261, H 233, and HCR 8 were filed for first reading.

March 3, 2021

Dear Madam President:

I return herewith S 1081, which has failed to pass the House.

MAULIN, Chief Clerk

S 1081 was ordered filed in the office of the Secretary of the Senate.

March 3, 2021

Dear Madam President:

I return herewith S 1080, which has passed the House.

MAULIN, Chief Clerk

S 1080 was referred to the Judiciary and Rules Committee for enrolling.

March 3, 2021

Dear Madam President:

I return herewith Enrolled S 1016, S 1038, and S 1033, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1016, S 1038, and S 1033 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Idaho Day Service. The Idaho Day Service was presented to the members of the Senate with Co-chairman Senator Cook providing opening remarks.

The colors of the flag were presented by the Mountain Home Airforce Honor Guard. Stephanie Thompson performed "America the Beautiful." Remarks were provided by Linden Bateman. Stephanie Thompson performed "Here We Have Idaho."

Closing remarks were provided by Co-chairman Senator Wintrow. She extended gratitude to all who helped with the program and the Idaho Day Service was dissolved.

President McGeachin returned to the chair.

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

S 1162

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1163

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE WELFARE DIVISION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; PROHIBITING TRANSFERS FOR TRUSTEE AND BENEFIT PAYMENTS; AND PROVIDING REQUIREMENTS FOR PROGRAM INTEGRITY.

S 1164

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REQUIREMENTS FOR THE IMPLEMENTATION OF EMPLOYEE COMPENSATION.

S 1165

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF MENTAL HEALTH SERVICES, PSYCHIATRIC HOSPITALIZATION, AND SUBSTANCE ABUSE TREATMENT AND PREVENTION FOR FISCAL YEAR 2022; 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; LIMITING THE TRANSFER OF LEGISLATIVE APPROPRIATIONS; CLARIFYING RESPONSIBILITY FOR EDUCATION OF CERTAIN CHILDREN IN STATE CARE; DIRECTING AN INTERAGENCY PAYMENT FOR A JUVENILE DETENTION CLINICIANS CONTRACT; PROVIDING REQUIREMENTS REGARDING FUNDING FOR BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS; AND EXEMPTING THE APPROPRIATION FROM PROGRAM TRANSFER LIMITATIONS.
S 1162, S 1163, S 1164, and S 1165 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 203, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 241 and H 246, by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 182, H 184, H 185, and H 186, by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 152, by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 259, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 261, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 233, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

HCR 8, by Resources and Conservation Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1150, by State Affairs Committee, was read the second time at length and filed for third reading.

H 136, by State Affairs Committee, was read the second time at length and filed for third reading.

H 22, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

S 1092, as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1133, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1046, as amended, as amended, 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 Anthon, granted by unanimous consent, H 216 was before the Senate for final consideration.

H 216 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Ricks, Thayn, Vick, Zito. Total - 5.
Absent and excused–Woodward. Total - 1.
Total - 35.

Whereupon the President declared H 216 passed, title was approved, and the bill ordered returned to the House.

H 74 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer 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–Woodward. Total - 1.
Total - 35.

Whereupon the President declared H 74 passed, title was approved, and the bill ordered returned to the House.

On request by President Pro Tempore Winder, granted by unanimous consent, S 1112 was referred to the Fourteenth Order of Business, General Calendar.

On request by President Pro Tempore Winder, granted by unanimous consent, HJR 1 was referred to the State Affairs Committee.

S 1137 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Anthon, Lakey, Lee, Nye, Rabe, and Rice disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


NAYS–None.

Total - 35.

Whereupon the President declared S 1137 passed, title was approved, and the bill ordered transmitted to the House.

S 1138 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?"

Pursuant to Senate Rule 39(H), Senator Rice disclosed a possible conflict of interest under applicable law.
Roll call resulted as follows:


Whereupon the President declared S 1138 passed, title was approved, and the bill ordered transmitted to the House.

S 1105 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks 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 1105 passed, title was approved, and the bill ordered transmitted to the House.

S 1134 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 President declared S 1105 passed, title was approved, and the bill ordered transmitted to the House.

S 1142 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent 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 1142 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, S 1144 retained its place on the Third Reading Calendar.

S 1145 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:


S 1146 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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 1146** passed, title was approved, and the bill ordered transmitted to the House.

**S 1147** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Woodward. Total - 1.

Total - 35.

Whereupon the President declared **S 1147** passed, title was approved, and the bill ordered transmitted to the House.

**S 1148** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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–Woodward. Total - 1.

Total - 35.

Whereupon the President declared **S 1148** passed, title was approved, and the bill ordered transmitted to the House.

**S 1139** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared **S 1139** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

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**Reading of Communications**

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

**Petitions, Resolutions, and Memorials**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:07 p.m. until the hour of 4 p.m. of this day.

**RECESS**

**AFTERNOON SESSION**

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

Roll call showed all members present except Senators Burgoyne and Lodge, 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 4, 2021

The JUDICIARY AND RULES Committee reports that **S 1080** has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled **S 1080** and ordered it transmitted to the House for the signature of the Speaker.

March 4, 2021

The JUDICIARY AND RULES Committee reports that Enrolled **S 1016, S 1038, and S 1033** were delivered to the Office of the Governor at 2:20 p.m., March 4, 2021.

LAKEY, Chairman

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

March 4, 2021

The AGRICULTURAL AFFAIRS Committee reports out **H 167** with the recommendation that it do pass.

BURTENSHAW, Chairman

**H 167** was filed for second reading.

March 4, 2021

The FINANCE Committee reports out **H 261** with the recommendation that it do pass.

BAIR, Chairman

**H 261** was filed for second reading.

March 4, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1143** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman
There being no objection, _S 1143_ was referred to the Fourteenth Order of Business, General Calendar.

March 4, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out _S 1128_ with the recommendation that it be re-referred.

PATRICK, Chairman

There being no objection, _S 1128_ was re-referred to the Health and Welfare Committee.

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

**Third Reading of Bills**

_S 1141_ 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:


NAYS–None.


Total - 35.

Whereupon the President declared _S 1141_ passed, title was approved, and the bill ordered transmitted to the House.

_S 1144_ 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:


NAYS–None.


Total - 35.

Whereupon the President declared _S 1144_ passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, _S 1151_ retained its place on the Third Reading Calendar for Friday, March 5, 2021.

_S 1152_ 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?"

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

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared _S 1152_ passed, title was approved, and the bill ordered transmitted to the House.

_S 1153_ 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?"

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

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared _S 1153_ passed, title was approved, and the bill ordered transmitted to the House.

_S 1154_ was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared _S 1154_ passed, title was approved, and the bill ordered transmitted to the House.

_S 1103_ was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS–Bair, Bayer, Cook, Crabtree, Grow, Harris, Lakey, Lent, Patrick, Rice, Riggs, Souza, Thayn, Vick, Woodward, Zito. Total - 16.


Total - 35.

Whereupon the President declared S 1103 passed, title was approved, and the bill ordered transmitted to the House.

H 29 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.


Total - 35.

Whereupon the President declared H 29 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:13 p.m. until the hour of 10:30 a.m., Friday, March 5, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 5, 2021

President McGeachin called the Senate to order at 10:30 a.m.
Roll call showed all members present except Senator Rice, absent and excused.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Ella Luekenga, 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 4, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees
March 5, 2021

The JUDICIARY AND RULES Committee reports that S 1162, S 1163, S 1164, and S 1165 have been correctly printed.

LAKEY, Chairman

S 1162, S 1163, S 1164, and S 1165 were referred to the Finance Committee.

March 4, 2021

The EDUCATION Committee reports out H 172 and H 173 with the recommendation that they do pass.

THAYN, Chairman

H 172 and H 173 were filed for second reading.

March 4, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 110, H 124, and H 214 with the recommendation that they do pass.

RICE, Chairman

H 110, H 124, and H 214 were filed for second reading.

March 5, 2021

The STATE AFFAIRS Committee reports out H 47, H 48, and H 70 with the recommendation that they do pass.

LODGE, Chair

H 47, H 48, and H 70 were filed for second reading.

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

Messages from the House
March 4, 2021

Dear Madam President:

I transmit herewith HCR 10, H 221, H 262, H 263, H 267, H 268, H 222, H 248, H 239, H 59, and H 191, which have passed the House.

MAULIN, Chief Clerk

HCR 10, H 221, H 262, H 263, H 267, H 268, H 222, H 248, H 239, H 59, and H 191 were filed for first reading.

March 4, 2021

Dear Madam President:

I transmit herewith Enrolled H 5 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 5 and ordered it returned to the House.

On request by Senator Anthon, 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 1166
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTIONS; AMENDING SECTION 34-408A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING ELECTION DAY REGISTRATION AT CERTAIN POLLING PLACES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 11, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1115, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PROVISIONAL BALLOTS; AND AMENDING CHAPTER 11, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1116, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE REVIEW AND DISPOSITION OF PROVISIONAL BALLOT ENVELOPES.

S 1167
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTIONS; AMENDING CHAPTER 10, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1002B, IDAHO CODE, TO PROVIDE FOR ABSENTEE BALLOT ASSISTANCE AT CERTAIN FACILITIES AND TO PROHIBIT CERTAIN ACTIONS.
S 1168  
BY STATE AFFAIRS COMMITTEE  
AN ACT  
RELATING TO ELECTIONS; AMENDING CHAPTER 2, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-218, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING FUNDING FOR THE ADMINISTRATION OF ELECTIONS.

S 1169  
BY STATE AFFAIRS COMMITTEE  
AN ACT  
RELATING TO HIGHWAYS AND BRIDGES; AMENDING SECTION 40-511, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM STOPPING AND INSPECTION FOR NONCOMMERCIAL VEHICLES AND TO MAKE TECHNICAL CORRECTIONS.

S 1170  
BY STATE AFFAIRS COMMITTEE  
AN ACT  
RELATING TO TAXING DISTRICTS; AMENDING SECTION 63-802, IDAHO CODE, AS AMENDED IN SECTION 1 OF SENATE BILL NO. 1108, AS AMENDED, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-SIXTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE LIMITATION ON TAXING DISTRICT BUDGETS.

S 1171  
BY STATE AFFAIRS COMMITTEE  
AN ACT  
RELATING TO ALCOHOLIC BEVERAGES; AMENDING SECTION 23-902, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-944, IDAHO CODE, TO PROVIDE AN EXCEPTION FROM RESTRICTION ON ENTERING OR REMAINING UPON THE PREMISES OF A RETAIL WINE ESTABLISHMENT; AND AMENDING SECTION 23-217, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1166, S 1167, S 1168, S 1169, S 1170, and S 1171 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 10, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 221, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 262 and H 263, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 267 and H 268, by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 222 and H 248, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 239, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 59, by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 191, by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 91, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

H 99, by Environment, Energy and Technology Committee, was read the second time at length and filed for third reading.

S 1123, by Resources and Environment Committee, was read the second time at length and filed for third reading.

S 1155, S 1156, S 1157, S 1158, S 1159, and S 1160, by Finance Committee, were read the second time at length and filed for third reading.

H 111, by Education Committee, was read the second time at length and filed for third reading.

H 73, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 149, by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

H 167, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 261, by Appropriations 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 Anthon, granted by unanimous consent, S 1108, as amended, retained its place on the Third Reading Calendar for Monday, March 8, 2021.

Having been held, S 1151 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS--None.

Absent and excused--Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1151 passed, title was approved, and the bill ordered transmitted to the House.

S 1150 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
Roll call resulted as follows:


Total - 35.

Whereupon the President declared S 1150 passed, title was approved, and the bill ordered transmitted to the House.

S 1092, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1092, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1133, as amended, 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.


Total - 35.

Whereupon the President declared S 1133, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1046, as amended, as amended, 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:


Total - 35.

Whereupon the President declared S 1046, as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 22, as amended in the Senate, 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:


Total - 35.

Whereupon the President declared H 22, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 35 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.


Total - 35.

Whereupon the President declared H 35 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:51 a.m. until the hour of 10 a.m., Monday, March 8, 2021.

JANICE MCGEACHIN, President
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 8, 2021

President McGeachin called the Senate to order at 10 a.m.
Roll call showed all members present except Senator Johnson, absent and formally excused by the Chair; and Senator Den Hartog, absent and excused.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Julissa Melendez, 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 5, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

March 8, 2021
The JUDICIARY AND RULES Committee reports that S 1166, S 1167, S 1168, S 1169, S 1170, and S 1171 have been correctly printed.

LAKEY, Chairman

S 1166, S 1167, and S 1168 were referred to the State Affairs Committee.

S 1169 was referred to the Transportation Committee.

S 1170 was referred to the Local Government and Taxation Committee.

S 1171 was referred to the State Affairs Committee.

March 5, 2021
The FINANCE Committee reports out H 262, H 263, S 1162, S 1163, S 1164, and S 1165 with the recommendation that they do pass.

BAIR, Chairman

H 262, H 263, S 1162, S 1163, S 1164, and S 1165 were filed for second reading.

The STATE AFFAIRS Committee reports out H 104, H 107, H 127, and H 141, as amended, with the recommendation that they do pass.

LODGE, Chair

H 104, H 107, H 127, and H 141, as amended, were filed for second reading.

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

Messages from the House

March 5, 2021
Dear Madam President:
I transmit herewith H 269, H 270, H 272, H 249, H 162, H 155, and H 156, which have passed the House.

MAULIN, Chief Clerk

H 269, H 270, H 272, H 249, H 162, H 155, and H 156 were filed for first reading.

March 5, 2021
Dear Madam President:
I return herewith Enrolled S 1080, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1080 was referred to the Judiciary and Rules Committee for transmital to the Office of the Governor.

On request by Senator Anthon, 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 1172
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2022; AUTHORIZING AND DIRECTING THE ALLOCATION OF FUNDS FOR SPECIFIC PROJECTS FOR FISCAL YEAR 2022; PROVIDING REQUIREMENTS FOR UTILIZATION OF MATCHING FUNDS; PROVIDING REQUIREMENTS REGARDING REALLOCATION OF PROJECT SAVINGS; PROVIDING REAPPROPRIATION AUTHORITY; PROVIDING REQUIREMENTS FOR THE USE OF PERMANENT BUILDING FUNDS FOR SPECIFIC PROJECTS; AND APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE PERMANENT BUILDING FUND.

March 8, 2021

S 1173
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE
Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, S 1108, as amended, retained its place on the Third Reading Calendar for Thursday, March 11, 2021.

S 1123 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared S 1123 passed, title was approved, and the bill ordered transmitted to the House.

S 1155 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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–Johnson. Total - 1.

Total - 35.

Whereupon the President declared S 1155 passed, title was approved, and the bill ordered transmitted to the House.

S 1156 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:


NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared S 1156 passed, title was approved, and the bill ordered transmitted to the House.
S 1157 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:


Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared S 1157 passed, title was approved, and the bill ordered transmitted to the House.

S 1158 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–Johnson. Total - 1.

Total - 35.

Whereupon the President declared S 1158 passed, title was approved, and the bill ordered transmitted to the House.

S 1159 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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–Johnson. Total - 1.

Total - 35.

Whereupon the President declared S 1159 passed, title was approved, and the bill ordered transmitted to the House.

S 1160 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 1160 passed, title was approved, and the bill ordered transmitted to the House.

H 36 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow 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 36 passed, title was approved, and the bill ordered returned to the House.

H 83 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 83 passed, title was approved, and the bill ordered returned to the House.

H 15 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rabe 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 15 passed, title was approved, and the bill ordered returned to the House.

H 32 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 32 passed, title was approved, and the bill ordered returned to the House.
H 27 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 27 passed, title was approved, and the bill ordered returned to the House.

H 37 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow 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 37 passed, title was approved, and the bill ordered returned to the House.

H 38 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 declared H 38 passed, title was approved, and the bill ordered returned to the House.

H 39 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs 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 39 passed, title was approved, and the bill ordered returned to the House.

H 40 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 President declared H 40 passed, title was approved, and the bill ordered returned to the House.

H 50 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 50 passed, title was approved, and the bill ordered returned to the House.

H 114 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 114 passed, title was approved, and the bill ordered returned to the House.

H 109 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 H 109 passed, title was approved, and the bill ordered returned to the House.

H 117 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent 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 117 passed, title was approved, and the bill ordered returned to the House.
H 23 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 23 passed, title was approved, and the bill ordered returned to the House.

H 134 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 134 passed, title was approved, and the bill ordered returned to the House.

H 79 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie 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 79 passed, title was approved, and the bill ordered returned to the House.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:06 p.m. until the hour of 4 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President McGechin presiding.

Roll call showed all members present except Senators Burgoyne, Crabtree, 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 8, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1080 was delivered to the Office of the Governor at 1:23 p.m., March 8, 2021.

LAKEY, Chairman

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

March 8, 2021

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:

Valisa Say to the Bingo-Raffle Advisory Board, term to expire January 7, 2024.

LODGE, Chair

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.

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

March 8, 2021

The FINANCE Committee reports out H 269, H 270, and H 272 with the recommendation that they do pass.

BAIR, Chairman

H 269, H 270, and H 272 were filed for second reading.

March 8, 2021

The RESOURCES AND ENVIRONMENT Committee reports out SJM 103 with the recommendation that it do pass.

VICK, Chairman

SJM 103 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 8, 2021

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

James Yost to the Northwest Power and Conservation Council, term to expire January 15, 2024.

VICK, 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 Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

**Messages from the Governor**

March 8, 2021

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 5, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1027

Sincerely,
/s/ Brad Little
Governor of Idaho

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

March 8, 2021

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 8, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1016 and S 1038

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 Anthon, 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 1175

**BY FINANCE COMMITTEE**

**AN ACT**

RETLATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE APPROPRIATION FROM OBJECT TRANSFER LIMITATIONS; PROVIDING REAPPROPRIATION AUTHORITY; AND DIRECTING AN ADJUSTMENT FOR STUDENT TUITION AND FEES FOR FISCAL YEAR 2022.
On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

**H 115** 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 115** passed, title was approved, and the bill ordered returned to the House.

**H 43** 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 43** passed, title was approved, and the bill ordered returned to the House.

**H 64** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rabe arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"
H 206 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 206 passed, title was approved, and the bill ordered returned to the House.

H 207 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:


Absent and excused–Woodward. Total - 1.

Total - 35.

Whereupon the President declared H 207 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, H 73 was placed at the head of the Third Reading Calendar, followed by House bills.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:16 p.m. until the hour of 10 a.m., Tuesday, March 9, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 9, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Anthon, absent and formally excused by the Chair; and Senators Bair, Lodge, Stennett, and Vick, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Josh Nelson, 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 8, 2021, 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 Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 9, 2021

The JUDICIARY AND RULES Committee reports that S 1172, S 1173, S 1174, S 1175, S 1176, and S 1177 have been correctly printed.

LAKEY, Chairman

S 1172, S 1173, S 1174, S 1175, S 1176, and S 1177 were referred to the Finance Committee.

Senator Vick was recorded present at this order of business.

March 8, 2021

The HEALTH AND WELFARE Committee reports out H 233 with the recommendation that it do pass.

MARTIN, Chairman

H 233 was filed for second reading.

March 8, 2021

The EDUCATION Committee reports out H 175 and H 203 with the recommendation that they do pass.

THAYN, Chairman

H 175 and H 203 were filed for second reading.

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

Messages from the Governor

March 9, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 9, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1033

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 8, 2021

Dear Madam President:


MAULIN, Chief Clerk


Senators Bair and Lodge were recorded present at this order of business.

March 8, 2021

Dear Madam President:

I transmit herewith Enrolled H 216, H 74, and H 29 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 216, H 74, and H 29 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

On motion by Senator Lee, seconded by Senator Wintro, the Gubernatorial appointment of Melissa Hultberg as a member of the Sexual Offender Management Board was confirmed by voice vote.
The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Stennett was recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Evelyn Johnson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Burgoyne, the Gubernatorial appointment of Evelyn Johnson as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

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

On motion by Senator Lee, seconded by Senator Winrow, the Gubernatorial appointment of John Dinger as a member of the Sexual Offender Management Board was confirmed by voice vote.

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

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

On motion by Senator Winrow, seconded by Senator Lee, the Gubernatorial reappointment of Moira Lynch as a member of the Sexual Offender Management Board was confirmed by voice vote.

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

On request by Senator Lee, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Chris Pomeroy retained its place on the calendar for Wednesday, March 10, 2021.

The President announced that the Transportation Committee report relative to the Gubernatorial reappointment of Julie DeLorenzo was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Den Hartog, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Julie DeLorenzo as a member of the Idaho Transportation Board was confirmed by voice vote.

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

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

On motion by Senator Lent, seconded by Senator Stennett, the Gubernatorial reappointment of Valisa Say as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

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

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of James Yost was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Nye, the Gubernatorial reappointment of James Yost as a member of the Northwest Power and Conservation Council was confirmed by voice vote.

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

The President announced that HCR 7 was before the Senate for final consideration.

Moved by Senator Bair, seconded by Senator Ward-Engelking, that HCR 7 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

NAYS—None.

Absent and excused—Anthon. Total - 1.
Total - 35.

Whereupon the President declared HCR 7 adopted, title was approved, and the resolution ordered returned to the House.

On request by Senator Lee, granted by unanimous consent, SP 101 retained its place on the calendar for Friday, March 12, 2021.

The President announced that SJM 103 was before the Senate for final consideration.

Moved by Senator Bayer, seconded by Senator Johnson, that SJM 103 be adopted. The question being, "Shall the memorial be adopted?"
Pursuant to Rule 39(C), a roll call vote was requested by Senator Vick.

Senators Bair and Patrick supported the request for a roll call vote.

Roll call resulted as follows:


Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared *SJM 103* adopted, title was approved, and the memorial ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

*H 118*, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

*H 126*, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

*H 252*, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

*H 279, H 169, H 231, and H 243*, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

*H 174*, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

*H 266*, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

*H 234*, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

*H 264 and H 265*, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

*H 282 and H 283*, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

*H 276 and H 277*, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

*H 198*, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

*HCR 11*, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

*H 262* and *H 263*, by Appropriations Committee, were read the second time at length and filed for third reading.

*S 1162, S 1163, S 1164, and S 1165*, by Finance Committee, were read the second time at length and filed for third reading.

*H 104* and *H 107*, by State Affairs Committee, were read the second time at length and filed for third reading.

*H 127*, by Environment, Energy and Technology Committee, was read the second time at length and filed for third reading.

*H 141*, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

*H 269, H 270, and H 272*, by Appropriations 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**

On request by Senator Lee, granted by unanimous consent, *H 73* was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House Appropriations bills, followed by House bills as amended, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Lee, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:54 a.m. until the hour of 10 a.m., Wednesday, March 10, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FIFTY-NINOTH LEGISLATIVE DAY
WEDNESDAY, MARCH 10, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.
Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Colton Rietema, 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 9, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

March 9, 2021

The FINANCE Committee reports out H 282, H 283, S 1172, S 1173, S 1174, S 1175, S 1176, and S 1177 with the recommendation that they do pass.

BAIR, Chairman

H 282, H 283, S 1172, S 1173, S 1174, S 1175, S 1176, and S 1177 were filed for second reading.

March 9, 2021

The TRANSPORTATION Committee reports out H 85, H 86, H 129, H 132, as amended, and H 229 with the recommendation that they do pass.

DEN HARTOG, Chair

H 85, H 86, H 129, H 132, as amended, and H 229 were filed for second reading.

March 9, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out H 81 with the recommendation that it do pass.

PATRICK, Chairman

H 81 was filed for second reading.

March 9, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1057 and S 1161 with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, S 1057 and S 1161 were referred to the Fourteenth Order of Business, General Calendar.

March 9, 2021

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

Chad Henggeler to the State Board of Health and Welfare, term to expire January 1, 2023.

MARTIN, 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 10, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 251 with the recommendation that it do pass.

RICE, Chairman

H 251 was filed for second reading.

March 10, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out S 1107 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, S 1107 was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2021

The STATE AFFAIRS Committee reports out HCR 10 and S 1171 with the recommendation that they do pass.

LODGE, Chair

HCR 10 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1171 was filed for second reading.

March 10, 2021

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.
Messages from the Governor

March 9, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 9, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1080
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 9, 2021

Dear Madam President:

I transmit herewith H 294, H 280, and H 245, which have passed the House.

MAULIN, Chief Clerk

H 294, H 280, and H 245 were filed for first reading.

March 9, 2021

Dear Madam President:

I transmit herewith Enrolled H 35 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 35 and ordered it returned to the House.

On request by Senator Anthon, 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 1178
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO PARI-MUTUEL BETTING; AMENDING SECTION 54-2512, IDAHO CODE, TO PROVIDE FOR THE RETENTION OF A PERCENTAGE OF ADVANCE DEPOSIT WAGERING MONEYS BY THE IDAHO STATE RACING COMMISSION FOR RACING ADMINISTRATION; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1178 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 294 and H 280, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 245, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 233, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 175 and H 203, by Education 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 73 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?"

Pursuant to Senate Rule 39(H), Senators Anthon, Lakey, and Nye disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 73 passed, title was approved, and the bill ordered returned to the House.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:08 p.m. until the hour of 3:45 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3:45 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Bair, Den Hartog, Lodge, and Vick, 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 10, 2021

The RESOURCES AND ENVIRONMENT Committee reports out H 182, H 184, H 185, H 186, H 267, and H 268 with the recommendation that they do pass.

VICK, Chairman

H 182, H 184, H 185, H 186, H 267, and H 268 were filed for second reading.

March 10, 2021

The EDUCATION Committee reports out H 222 with the recommendation that it do pass.

THAYN, Chairman

H 222 was filed for second reading.

Senator Vick was recorded present at this order of business.

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

**Messages from the House**

March 10, 2021

Dear Madam President:


MAULIN, Chief Clerk


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

**General Calendar**

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee 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.

Senator Lodge was recorded present at this order of business.

**Report of the Committee of the Whole**

Senator Lee, Chairman of the Committee of the Whole, reported out S 1136 and S 1143, without recommendation, amended as follows:

**SENATE AMENDMENT TO S 1136**

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 13 through 42; delete page 2; on page 3, delete lines 1 through 39, and insert:

"SECTION 1. LEGISLATIVE INTENT. Idaho Code grants the Governor the power to proclaim a state of extreme peril and provide the initial response thereto. As a co-equal branch of the government, the Legislature should assist the Governor during such times of extreme peril as a proper check and balance of power when restrictions are placed on Idahoans. When exercising such powers during a state of extreme peril, the government should:

(1) Recognize that all Idahoans who work, provide for families, and pay taxes are essential to Idaho;

(2) Assure that the Idaho Legislature exercises its constitutional powers to appropriate funds;

(3) Prohibit the quarantine or isolation of healthy individuals;

(4) Protect Idahoans' respective constitutional rights, including the right to keep and bear arms and the right to free exercise of religion; and

(5) Prevent the delegation of government power to nonelected officials.

SECTION 2. That Section 46-601, Idaho Code, be, and the same is hereby amended to read as follows:

46-601. AUTHORITY OF GOVERNOR.

(1)(a) The governor shall have the power in the event of an emergency peril to proclaim a state of extreme peril and then order into the active service of the state, the national guard, or any part thereof, and the organized militia, or any part thereof, or both as he may deem proper.

(b) "State of emergency peril" means:

(i) The duly proclaimed existence of conditions of extreme peril to threatening the safety of persons or property within the state, or any part thereof, caused by an enemy attack or threatened imminent enemy attack; and

(ii) The duly proclaimed existence of conditions of extreme peril to threatening the safety of persons or property within the state, or any part thereof, caused by such conditions as air pollution, fire, flood, storm, epidemic, riot or earthquake, violent insurrection, breach of the peace, which violent revolt, explosion, cyber attack on critical infrastructure, or other conditions that by reason of their magnitude are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any county, any city, or any city and county or result in mass casualties.

(c) "Enemy attack" means an actual attack by terrorists or a foreign nation by terrorism, hostile air raids, or other forms of warfare upon this state or any other state or territory of the United States.

(d) "Violent insurrection" means a violent movement or violent actions by persons intending to overthrow the lawful government.

(e) "Terrorism" is as defined in section 18-8102, Idaho Code.

(2)(a) During a period of a declared state of extreme peril, the governor shall have complete authority over all executive agencies and departments of the state government, including all separate boards and commissions, and the right to exercise within the area or regions wherein the state of extreme peril exists all, subject to the provisions of this section, police power vested in the state by the constitution and the laws of the state of Idaho. In the provided, however, that the governor's exercise thereof he is authorized to promulgate, issue and enforce must be limited to promulgation, issuance, and enforcement of
written rules, regulations and orders which he considers necessary for the protection of the state and of necessary to support the national guard or militia and that are essential to protect life and or property from violent destruction. Such rules, regulations and orders shall must be essential to protect life or property from the existence of conditions threatening the safety of persons or property within the state and must be narrowed tailored to effectively protect life or property without placing unnecessary restrictions on the ability for a person or persons, regardless of job type or classification, to work, provide for their families, or otherwise contribute to the economy of the state of Idaho. Such rules and orders must, whenever practicable, be prepared in advance of extreme emergency peril, and the governor shall cause widespread publicity and notice to be given of such rules, regulations and orders. Rules, regulations and orders issued under the authority of this section and prepared in advance of a state of extreme emergency shall must not become operative until the governor proclaims a state of extreme emergency peril. Such rules, regulations and orders shall be in writing and shall take effect upon their issuance. They shall be filed in the office of the secretary of state as soon as possible after their issuance. A copy of such rules, regulations and orders shall likewise be filed in the office of the county clerk of each county, any portion of which is included within the area wherein a state of extreme emergency peril has been proclaimed. Whenever the
(b) The state of extreme emergency has been ended by either peril must terminate by the expiration of the period for which it was proclaimed or when the need for said state of extreme emergency has ceased, the governor shall declare the period of the state of extreme emergency to be at an end. peril has ceased, whichever is sooner. Any state of extreme peril in no event shall exceed sixty (60) days without concurrence of the legislature; provided, however, if the governor must maintain the proclamation of the state of extreme peril solely for the purpose of receiving federal funding, benefits, or resources as a result of a declared disaster emergency and if the receipt of such funding, benefits, or resources does not re-quire the imposition of any conditions or restrictions prescribed in the proclamation, then the governor’s proclamation shall continue in effect solely for the purpose of receipt of federal funding, benefits, or resources, and any conditions or restrictions contained in the proclamation shall no longer be in effect. All other provisions of the proclamation shall expire unless the legislature by concurrent resolution extends the duration of the state of extreme peril. The governor may not circumvent the sixty (60) day limitation by redeclaring successive states of extreme peril for the same conditions threatening the safety of persons or property within the state in the absence of an extension by the legislature.
(c) If the legislature is in a regular session during a state of extreme peril or in an extraordinary session to address the state of extreme peril, the legislature may consider any legislation to terminate or modify emergency orders of general applicability or to respond to the extreme peril, including appropriating necessary emergency funds. The legislature may terminate the state of extreme peril, in whole or in part. Such termination will be binding on the governor, state agencies, governmental entities, and political subdivisions; provided that nothing in this section prohibits a city’s ability to pass ordinances for the preservation of public health pursuant to section 50-304, Idaho Code.
(d) Upon passage of legislation under paragraph (c) of this subsection, the governor must then immediately notify the public that the state of extreme peril has been modified or terminated. Such notice must be filed and publicized in the same manner that the rules or orders were filed and publicized under paragraph (a) of this subsection.
(3) During the continuance of any proclaimed state of extreme emergency, insurrection, peril or martial law, neither the governor nor any agency of any governmental entity or political subdivision of the state shall impose or enforce additional restrictions prohibited under Idaho law on the lawful manufacturing, possession, transfer, sale, transport, storage, display, or use of firearms or ammunition or otherwise limit or suspend any rights guaranteed by the United States constitution or the constitution of the state of Idaho, including but not limited to the right to peaceable assembly and free exercise of religion.
(4) During any state of extreme peril, the governor may not alter, adjust, or suspend any provision of the Idaho Code but for good cause may temporarily suspend enforcement of particular provisions that prevent, hinder, or delay necessary action to respond to the state of extreme peril. The governor shall file a notice describing the temporary suspension of enforcement of any particular provision with the office of the secretary of state as soon as possible after such suspension, and copies thereof shall be delivered to the speaker of the Idaho house of representatives, the president pro tempore of the Idaho senate, and the chief justice of the Idaho supreme court.
(6) The provisions of this section are hereby declared to be severable. If any provision of this section or the application of such provision to any person or circumstance is declared invalid by a court of competent jurisdiction for any reason, such declaration shall not affect the validity of the remaining portions of this section."
and renumber subsequent sections accordingly.

CORRECTION TO TITLE
On page 1, in line 2, following "LAW," insert: "PROVIDING
LEGISLATIVE INTENT;".

SENATE AMENDMENT TO S 1143
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 41, delete "December
31, 2021" and insert: "February 28, 2022".

SENATE AMENDMENT TO S 1143
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 30, following "other" insert: "comparable or lesser".

The Committee also has H 66 and S 1112 under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

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

S 1136, as amended, and S 1143, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.
On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

**Third Reading of Bills**

S 1162 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–Woodward. Total - 1.

Total - 35.

Whereupon the President declared S 1162 passed, title was approved, and the bill ordered transmitted to the House.

S 1163 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:


Absent and excused–Bair, Woodward. Total - 2.

Total - 35.

Whereupon the President declared S 1163 passed, title was approved, and the bill ordered transmitted to the House.

S 1164 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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–Woodward. Total - 1.

Total - 35.

Whereupon the President declared S 1164 passed, title was approved, and the bill ordered transmitted to the House.

S 1165 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:


Absent and excused–Woodward. Total - 1.

Total - 35.

Whereupon the President declared S 1165 passed, title was approved, and the bill ordered transmitted to the House.

H 224 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:


Absent and excused–Woodward. Total - 1.

Total - 35.

Whereupon the President declared H 224 passed, title was approved, and the bill ordered returned to the House.

H 225 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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–Woodward. Total - 1.

Total - 35.

Whereupon the President declared H 225 passed, title was approved, and the bill ordered returned to the House.

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

**Reports of Standing Committees**

March 10, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1136 and S 1143 have been correctly printed.

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

March 10, 2021

The JUDICIARY AND RULES Committee reports that S 1136, as amended, and S 1143, as amended, have been correctly engrossed.

LAKEY, Chairman

S 1136, as amended, and S 1143, as amended, were filed for first reading.

On request by Senator Anthon, 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 1136, as amended, and S 1143, as amended, by State Affairs Committee, were read the first time at length and filed for second reading.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5 p.m. until the hour of 10 a.m., Thursday, March 11, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Grow, Johnson, and Stennett, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Tyler Tippets, 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 10, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

**Petitions, Resolutions, and Memorials**

**SJ1 104**

BY JUDICIARY AND RULES COMMITTEE

A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES,

TO GOVERNOR BRAD LITTLE, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, it is the policy of the state of Idaho and its local governments to advance and defend a balanced, dynamic criminal justice partnership with the federal government; and

WHEREAS, Congress and the Biden Administration should avoid federalizing crime policy and substituting national laws for state and local policy decisions affecting criminal and juvenile justice, and federal jurisdiction should be reserved for areas where a national problem has been identified and states are unable to adequately provide solutions due to scope or where it is required to protect federal constitutional rights; and

WHEREAS, Congress and the Biden Administration must recognize that states and local governments have the predominant responsibility to ensure public safety and the administration of justice and must adhere to fundamental principles of federalism in all areas of criminal justice; and

WHEREAS, states diligently strive to improve criminal justice systems and policies and recognize that federal funding is sometimes necessary to implement state reforms in this area, and funding levels for Department of Justice grants and reimbursements to states should be maintained; and

WHEREAS, the state of Idaho joins the National Conference of State Legislatures in opposing congressional proposals or federal regulations that would withhold a portion of state criminal justice grants or other funding as a penalty for noncompliance with federal criminal justice policies and opposes the withholding of any federal criminal justice funding as a penalty for state policy choices; and

WHEREAS, the state of Idaho urges the federal government to respect state criminal justice priorities and pursue partnerships rather than mandates.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the state of Idaho affirms its commitment to the Tenth Amendment of the United States Constitution that is the cornerstone of constitutional federalism and reserves broad powers to the states and to the people and that Congress and the Biden Administration must allow states their authority to shape public policy in all areas of criminal justice.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, to Governor Brad Little, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

**SJ1 104** was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

**Reports of Standing Committees**

March 11, 2021

The JUDICIARY AND RULES Committee reports that **S1 1178** has been correctly printed.

LAKEY, Chairman

**S1 1178** was referred to the State Affairs Committee.

March 10, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H1 210** and **H1 217** with the recommendation that they do pass.

RICE, Chairman

**H1 210** and **H1 217** were filed for second reading.

March 10, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H1 171** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, **H1 171** was referred to the Fourteenth Order of Business, General Calendar.
March 10, 2021

On request by Senator Anthon, 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 1179
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR COLLEGE AND UNIVERSITIES AND THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2022; PROVIDING REAPPROPRIATION AUTHORITY; EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS; PROVIDING REQUIREMENTS FOR SYSTEMWIDE NEEDS; DIRECTING AN ADJUSTMENT FOR STUDENT TUITION AND FEES FOR FISCAL YEAR 2022; DIRECTING THE USE OF APPROPRIATED FUNDS; PROVIDING REPORTING REQUIREMENTS; APPROPRIATING ADDITIONAL MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR COLLEGE AND UNIVERSITIES AND THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1180
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1181
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF INDEPENDENT COUNCILS, INDIRECT SUPPORT SERVICES, AND LICENSING AND CERTIFICATION FOR FISCAL YEAR 2022; 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 MEDICAID TRACKING REPORTS; AND REQUIRING REPORTS ON FACILITY LICENSING AND CERTIFICATION.

S 1182
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1367, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE UNEMPLOYMENT BENEFIT FORMULA.
S 1179, S 1180, S 1181, and S 1182 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Stennett was recorded present at this order of business.

H 232 and H 299, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 303, H 304, H 305, H 306, and H 308, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 250, as amended, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 240, as amended, by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 161, as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 317, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 293, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Bair, granted by unanimous consent, S 1174 was referred to the Finance Committee.

H 282 and H 283, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1172, S 1173, S 1175, S 1176, and S 1177, by Finance Committee, were read the second time at length and filed for third reading.

H 85, H 86, H 129, H 132, as amended, and H 229, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

H 81, by Business Committee, was read the second time at length and filed for third reading.

H 251, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1171, by State Affairs Committee, was read the second time at length and filed for third reading.

H 182, H 184, H 185, H 186, H 267, and H 268, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

H 222, by Education Committee, was read the second time at length and filed for third reading.

S 1136, as amended, and S 1143, as amended, by State Affairs Committee, were read the second time at length and filed for third reading.

Senator Johnson was recorded present at this order of business.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, S 1108, as amended, was referred to the Fourteenth Order of Business, General Calendar.

H 228 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs 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–Grow. Total - 1.

Total - 35.

Whereupon the President declared H 228 passed, title was approved, and the bill ordered returned to the House.

H 230 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–None.

Absent and excused–Grow. Total - 1.

Total - 35.

Whereupon the President declared H 230 passed, title was approved, and the bill ordered returned to the House.

H 261 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 261 passed, title was approved, and the bill ordered returned to the House.
H 262 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:


NAYS–Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared H 262 passed, title was approved, and the bill ordered returned to the House.

H 263 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent 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 263 passed, title was approved, and the bill ordered returned to the House.

H 269 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 H 269 passed, title was approved, and the bill ordered returned to the House.

H 270 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:


Total - 35.

Whereupon the President declared H 270 passed, title was approved, and the bill ordered returned to the House.

H 272 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?"

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

Roll call resulted as follows:


Whereupon the President declared H 272 passed, title was approved, and the bill ordered returned to the House.

H 141, as amended, 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 declared H 141, as amended, passed, title was approved, and the bill ordered returned to the House.

H 128 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 128 passed, title was approved, and the bill ordered returned to the House.

H 75 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie 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 75 passed, title was approved, and the bill ordered returned to the House.

H 80 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey
arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 57 passed, title was approved, and the bill ordered returned to the House.

H 93 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 93 passed, title was approved, and the bill ordered returned to the House.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:56 a.m. until the hour of 4 p.m. of this day.

RECESS

AFTERNOON SESSION

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

Roll call showed all members present except Senators Crabtree, Den Hartog, Johnson, Lodge, Nelson, Ward-Engelking, and Woodward, 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 11, 2021

The FINANCE Committee reports out H 303, H 304, H 305, H 306, and H 308 with the recommendation that they do pass.

BAIR, Chairman

H 303, H 304, H 305, H 306, and H 308 were filed for second reading.

Senators Crabtree, Nelson, and Woodward were recorded present at this order of business.

March 11, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out H 103, H 138, H 139, and H 142 with the recommendation that they do pass.

PATRICK, Chairman
H 103, H 138, H 139, and H 142 were filed for second reading.

March 11, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out H 102 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, H 102 was referred to the Fourteenth Order of Business, General Calendar.

March 11, 2021

The TRANSPORTATION Committee reports out H 131 and H 165 with the recommendation that they do pass.

DEN HARTOG, Chair

H 131 and H 165 were filed for second reading.

Senators Den Hartog and Johnson were recorded present at this order of business.

March 11, 2021

The TRANSPORTATION Committee reports out S 1169 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DEN HARTOG, Chair

There being no objection, S 1169 was referred to the Fourteenth Order of Business, General Calendar.

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

Third Reading of Bills

H 94 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared H 94 passed, title was approved, and the bill ordered returned to the House.

H 96 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito 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 96 passed, title was approved, and the bill ordered returned to the House.

H 208 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 39.

Whereupon the President declared H 208 passed, title was approved, and the bill ordered returned to the House.

H 51 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito 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 51 passed, title was approved, and the bill ordered returned to the House.

H 46 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Burgoyne. Total - 1.
Total - 35.

Whereupon the President declared H 46 passed, title was approved, and the bill ordered returned to the House.

H 136 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 President declared H 136 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, H 127 was placed at the head of the Third Reading Calendar, followed by S 1136aa, followed by Senate bills, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:55 p.m. until the hour of 10 a.m., Friday, March 12, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
President Pro Tempore Winder called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Agenbroad, Bair, Cook, Crabtree, Grow, Lent, Nye, Rabe, Riggs, Ward-Engelking, and Woodward, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Charlotte Brockman, 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 11, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

March 12, 2021

The JUDICIARY AND RULES Committee reports that SJM 104, S 1179, S 1180, S 1181, and S 1182 have been correctly printed.

LAKEY, Chairman

SJM 104 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1179, S 1180, and S 1181 were referred to the Finance Committee.

S 1182 was referred to the Commerce and Human Resources Committee.

March 11, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 156, H 276, and H 277 with the recommendation that they do pass.

RICE, Chairman

H 156, H 276, and H 277 were filed for second reading.

March 11, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 252 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, H 252 was referred to the Fourteenth Order of Business, General Calendar.

March 12, 2021

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

Linda Clark to the State Board of Education, term to expire July 1, 2025.

RICE, 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 Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 11, 2021

Dear Mr. President:

I transmit herewith H 275, H 312, H 313, and H 122, which have passed the House.

MAULIN, Chief Clerk

H 275, H 312, H 313, and H 122 were filed for first reading.

March 11, 2021

Dear Mr. President:

I transmit herewith Enrolled HCR 7 for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled HCR 7 and ordered it returned to the House.

On request by Senator Anthon, 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 1183

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT; AMENDING TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 87, TITLE 18, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE LEGISLATIVE FINDINGS AND INTENT, TO PROVIDE FOR THE DETERMINATION OF A FETAL HEARTBEAT, TO PROHIBIT AN ABORTION FOLLOWING DETECTION OF A FETAL HEARTBEAT, TO PROVIDE EXCEPTIONS
IN CERTAIN INSTANCES, TO PROVIDE PENALTIES, TO PROVIDE AN EFFECTIVE DATE UPON A CERTAIN OCCURRENCE, TO PROVIDE THAT A PREGNANT WOMAN MAY BRING A CIVIL ACTION IN CERTAIN INSTANCES, AND TO PROVIDE SEVERABILITY.

S 1183 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Rabe was recorded present at this order of business.

H 275, by Business Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 312 and H 313, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 122, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 210 and H 217, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

H 126, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 303, H 304, H 305, H 306, and H 308, by Appropriations Committee, were read the second time at length and filed for third reading.

H 103, by Business Committee, was read the second time at length and filed for third reading.

H 138, H 139, and H 142, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

H 131 and H 165, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

Senators Agenbroad, Bair, Cook, Crabtree, Grow, Lent, Nye, Riggs, Ward-Engelking, and Woodward were recorded present at this order of business.

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

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, SP 101 was placed at the top of the calendar.

The President Pro Tempore announced that SP 101 was before the Senate for final consideration, the question being, "Shall the proclamation be adopted?"

On motion by Senator Ricks, seconded by Senator Burgoyne, SP 101 was adopted by voice vote, title was approved, and the proclamation ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, HCR 10 was placed before the Senate for final consideration.

The President Pro Tempore announced that HCR 10 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lodge, seconded by Senator Stennett, HCR 10 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

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

Third Reading of Bills

H 127 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?"

On request by Senator Anthon, granted by unanimous consent, H 127 retained its place on the Third Reading Calendar for Monday, March 15, 2021.

On request by Senator Anthon, granted by unanimous consent, H 251 was placed before the Senate for final consideration at this time.

H 251 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 President declared H 251 passed, title was approved, and the bill ordered returned to the House.

S 1136, as amended, 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:


Absent and excused--Ricks. Total - 1.

Paired and voting included in roll call:

AYE - Johnson
NAY - Ward-Engelking

Total - 35.

Whereupon the President Pro Tempore declared S 1136, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, H 308 was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

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

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:44 p.m. until the hour of 10 a.m., Monday, March 15, 2021.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE
_____________________
SIXTY-FOURTH LEGISLATIVE DAY
MONDAY, MARCH 15, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Grace Kuhn, 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 12, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

March 15, 2021

The JUDICIARY AND RULES Committee reports that S 1183 has been correctly printed.

LAKEY, Chairman

S 1183 was referred to the State Affairs Committee.

March 12, 2021

The STATE AFFAIRS Committee reports out H 198 and S 1178 with the recommendation that they do pass.

LODGE, Chair

H 198 and S 1178 were filed for second reading.

March 15, 2021

The FINANCE Committee reports out H 312, H 313, S 1179, S 1180, and S 1181 with the recommendation that they do pass.

BAIR, Chairman

H 312, H 313, S 1179, S 1180, and S 1181 were filed for second reading.

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

Messages from the House

March 12, 2021

Dear Madam President:

I transmit herewith H 286, H 307, H 298, and HCR 13, which have passed the House.

MAULIN, Chief Clerk

H 286, H 307, H 298, and HCR 13 were filed for first reading.

March 12, 2021

Dear Madam President:

I return herewith S 1091, S 1094, S 1044, S 1055, S 1060, S 1121, S 1041, S 1010, S 1049, S 1093, and S 1009, which have passed the House.

MAULIN, Chief Clerk

S 1091, S 1094, S 1044, S 1055, S 1060, S 1121, S 1041, S 1010, S 1049, S 1093, and S 1009 were referred to the Judiciary and Rules Committee for enrolling.

March 12, 2021

Dear Madam President:

I transmit herewith Enrolled H 73, H 224, and H 225 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 73, H 224, and H 225 and ordered them returned to the House.

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

Third Reading of Bills

H 308 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 H 308 passed, title was approved, and the bill ordered returned to the House.

S 1172 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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 1172 passed, title was approved, and the bill ordered transmitted to the House.

S 1173 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Rice, Thayn, Vick, Zito. Total - 5.

Total - 35.

Whereupon the President declared S 1173 passed, title was approved, and the bill ordered transmitted to the House.

S 1175 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, Zito. Total - 2.

Total - 35.

Whereupon the President declared S 1175 passed, title was approved, and the bill ordered transmitted to the House.

S 1176 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Burgoyne, Stennett, Winthrop. Total - 3.

Total - 35.

Whereupon the President declared S 1176 passed, title was approved, and the bill ordered transmitted to the House.

Roll call resulted as follows:


Whereupon the President declared S 1177 passed, title was approved, and the bill ordered transmitted to the House.

S 1177 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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 1177 passed, title was approved, and the bill ordered transmitted to the House.

S 1171 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Grow. Total - 1.

Absent and excused–Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared S 1171 passed, title was approved, and the bill ordered transmitted to the House.

S 1143, as amended, 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 President declared S 1143, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 127, having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared H 127 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Eleventh Order of Business.
Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1184
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1185
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2022; 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 PROGRAMS; REQUIRING A REPORT ON MEDICAID MANAGED CARE IMPLEMENTATION; REQUIRING COST-SHARING FOR SERVICES; AND PROVIDING REQUIREMENTS FOR BUDGET INTEGRITY.

S 1186
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE TREASURER; APPROPRIATING MONEYS TO THE OFFICE OF THE STATE TREASURER FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REQUIREMENTS REGARDING PAYMENT OF BANK SERVICE FEES; REDUCING THE APPROPRIATION TO THE OFFICE OF THE STATE TREASURER FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE TREASURER FOR FISCAL YEAR 2021; PROVIDING REQUIREMENTS REGARDING CAPITOL FURNITURE; AND DECLARING AN EMERGENCY.

S 1187
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT; AND REQUIRING OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT REPORTING.

S 1184, S 1185, S 1186, and S 1187 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 286, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 307, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 298, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

HCR 13, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 156, by Local Government Committee, was read the second time at length and filed for third reading.

H 276 and H 277, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:25 A.M. until the hour of 4 P.M. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 P.M., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Agenbroad, Bair, Cook, Crabtree, Den Hartog, Lent, Rice, Thayn, Ward-Engelking, and Woodward, 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 15, 2021

The JUDICIARY AND RULES Committee reports that S 1091, S 1094, S 1044, S 1055, S 1060, S 1121, S 1041, S 1010, S 1049, S 1093, and S 1009 have been correctly enrolled.

LAKEY, Chairman
The President signed Enrolled S 1091, S 1094, S 1044, S 1055, S 1060, S 1121, S 1041, S 1049, S 1093, and S 1009 and ordered them transmitted to the House for the signature of the Speaker.

March 15, 2021

The STATE AFFAIRS Committee reports out H 155, H 231, H 243, H 279, and HCR 8 with the recommendation that they do pass.

LODGE, Chair

H 155, H 231, H 243, and H 279 were filed for second reading.

HCR 8 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senators Crabtree, Thayn, and Woodward were recorded present at this order of business.

March 15, 2021

The STATE AFFAIRS Committee reports out S 1168 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, S 1168 was referred to the Fourteenth Order of Business, General Calendar.

March 15, 2021

The RESOURCES AND ENVIRONMENT Committee reports out H 187, H 235, and H 239 with the recommendation that they do pass.

VICK, Chairman

H 187, H 235, and H 239 were filed for second reading.

Senators Cook, Lent, and Ward-Engelking were recorded present at this order of business.

March 15, 2021

The JUDICIARY AND RULES Committee reports out H 150 and H 152 with the recommendation that they do pass.

LAKEY, Chairman

H 150 and H 152 were filed for second reading.

March 15, 2021

The JUDICIARY AND RULES Committee reports out H 246 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, H 246 was referred to the Fourteenth Order of Business, General Calendar.

March 15, 2021

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

Messages from the Governor

March 15, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Marianne King of Boise, Idaho, was appointed as the Administrator of the Office of Drug Policy to serve a term commencing March 8, 2021, and continuing at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 15, 2021

Dear Madam President:

I return herewith S 1096, S 1005, S 1020, S 1015, S 1072, and S 1073, which have passed the House:

MAULIN, Chief Clerk

S 1096, S 1005, S 1020, S 1015, S 1072, and S 1073 were referred to the Judiciary and Rules Committee for enrolling.

March 15, 2021

Dear Madam President:


MAULIN, Chief Clerk


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

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee 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.

Senators Agenbroad, Bair, and Den Hartog were recorded present at this order of business.
Report of the Committee of the Whole

Senator Lee, Chairman of the Committee of the Whole, reported out S 1112, H 171, and H 102, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1112
AMENDMENT TO SECTION 1
On page 1 of the printed bill, delete lines 9 through 42; and on page 2, delete line 1 through 25, and insert:

"67-465. SPECIAL SESSION CONVENED BY THE LEGISLATURE. (1) In order to convene a special session of the legislature, the members of the house of representatives and the members of the senate must deliver, by either hand delivery or certified letter, return receipt requested, to the speaker of the house of representatives and the president pro tempore of the senate a single, joint petition signed by at least sixty percent (60%) of the members of the house of representatives and sixty percent (60%) of the members of the senate. The petition must include:

(a) The name and legislative district of each petitioner;
(b) The handwritten or electronic signature of each petitioner, including signatures on any number of counterparts, and such counterparts shall constitute one and the same petition;
(c) The specific subject or subjects to be considered during the special session; and
(d) The identified need for the special session.

(2) The speaker of the house of representatives shall be responsible for verifying the petitioners from the house of representatives, and the president pro tempore of the senate shall be responsible for verifying the petitioners from the senate. Upon verification of the requisite percentages of signatories and elements of a petition established by this section, the speaker of the house of representatives and the president pro tempore of the senate will notify all members of the legislature that the petition has met the legal requirements to convene a special session, shall publish a copy of the petition upon which the special session is based on the legislature's website, and shall declare the location, time, and date for the convocation of the session. Such session must convene no sooner than forty-eight (48) hours or later than fifteen (15) days after the petition is delivered to the speaker of the house of representatives and the president pro tempore of the senate; provided, however, if a demonstrable emergency exists that requires immediate action by the legislature, the speaker of the house of representatives and the president pro tempore of the senate may agree to waive the requirement to convene the legislature sooner than forty-eight (48) hours from the date of the delivery of the petition.

(3) In the event either or both the speaker of the house of representatives and the president pro tempore of the senate is deceased, has resigned, or is incapacitated, the next highest-ranking member of the leadership of that officer's party must fulfill that officer's duties under this section.

(4) If the speaker of the house of representatives or the president pro tempore of the senate determines the petition lacks the requisite percentages of signatories or elements of a petition established by this section, they shall notify the members of the legislature that the petition is deficient and the reasons for the deficiency, and no special session shall be convened. Said petition shall not be used at any future time for the convening of a special session.

(5) At a special session convened pursuant to this section, the legislature shall have no power to consider or pass any bills or resolutions on any subjects other than those specified in the petition and those necessary to provide for the expenses of the special session.

(6) A special session convened pursuant to this section takes precedence over an extraordinary session convened by the governor, pursuant to the governor's authority under section 8, article III, of the constitution of the state of Idaho, during any part of the special session.

(7) A special session must convene in the capitol unless the speaker of the house of representatives and the president pro tempore of the senate jointly deem it unsafe or unwise to do so, in which case the session may be convened at any location in the state as jointly designated by the speaker of the house of representatives and the president pro tempore of the senate.

(8) The legislature sitting in special session shall determine the length of the session."

SENATE AMENDMENT TO H 171
AMENDMENT TO SECTION 1
On page 1 of the printed bill, delete lines 7 through 42; and on page 2, delete lines 1 through 25, and insert:

"63-3622. EXEMPTIONS – EXEMPTION CERTIFICATES AND RESALE CERTIFICATES – PENALTIES. (a) To prevent evasion of the sales and use tax, it shall be presumed that all sales are subject to the taxes imposed by the provisions of this chapter and the retailer shall have the burden of establishing the facts giving rise to such exemption unless the purchaser delivers to the retailer, or has on file with the retailer, an exemption certificate or resale certificate, in which case the purchaser shall bear the burden of establishing the facts giving rise to the exemption.

(b) An exemption certificate shall show the purchaser's name, business name and address (if any), address, a federal employer identification number or driver's license number and state of issue, and signature, date, and the reason for and nature of the claimed exemption.

(c) A resale certificate shall be signed and dated by, and bear the name and address of, the purchaser or his agent, shall show the federal employer identification number or driver's license number and state of issue, shall indicate the number of the permit issued to the purchaser or that the purchaser is an out-of-state retailer, and shall indicate the general character of the tangible personal property sold or rented by the purchaser in the regular course of business. A resale certificate relieves the seller from the burden of proof only if taken from a person who is engaged in the business of selling or renting tangible personal property who holds a permit provided for in this section, or who is a retailer not engaged in business in this state, and who, at the time of purchasing the tangible personal property, intends to sell or rent it in the regular course of business or is unable to ascertain at the time of purchase whether the property will be sold or will be used for some other purpose. If a purchaser who gives a resale certificate makes any use of the property other than retention, demonstration or display while holding it for sale or rent in the regular course of business, the use shall be taxable to the purchaser as of the time the property is first used by him, and the sales price of the property to him shall be deemed the measure of the tax.

(d) A seller may accept an exemption certificate or resale certificate from a purchaser prior to the time of sale, at the time of the sale, or at any reasonable time after the sale when necessary to establish the privilege of the exemption. Other than as provided elsewhere in this section, when an exemption certificate or resale certificate, properly executed, is presented to or is on file with the seller, the seller has no duty or obligation to collect sales or use taxes in regard to any sales transaction
so documented regardless of whether the purchaser properly or improperly claimed an exemption. A seller so relieved of the obligation to collect tax is also relieved of any liability to the purchaser for failure to collect tax or for making any report or disclosure of information required or permitted under this chapter. The purchaser providing an exemption certificate or resale certificate to a seller shall bear all responsibility and liability for any subsequent audit of the transaction and the seller shall be held harmless. A seller need not accept an exemption certificate or resale certificate that is not readable, legible or copiable.

(e) Any person who gives an exemption certificate or resale certificate with the intention of evading payment of the amount of the tax applicable to the transaction is guilty of a misdemeanor and punishable by a fine not exceeding one thousand dollars ($1,000) or imprisonment for not more than one (1) year, or by both such fine and imprisonment.

(f) An exemption certificate or resale certificate shall be substantially in such form as the state tax commission may prescribe. The claim for the exemption may be a part of the documentation on a sales invoice, purchase order, or other documentation retained by the retailer with regard to the sale. Unless the purchaser has an exemption certificate or resale certificate on file with the seller, the purchaser or his agent must sign the exemption claim, which shall be in addition to any other signature which the seller normally requires on sales invoices, purchase orders, or other sales documentation.

(g) It shall be presumed that sales made to a person who has completed an exemption certificate or resale certificate for the seller's records are not taxable and the seller need not collect sales or use taxes unless the tangible personal property or services purchased are taxable to the purchaser as a matter of law in the particular instance claimed on the exemption certificate."

CORRECTION TO TITLE
On page 1, in line 3, following "EXEMPTION" insert: "CERTIFICATES".

SENATE AMENDMENT TO H 102
AMENDMENT TO SECTION 1
On page 2 of the printed bill, in line 10, following "therein," insert: "other than a lease,"; and in line 11, delete "an interest in" and insert: "an interest in".

The Committee also has H 66, S 1057, S 1161, S 1107, H 59, H 191, S 1108, as amended, S 1169, and H 252 under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

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

S 1112, 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 171, as amended in the Senate, and H 102, 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 Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

H 91 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Barr arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared H 91 passed, title was approved, and the bill ordered returned to the House.

H 99 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared H 99 passed, title was approved, and the bill ordered returned to the House.

H 111 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:


NAYS–None.


Total - 35.

Whereupon the President declared H 111 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House Appropriations bills, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.
Reports of Standing Committees

March 15, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1112, H 171, and H 102 have been correctly printed.

LAKEY, Chairman

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

March 15, 2021

The JUDICIARY AND RULES Committee reports that S 1112, as amended, has been correctly engrossed.

LAKEY, Chairman

S 1112, as amended, was filed for first reading.

On request by Senator Anthon, 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 171, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

H 102, as amended in the Senate, by Business Committee, was read the first time at length and filed for second reading.

S 1112, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:06 p.m. until the hour of 10 a.m., Tuesday, March 16, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 16, 2021

Senate Chamber

President McGauchin called the Senate to order at 10 a.m.
Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Ella Luekena, 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 15, 2021, was read
and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

March 16, 2021

The JUDICIARY AND RULES Committee reports that
S 1184, S 1185, S 1186, and S 1187 have been correctly printed.

LAKEY, Chairman

S 1184, S 1185, S 1186, and S 1187 were referred to the
Finance Committee.

March 16, 2021

The JUDICIARY AND RULES Committee reports that
S 1096, S 1005, S 1020, S 1015, S 1072, and S 1073 have been
correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1096, S 1005, S 1020,
S 1015, S 1072, and S 1073 and ordered them transmitted to the
House for the signature of the Speaker.

March 15, 2021

The HEALTH AND WELFARE Committee reports out
HCR 11 with the recommendation that it do pass.

MARTIN, Chairman

HCR 11 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 Anthon, granted by unanimous
consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 15, 2021

Dear Madam President:

I transmit herewith H 318, H 309, H 315, H 316, HCR 14,
H 291, H 292, H 324, H 325, and H 326, which have passed
the House.

MAULIN, Chief Clerk

H 318, H 309, H 315, H 316, HCR 14, H 291, H 292, H 324,
H 325, and H 326 were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Transportation Committee
report relative to the Gubernatorial appointment of Chris
Pomeroy was before the Senate for final consideration, the
question being, "Shall the report be adopted?"

On motion by Senator Woodward, seconded by
Senator Nelson, the Gubernatorial appointment of Chris
Pomeroy as a member of the Aeronautics Advisory Board was
confirmed by voice vote.

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

The President announced that the Health and Welfare Committee
report relative to the Gubernatorial appointment of Chad Henggeler was before the Senate for final consideration, the
question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Wintrow,
the Gubernatorial appointment of Chad Henggeler as a member of the State Board of Health and Welfare was confirmed by voice vote.

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

The President announced that the Local Government
and Taxation Committee report relative to the Gubernatorial
appointment of Jefferson McCray was before the Senate for final
consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nye, seconded by Senator Lakey, the
Gubernatorial appointment of Jefferson McCray as a member of the State Tax Commission was confirmed by voice vote.

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

The President announced that the Education Committee report relative to the Gubernatorial reappointment of Linda Clark was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Crabtree, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Linda Clark as a member of the State Board of Education was confirmed by voice vote.

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

The President announced that SJM 104 was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Riggs, seconded by President Pro Tempore Winder, SJM 104 was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

On request by Senator Anthon, 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 1188
BY FINANCE COMMITTEE

AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE WATER POLLUTION CONTROL FUND TO THE ENVIRONMENTAL REMEDIATION TRIUMPH MINE FUND; PROVIDING REPORTING REQUIREMENTS; PROVIDING REQUIREMENTS FOR THE WATER POLLUTION CONTROL FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY GENERAL FUND TO THE AGRICULTURAL BEST MANAGEMENT PRACTICES FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE AGRICULTURAL BEST MANAGEMENT PRACTICES FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE General FUND TO THE WATER POLLUTION CONTROL FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY GENERAL FUND TO THE AGRICULTURAL BEST MANAGEMENT PRACTICES FUND; AND DECLARING AN EMERGENCY.

S 1188 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 318, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 309, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 315 and H 316, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

HCR 14, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 291, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 292, by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 324, H 325, and H 326, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 198, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1178, by State Affairs Committee, was read the second time at length and filed for third reading.

H 312 and H 313, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1179, S 1180, and S 1181, by Finance Committee, were read the second time at length and filed for third reading.

H 155, by Local Government Committee, was read the second time at length and filed for third reading.

H 231, H 243, and H 279, by State Affairs Committee, were read the second time at length and filed for third reading.

H 187, H 235, and H 239, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

H 150 and H 152, by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

H 171, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 102, as amended in the Senate, by Business Committee, was read the second time at length and filed for third reading.

S 1112, as amended, by State Affairs 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

The President announced that Senator Stennett requested and has received an excused absence for the remainder of the legislative day.

H 282 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–None.

Absent and excused–Stennett. Total - 1.

Total - 35.

Whereupon the President declared **H 282** passed, title was approved, and the bill ordered returned to the House.

**H 283** 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, Den Hartog, Harris, Ricks, Vick, Zito. Total - 2.

Absent and excused–Stennett. Total - 1.

Total - 35.

Whereupon the President declared **H 283** passed, title was approved, and the bill ordered returned to the House.

**H 303** 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?"

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

Roll call resulted as follows:


NAYS–Bayer, Grow, Heider, Lent, Martin, Ricks, Zito. Total - 7.

Absent and excused–Stennett. Total - 1.

Total - 35.

Whereupon the President declared **H 303** passed, title was approved, and the bill ordered returned to the House.

**H 304** 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:


Absent and excused–Stennett. Total - 1.

Total - 35.

Whereupon the President declared **H 304** passed, title was approved, and the bill ordered returned to the House.

**H 305** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Stennett. Total - 1.

Total - 35.

Whereupon the President declared **H 305** passed, title was approved, and the bill ordered returned to the House.

**H 306** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Stennett. Total - 1.

Total - 35.

Whereupon the President declared **H 306** passed, title was approved, and the bill ordered returned to the House.

**H 149** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared H 149 passed, title was approved, and the bill ordered returned to the House.

H 167 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:


Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared H 167 passed, title was approved, and the bill ordered returned to the House.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by President Pro Tempore Winder, by voice vote the Senate recessed at 12:07 p.m. until the hour of 4 p.m. of this day.

RECESS

AFTERNOON SESSION

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

Roll call showed all members present except Senator Stennett, absent and formally excused by the Chair; and Senator Vick, 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 16, 2021

The STATE AFFAIRS Committee reports out H 135 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, H 135 was referred to the Fourteenth Order of Business, General Calendar.

March 16, 2021

The FINANCE Committee reports out H 318, H 324, H 325, H 326, S 1184, S 1185, S 1186, and S 1187 with the recommendation that they do pass.

BAIR, Chairman

H 318, H 324, H 325, H 326, S 1184, S 1185, S 1186, and S 1187 were filed for second reading.

March 16, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out H 143 and H 178 with the recommendation that they do pass.

PATRICK, Chairman

H 143 and H 178 were filed for second reading.

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

Messages from the House

March 16, 2021

Dear Madam President:

I return herewith S 1122, which has failed to pass the House.

MAULIN, Chief Clerk

S 1122 was ordered filed in the office of the Secretary of the Senate.

March 16, 2021

Dear Madam President:

I return herewith S 1138, S 1140, S 1142, S 1145, S 1146, S 1147, S 1148, S 1149, S 1152, S 1153, S 1151, S 1155, S 1156, and S 1157, which have passed the House.

MAULIN, Chief Clerk

S 1138, S 1140, S 1142, S 1145, S 1146, S 1147, S 1148, S 1149, S 1152, S 1153, S 1151, S 1155, S 1156, and S 1157 were referred to the Judiciary and Rules Committee for enrolling.

March 16, 2021

Dear Madam President:

I transmit herewith Enrolled H 22, as amended in the Senate, HCR 10, and H 251 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 22, as amended in the Senate, HCR 10, and H 251 and ordered them returned to the House.

March 16, 2021

Dear Madam President:

I return herewith Enrolled S 1091, S 1094, S 1044, S 1055, S 1060, S 1121, S 1041, S 1010, S 1049, S 1093, and S 1009, which have been signed by the Speaker.

MAULIN, Chief Clerk
Enrolled S 1091, S 1094, S 1044, S 1055, S 1060, S 1121, S 1041, S 1010, S 1049, S 1093, and S 1009 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee 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.

Senator Vick was recorded present at this order of business.

Report of the Committee of the Whole

Senator Lee, Chairman of the Committee of the Whole, reported out S 1057, S 1108, as amended, and S 1168, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1057
AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 22, following "chapter" insert: "; unless a property owner and the property owner's insurer have agreed otherwise"; and delete lines 29 through 37, and insert:

"(2) (a) "Residential contractor" means a person in the business of contracting or offering to contract with an owner or a possessor of residential real estate to:
(i) Repair or perform replacement, construction, or reconstruction work on residential real estate;
(ii) Perform interior or exterior cleanup services, including but not limited to mitigation, demolition, structural drying, or any other reasonably necessary remediation services, on residential real estate; or
(iii) Direct, manage, or process the work referred to in subparagraph (i) or (ii) of this paragraph.
(b) The term "residential contractor" does not include an insurer or a third-party adjuster or public adjuster working on behalf of a property owner.
(3) "Residential real estate" means a new or existing building, including a detached garage or any outbuilding, constructed for habitation by at least one (1) but no more than four (4) families, excluding multiple building properties."

On page 2, delete lines 1 through 3; in line 38, following "services" insert: "or ordered unreturnable materials"; in line 40, following "services" insert: "or verifiable return charges for returned ordered materials"; in line 46, delete "rebate" and insert: "discount or rebate any or all of"; and delete lines 47 and 48, and insert: "goods or services. A violation of this section is hereby deemed to be a violation of chapter 13, title 41, Idaho Code."

On page 3, delete lines 1 through 4; delete lines 17 and 18, and insert: "ANCE POLICY. PLEASE READ"
and in line 44, delete "Before" and insert: "Unless the property owner and the property owner's insurer have agreed otherwise, before".

On page 4, in line 22, delete "A" and insert: "Unless the property owner and the property owner's insurer have agreed otherwise, a".

SENATE AMENDMENT TO S 1108, As Amended
AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, delete lines 24 through 41, and insert:

"(ii) The taxing district shall determine what portion of the three percent (3%) increase permitted under subparagraph (i) of this paragraph it requires and then calculate the preliminary levy rate based on the percentage chosen. In calculating the preliminary levy rate, the most current valuation data shall be used, except that for centrally assessed operating property the prior year's valuation may be used instead of the current year's valuation.
(iii) The preliminary levy rate shall be multiplied:
1. By eighty percent (80%) of the value shown on the new construction roll compiled pursuant to section 63-301A, Idaho Code; and by
2. By eighty percent (80%) of the value of annexation during the previous calendar year, as certified by the state tax commission for market taxable values of operating property of public utilities and by the county assessors, except for a fire protection district annexing property prior to July 1, 2021, pursuant to section 31-1429, Idaho Code, the preliminary levy rate shall be multiplied by one hundred percent".

On page 2, in line 10, following "the" insert: "property tax"
On page 3, delete lines 38 through 40, and insert:

"(k) The amount of money received in the twelve (12) months immediately preceding June 30 of the current tax year as a result of distributions of the tax provided in section 63-3502B(2), Idaho Code."
On page 4, in line 17, delete "The amount of"; and delete lines 18 through 21.

SENATE AMENDMENT TO S 1168
AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 14 through 17, and insert: "storing or conducting an election may accept or expend moneys in any amount or accept any items or goods with a total value in excess of one hundred dollars ($100) from any private persons, corporations, organizations, business entities, political parties, or any other private entity. This section does not apply to the collection of fees authorized by law or to the donation of a facility or space for the use of election officials in holding an election."

The Committee also has H 66, S 1161, S 1107, H 59, H 191, S 1169, H 252, and H 246 under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

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

S 1057, as amended, S 1108, as amended, and S 1168, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

H 172 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–Stennett. Total - 1.

Total - 35.

Whereupon the President declared H 172 passed, title was approved, and the bill ordered returned to the House.

H 173 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:


NAYS–None.

Absent and excused–Stennett. Total - 1.

Total - 35.

Whereupon the President declared H 173 passed, title was approved, and the bill ordered returned to the House.

H 110 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Stennett. Total - 1.

Total - 35.

Whereupon the President declared H 110 passed, title was approved, and the bill ordered returned to the House.

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

Reports of Standing Committees

March 16, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1057, S 1108, as amended, and S 1168 have been correctly printed.

LAKEY, Chairman

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

March 16, 2021

The JUDICIARY AND RULES Committee reports that S 1057, as amended, S 1108, as amended, as amended, and S 1168, as amended, have been correctly engrossed.

LAKEY, Chairman

S 1057, as amended, S 1108, as amended, and S 1168, as amended, were filed for first reading.

On request by Senator Anthon, 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 1189

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1190

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE REVOLVING DEVELOPMENT FUND TO THE AQUIFER PLANNING AND MANAGEMENT FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT, AND IMPLEMENTATION FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER MANAGEMENT ACCOUNT; PROVIDING REQUIREMENTS FOR WATER QUALITY MONITORING; AND PROVIDING REQUIREMENTS FOR RIRIE RESERVOIR FLOOD CONTROL RULES.

S 1189 and S 1190 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

S 1057, as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.
S 1108, as amended, as amended, by Local Government and Taxation Committee, was read the first time at length and filed for second reading.

S 1168, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Burgoyne, by voice vote, the Senate adjourned at 5:03 p.m. until the hour of 9:30 a.m., Wednesday, March 17, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SIXTY-SIXTH LEGISLATIVE DAY
WEDNESDAY, MARCH 17, 2021

Senate Chamber
President McGeachin called the Senate to order at 9:30 a.m. Roll call showed all members present except Senators Stennett and Thayn, absent and formally excused by the Chair; and Senators Anthon, Cook, and Riggs, absent and excused.

Prayer was offered by Senator Lee Heider. The Pledge of Allegiance was led by Julissa Melendez, 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 16, 2021, 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 Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees
March 17, 2021
The JUDICIARY AND RULES Committee reports that S 1188, S 1189, and S 1190 have been correctly printed.

LAKEY, Chairman

S 1188, S 1189, and S 1190 were referred to the Finance Committee.

March 17, 2021
The JUDICIARY AND RULES Committee reports that S 1138, S 1140, S 1142, S 1145, S 1146, S 1147, S 1148, S 1141, S 1144, S 1152, S 1153, S 1151, S 1155, S 1156, and S 1157 have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1138, S 1140, S 1142, S 1145, S 1146, S 1147, S 1148, S 1141, S 1144, S 1152, S 1153, S 1151, S 1155, S 1156, and S 1157 and ordered them transmitted to the House for the signature of the Speaker.

March 16, 2021
The EDUCATION Committee reports out H 294 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

THAYN, Chairman

There being no objection, H 294 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House
March 16, 2021
Dear Madam President:
I transmit herewith H 302 and H 260, which have passed the House.

MAULIN, Chief Clerk

H 302 and H 260 were filed for first reading.

On request by Senator Lee, 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 1191
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE SUPREME COURT FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2022; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1191 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 302, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 260, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Cook was recorded present at this order of business.

H 318, H 324, H 325, and H 326, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1184, S 1185, S 1186, and S 1187, by Finance Committee, were read the second time at length and filed for third reading.

H 143 and H 178, by Business Committee, were read the second time at length and filed for third reading.

S 1057, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.
S 1108, as amended, as amended, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

S 1168, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

S 1178 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Burtenshaw, Cook, Grow, Lent, Ricks. Total - 5.

Absent and excused–Anthon, Riggs, Stennett, Thayn. Total - 4.

Total - 35.

Whereupon the President declared S 1178 passed, title was approved, and the bill ordered transmitted to the House.

S 1179 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?"

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

Roll call resulted as follows:


NAYS–Bayer, Cook, Den Hartog, Ricks, Vick, Zito. Total - 6.

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

Total - 35.

Whereupon the President declared S 1179 passed, title was approved, and the bill ordered transmitted to the House.

S 1180 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–None.

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

Total - 35.

Whereupon the President declared S 1180 passed, title was approved, and the bill ordered transmitted to the House.

S 1181 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Zito. Total - 2.


Total - 35.

Whereupon the President declared S 1181 passed, title was approved, and the bill ordered transmitted to the House.

S 1112, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Winder 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–Stennett, Thayn. Total - 2.

Total - 35.

Whereupon the President declared S 1112, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 171, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


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

Total - 35.
Whereupon the President declared **H 171**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

**H 102**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

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

Total - 35.

Whereupon the President declared **H 102**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

**H 312** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent 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–Stennett, Thayn. Total - 2.

Total - 35.

Whereupon the President declared **H 102**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

**H 312** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

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

Total - 35.

Whereupon the President declared **H 124** passed, title was approved, and the bill ordered returned to the House.

**H 214** 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:


NAYS–None.

Absent and excused–Lee, Stennett, Thayn. Total - 3.

Total - 35.

Whereupon the President declared **H 214** passed, title was approved, and the bill ordered returned to the House.

**H 47** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

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

Total - 35.

Whereupon the President declared **H 47** passed, title was approved, and the bill ordered returned to the House.

**H 48** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


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

Total - 35.

Whereupon the President declared H 48 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House Appropriations bills, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Burgoyne, by voice vote, the Senate adjourned at 11:59 a.m. until the hour of 9:30 a.m., Thursday, March 18, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

SIXTY-SEVENTH LEGISLATIVE DAY
THURSDAY, MARCH 18, 2021

Senate Chamber

President McGeachin called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Stennett, absent and formally excused by the Chair; and Senators Den Hartog and Woodward, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Josh Nelson, 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 17, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

March 18, 2021

The JUDICIARY AND RULES Committee reports that S 1191 has been correctly printed.

LAKEY, Chairman

S 1191 was referred to the Finance Committee.

March 17, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1091, S 1094, S 1044, S 1055, S 1060, S 1121, S 1041, S 1010, S 1049, S 1093, and S 1009 were delivered to the Office of the Governor at 4:50 p.m., March 16, 2021.

LAKEY, Chairman

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

March 17, 2021

The STATE AFFAIRS Committee reports out H 232, HJM 1, and S 1183 with the recommendation that they do pass.

LODGE, Chair

H 232 and S 1183 were filed for second reading.

HJM 1 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 17, 2021

The TRANSPORTATION Committee reports out H 161, as amended, and H 162 with the recommendation that they do pass.

DEN HARTOG, Chair

H 161, as amended, and H 162 were filed for second reading.

March 17, 2021

The FINANCE Committee reports out H 260, S 1188, S 1189, and S 1190 with the recommendation that they do pass.

BAIR, Chairman

H 260, S 1188, S 1189, and S 1190 were filed for second reading.

March 17, 2021

The RESOURCES AND ENVIRONMENT Committee reports out H 266 and H 307 with the recommendation that they do pass.

VICK, Chairman

H 266 and H 307 were filed for second reading.

March 17, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 317 with the recommendation that it do pass.

RICE, Chairman

H 317 was filed for second reading.

March 17, 2021

The JUDICIARY AND RULES Committee reports out H 241 with the recommendation that it do pass.

LAKEY, Chairman

H 241 was filed for second reading.

March 17, 2021

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:

Marianne King as the Administrator of the Office of Drug Policy, term to continue at the pleasure of the Governor.

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.

Senator Woodward was recorded present at this order of business.
The JUDICIARY AND RULES Committee reports out H 193 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, H 193 was referred to the Fourteenth Order of Business, General Calendar.

March 17, 2021

The EDUCATION Committee reports out H 264, H 265, and H 280 with the recommendation that they do pass.

THAYN, Chairman

H 264, H 265, and H 280 were filed for second reading.

March 18, 2021

The AGRICULTURAL AFFAIRS Committee reports out H 166 with the recommendation that it do pass.

BURTENSHAW, Chairman

H 166 was filed for second reading.

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

Messages from the Governor

March 17, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 17, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1010, S 1041, S 1049, S 1091, S 1093, and S 1094

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 17, 2021

Dear Madam President:

I transmit herewith H 332, H 342, H 336, H 333, H 334, HCR 15, and H 290, which have passed the House.

MAULIN, Chief Clerk

H 332, H 342, H 336, H 333, H 334, HCR 15, and H 290 were filed for first reading.

March 17, 2021

Dear Madam President:

I transmit herewith Enrolled H 308, H 127, H 91, H 99, and H 111 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 308, H 127, H 91, H 99, and H 111 and ordered them returned to the House.

March 17, 2021

Dear Madam President:

I return herewith Enrolled S 1096, S 1005, S 1020, S 1015, S 1072, and S 1073, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1096, S 1005, S 1020, S 1015, S 1072, and S 1073 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

On request by Senator Anthon, 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 332, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 342, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 336, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 333 and H 334, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

HCR 15, by Revenue and Taxation Committee, was introduced, read at length, and referred to the Local Government and Taxation Committee.

H 290, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

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

Third Reading of Bills

S 1184 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS—None.
Absent and excused—Stennett. Total - 1.
Total - 35.

Whereupon the President declared S 1184 passed, title was approved, and the bill ordered transmitted to the House.

S 1185 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?"

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

Roll call resulted as follows:


NAYS—Bayer, Den Hartog, Ricks, Thayn, Vick, Zito. Total - 6.
Total - 35.

Whereupon the President declared S 1185 passed, title was approved, and the bill ordered transmitted to the House.

S 1186 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS—Lodge. Total - 1.
Total - 35.

Whereupon the President declared S 1186 passed, title was approved, and the bill ordered transmitted to the House.

S 1187 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:


NAYS—Zito. Total - 1.
Total - 35.

Whereupon the President declared S 1187 passed, title was approved, and the bill ordered transmitted to the House.

S 1057, as amended, 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:


Total - 35.

Whereupon the President declared that S 1057, as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

S 1108, as amended, as amended, 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?"

Pursuant to Senate Rule 39(H), Senators Lakey, Nye, and Rabe disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bayer, Burtneshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Heider, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Zito. Total - 17.

Total - 35.

Whereupon the President declared that S 1108, as amended, as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

Having voted on the prevailing side by which S 1108 passed the Senate, Senator Lee served notice that she may on this or the next legislative day move for reconsideration of the vote.

S 1108 was ordered held at the Secretary's desk.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:16 p.m. until the hour of 4 p.m. of this day.

RECESS
AFTERNOON SESSION

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

Roll call showed all members present except Senator Ricks, 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 18, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1096, S 1005, S 1020, S 1015, S 1072, and S 1073 were delivered to the Office of the Governor at 10:50 a.m., March 18, 2021.

LAKEY, Chairman

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

March 18, 2021

The FINANCE Committee reports out H 333, H 334, and S 1191 with the recommendation that they do pass.

BAIR, Chairman

H 333, H 334, and S 1191 were filed for second reading.

March 18, 2021

The COMMERCE AND HUMAN RESOURCES Committee reports out H 292 with the recommendation that it do pass.

PATRICK, Chairman

H 292 was filed for second reading.

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

Messages from the Governor

March 18, 2021

The Honorable Janice McGeechin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 18, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1009

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 18, 2021

Dear Madam President:

I return herewith S 1154, S 1158, S 1159, S 1022, and S 1162, which have passed the House.

MAULIN, Chief Clerk

S 1154, S 1158, S 1159, S 1022, and S 1162 were referred to the Judiciary and Rules Committee for enrolling.

March 18, 2021

Dear Madam President:


MAULIN, Chief Clerk

The President signed Enrolled H 282, H 283, H 303, H 304, H 305, H 306, H 149, H 167, H 172, H 173, and H 110 and ordered them returned to the House.

March 18, 2021

Dear Madam President:

I return herewith Enrolled S 1138, S 1140, S 1142, S 1145, S 1146, S 1147, S 1148, S 1149, S 1144, S 1152, S 1153, S 1155, S 1156, and S 1157, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1138, S 1140, S 1142, S 1145, S 1146, S 1147, S 1148, S 1149, S 1144, S 1152, S 1153, S 1155, S 1156, and S 1157 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Ricks was recorded present at this order of business.

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

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee 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 Lee, Chairman of the Committee of the Whole, reported out S 1107, H 191, and H 294, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1107
AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 38, delete "not"; and delete lines 40 through 42, and insert: "ties as provided by subsection (1) of this section. However, for the highway district to be responsible for the funding of the design and construction of the proposed urban renewal project, the city or the urban renewal agency, or both, and the highway district must enter into an agreement pursuant to section 50-2908(2)(a), Idaho Code. Agreements entered into by a city pursuant to that section."

SENATE AMENDMENT TO H 191
AMENDMENT TO SECTION 1

On page 1 of the printed bill, following line 34, insert: 
"(4) A delegation of parental rights and responsibilities made pursuant to this section may last for up to six (6) months."></page 1, in line 38, following "welfare." insert: "The process must also include a criminal history and background check conducted by the department of health and welfare, which
may assess a fee to the temporary care assistance program to cover costs associated with the criminal history and background check,", and following line 40, insert:

"(3) The temporary care assistance program must disclose to any parent or guardian using its services that any delegation of parental rights and responsibilities shall be made to a temporary caregiver, not to the temporary care assistance program itself.

32-1806. STATUTORY CONSTRUCTION. (1) Nothing in this chapter shall be construed to affect any delegation of powers made pursuant to section 15-5-104, Idaho Code. (2) Nothing in this chapter shall be construed as invalidating the provisions of the child protective act in chapter 16, title 16, Idaho Code, or shall modify the burden of proof at any stage of proceedings under the child protective act. Nothing in this chapter shall be construed to modify any existing, compelling governmental interest.".

CORRECTION TO TITLE
On page 1, in line 7, delete "DISCLOSURE, AND" and insert: "DISCLOSURE;"; and in line 8, following "PROGRAMS" insert: ", AND TO PROVIDE FOR STATUTORY CONSTRUCTION".

SENATE AMENDMENT TO H 294
AMENDMENT TO SECTION 2
On page 1 of the printed bill, in line 32, delete "33-1036" and insert: "33-1034"; and in line 39, delete "or 33-1032".
On page 2, in line 20, delete "33-1033" and insert: "33-1032"; delete lines 21 through 30, and insert:
"(5) "Eligible student" means a person in kindergarten through grade 12, whether a public school or nonpublic school student.";
in line 31, delete "five hundred dollars ($500)" and insert: "seven hundred fifty dollars ($750)"; in line 34, delete "or student scholarship account funds"; and delete lines 38 through 48, and insert:
"(9) "Participant" means an eligible student for whom a grant is awarded under section 33-1031, Idaho Code.
(10) "Program" means the strong students grant program established pursuant to section 33-1031, Idaho Code.".

AMENDMENT TO THE BILL
Delete page 4; on page 5, delete lines 1 through 9; and renumber subsequent sections accordingly.

AMENDMENT TO SECTION 5
On page 5, in line 12, delete "33-1033" and insert: "33-1032"; in line 13, delete "33-1033" and insert: "33-1032"; in line 17, delete "or 33-1032"; in line 22, delete "programs" and insert: "program"; and in line 23, delete "sections 33-1031 and 33-1032" and insert: "section 33-1031".

AMENDMENT TO THE BILL
On page 5, delete lines 40 through 46; and renumber subsequent sections accordingly.

AMENDMENT TO SECTION 7
On page 6, in line 3, delete "33-1035" and insert: "33-1033"; in line 4, delete "33-1035" and insert: "33-1033"; in line 8, delete "and the strong students scholarship program"; in line 10, delete "each" and insert: "the"; in line 12, delete "and scholarships"; in line 13, delete "and scholarship funds"; in line 15, delete "sections 33-1031 and 33-1032" and insert: "section 33-1031"; and in line 17, delete "either" and insert: "the".

AMENDMENT TO SECTION 8
On page 6, in line 23, delete "33-1036" and insert: "33-1034"; in line 24, delete "33-1036" and insert: "33-1034"; in line 25, delete "33-1034" and insert: "33-1032"; in line 28, delete "or the"; and in line 29, delete "strong students scholarship program".

CORRECTION TO TITLE
On page 1, in line 8, delete "AMENDING CHAPTER 10,"; delete lines 9 and 10; in line 11, delete "PROGRAM;"; in line 12, delete "33-1033" and insert: "33-1032"; delete lines 13 and 14; in line 15, delete "PATION;"; in line 16, delete "33-1035" and insert: "33-1033"; and in line 18, delete "33-1036" and insert: "33-1034".

SENATE AMENDMENT TO H 294
AMENDMENT TO THE BILL
On page 6 of the printed bill, following line 42, insert:

"SECTION 11. The provisions of this act shall be null, void, and of no force and effect on and after July 1, 2026.".

CORRECTION TO TITLE
On page 1, in line 19, delete "AND"; also in line 19, following "EMERGENCY" insert: ", AND PROVIDING A SUNSET DATE".

The Committee also has H 66, S 1161, H 59, S 1169, H 252, H 246, and H 135 under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

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

S 1107, 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 191, as amended in the Senate, and H 294, 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 Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

S 1168, as amended, 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 S 1168, as amended, passed, title was approved, and the bill ordered transmitted to the House.
**H 318** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared **H 318** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House Appropriations bills, followed by House bills.

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

**Reports of Standing Committees**

March 18, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1107, H 191, and H 294** have been correctly printed.

LAKEY, Chairman

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

March 18, 2021

The JUDICIARY AND RULES Committee reports that **S 1107**, as amended, has been correctly engrossed.

LAKEY, Chairman

**S 1107**, as amended, was filed for first reading.

On request by Senator Anthon, 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 1192**

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC CHARTER SCHOOL COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE PUBLIC CHARTER SCHOOL COMMISSION FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1192** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 191**, as amended in the Senate, by Judiciary, Rules and Administration Committee, was read the first time at length and filed for second reading.

**H 294**, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

**S 1107**, as amended, by Local Government and Taxation Committee, was read the first time at length and filed for second reading.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:43 p.m. until the hour of 9:30 a.m., Friday, March 19, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
WHEREAS, federal mandates have resulted in the collection of personally identifiable information and other private information incident to issuance of REAL ID Cards, or STAR Cards, that many residents find objectionable and to which they desire alternative forms of identification for driving privileges that are not so invasive as to matters of personal privacy; and

WHEREAS, opportunity and economic participation for Idaho residents is limited when they have no driving privileges, and Idaho's road safety and financial responsibility for accidents and injuries is compromised and threatened by persons operating vehicles on Idaho's roads without driver training and education; and

WHEREAS, it is the goal of the Legislature to promote the common welfare of all Idaho residents, to secure their safety on highways, and to promote their economic independence and liberty.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of driver authorization cards for the State of Idaho. The principal goal of the committee shall be to gather information and make recommendations regarding the adoption of a system for the authorization of driving privileges that would be available to all residents of Idaho, and the manner, method, and means for implementation of the same. The committee is expected to examine how such a system may affect the welfare of Idahoans, road safety within Idaho, and economic participation and development. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice, and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage, or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations, and proposed legislation, if any, to the Second Regular Session of the Sixty-sixth Idaho Legislature.

SCR 107 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

March 19, 2021

The JUDICIARY AND RULES Committee reports that S 1192 has been correctly printed.

LAKEY, Chairman

S 1192 was referred to the Finance Committee.
March 19, 2021

The JUDICIARY AND RULES Committee reports that S 1154, S 1158, S 1159, S 1022, and S 1162 have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1154, S 1158, S 1159, S 1022, and S 1162 and ordered them transmitted to the House for the signature of the Speaker.

March 19, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1138, S 1140, S 1142, S 1145, S 1146, S 1147, S 1148, S 1141, S 1144, S 1152, S 1153, S 1151, S 1155, S 1156, and S 1157 were delivered to the Office of the Governor at 8:25 a.m., March 19, 2021.

LAKEY, Chairman

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

March 18, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 309 with the recommendation that it do pass.

RICE, Chairman

H 309 was filed for second reading.

March 18, 2021

The EDUCATION Committee reports out H 250, as amended, with the recommendation that it do pass.

THAYN, Chairman

H 250, as amended, was filed for second reading.

March 19, 2021

The TRANSPORTATION Committee reports out H 160 with the recommendation that it do pass.

DEN HARTOG, Chair

H 160 was filed for second reading.

March 19, 2021

The STATE AFFAIRS Committee reports out H 245 and H 286 with the recommendation that they do pass.

LODGE, Chair

H 245 and H 286 were filed for second reading.

March 19, 2021

The STATE AFFAIRS Committee reports out H 299 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, H 299 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the Governor

March 18, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 18, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1044 and S 1121

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 18, 2021

Dear Madam President:

I transmit herewith H 337, H 340, and H 341, which have passed the House.

MAULIN, Chief Clerk

H 337, H 340, and H 341 were filed for first reading.

On request by Senator Anthon, 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 337, H 340, and H 341, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 232, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1183, by State Affairs Committee, was read the second time at length and filed for third reading.

H 161, as amended, and H 162, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

H 260, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1188, S 1189, and S 1190, by Finance Committee, were read the second time at length and filed for third reading.

H 266, by Resources and Conservation Committee, was read the second time at length and filed for third reading.
H 307, by Ways and Means Committee, was read the second time at length and filed for third reading.

H 317, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 241, by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

H 264, H 265, and H 280, by Education Committee, were read the second time at length and filed for third reading.

H 166, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 333 and H 334, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1191, by Finance Committee, was read the second time at length and filed for third reading.

H 292, by State Affairs Committee, was read the second time at length and filed for third reading.

H 191, as amended in the Senate, by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

H 294, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

S 1107, as amended, by Local Government and Taxation 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 Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House Appropriations bills, followed by House bills.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed in concurrence with the House of Representatives at 11:18 a.m. until the hour of 12 noon, Tuesday, April 6, 2021.

*****

[Note: The following is action recorded during RECESS].

March 19, 2021

Dear Madam President:

I return herewith Enrolled S 1154, S 1158, S 1159, S 1022, and S 1162, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1154, S 1158, S 1159, S 1022, and S 1162 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 22, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1154, S 1158, S 1159, S 1022, and S 1162 were delivered to the Office of the Governor at 10:18 a.m., March 22, 2021.

LAKEY, Chairman

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

March 19, 2021

Dear Madam President:

I transmit herewith Enrolled H 312, H 313, H 124, H 214, H 47, H 48, and H 318 for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled H 312, H 313, H 124, H 214, H 47, H 48, and H 318 and ordered them returned to the House.

March 22, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 19, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1005, S 1015, S 1020, S 1055, S 1072,
S 1073, S 1138, S 1140, S 1141, S 1144,
S 1145, S 1146, S 1147, S 1148, S 1151,
S 1152, S 1153, S 1155, S 1156, and S 1157

Sincerely,
/s/ Brad Little
Governor of Idaho

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

March 22, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 19, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1060

I signed this legislation with reluctance. I agree that we can all use our experience from the COVID-19 pandemic as an opportunity to learn how we can strengthen our state's public health system and improve a statute that is fifty years old. However, I fear this legislation creates potential barriers for local public health and could impede their ability to quickly and appropriately act in the case of a public health emergency. Once this pandemic has ended, I respectfully request the legislature, public health district representatives, state public health officials, and representatives from the medical community to revisit this
issue and examine any unintended consequences this legislation may create.

Sincerely,
/s/ Brad Little
Governor of Idaho

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

March 24, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 23, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1142, S 1154, S 1158, S 1159, and S 1162

Sincerely,
/s/ Brad Little
Governor of Idaho

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

March 24, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 24, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1096

Sincerely,
/s/ Brad Little
Governor of Idaho

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

March 26, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on March 26, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1022

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.
President McGeachin called the Senate to order at 12 noon.
Roll call showed all members present except Senator Stennett, absent and formally excused by the Chair.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Tyler Tippets, 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 19, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

April 6, 2021

The JUDICIARY AND RULES Committee reports that SCR 107 has been correctly printed.

LAKEY, Chairman

SCR 107 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 19, 2021

The FINANCE Committee reports out H 337, H 340, H 341, and S 1192 with the recommendation that they do pass.

BAIR, Chairman

H 337, H 340, H 341, and S 1192 were filed for second reading.

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

Messages from the Governor

On request by Senator Anthon, 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 1193
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2021; INCREASING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; DIRECTING THE USE OF APPROPRIATED FUNDS; AND DECLARING AN EMERGENCY.

S 1194
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING REAPPROPRIATION AUTHORITY TO THE EXECUTIVE OFFICE OF THE GOVERNOR.

S 1195
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1196
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM PROGRAM TRANSFER LIMITATIONS.

S 1197
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2022; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1198
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND AMENDING
SECTION 63-102, IDAHO CODE, TO INCREASE THE SALARIES OF THE STATE TAX COMMISSIONERS.

S 1193, S 1194, S 1195, S 1196, S 1197, and S 1198 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

H 309, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 250, as amended, by Education Committee, was read the second time at length and filed for third reading.

H 160, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

H 245, by State Affairs Committee, was read the second time at length and filed for third reading.

H 286, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

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

**Petitions, Resolutions, and Memorials**

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

**Reports of Standing Committees**

On motion by Senator Anthon, seconded by Senator Lee, by voice vote the Senate recessed at 12:35 p.m. until the hour of 1:35 p.m. of this day.

**RECESS**

**AFTERNOON SESSION**

The Senate reconvened at 1:35 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Vick and Woodward, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

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

**Third Reading of Bills**

S 1183 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared S 1188 passed, title was approved, and the bill ordered transmitted to the House.

S 1188 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, Zito. Total - 2.

Total - 35.

Whereupon the President declared S 1188 passed, title was approved, and the bill ordered transmitted to the House.

S 1189 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:


NAYS–Bayer, Zito. Total - 2.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1189 passed, title was approved, and the bill ordered transmitted to the House.

S 1190 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 1190 passed, title was approved, and the bill ordered transmitted to the House.

S 1191 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?"

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

Roll call resulted as follows:

Whereupon the President declared S 1191 passed, title was approved, and the bill ordered transmitted to the House.

S 1107, as amended, 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 President declared S 1107, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 191, as amended in the Senate, 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 H 191, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 294, as amended in the Senate, 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:

AYES—Anthon, Bayer, Cook, Den Hartog, G row, Lakey, Lent, Lodge, Martin, Patrick, Rice, Ricks, Souza, Thayn, Vick, Winder. Total - 16.


Absent and excused—Riggs. Total - 1.

Total - 35.

Whereupon the President declared that H 294, as amended in the Senate, had failed to pass the Senate and ordered the bill returned to the House.

H 324 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), President Pro Tempore Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


Whereupon the President declared H 324 passed, title was approved, and the bill ordered returned to the House.

H 325 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs 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 325 passed, title was approved, and the bill ordered returned to the House.

H 326 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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 326 passed, title was approved, and the bill ordered returned to the House.

H 260 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Bair, granted by unanimous consent, the following typographical correction was made to H 260, pursuant to Senate Rule 9(F):

On Page 2, line 6, following "account" remove ",".

Roll call resulted as follows:


Whereupon the President declared H 260 passed, title was approved, and the bill ordered returned to the House.

H 333 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent 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 333** passed, title was approved, and the bill ordered returned to the House.

On motion by Senator Lee, seconded by Senator Stennett, by voice vote the Senate recessed at 4:54 p.m. until the hour of 6 p.m. of this day.

**RECESS**

**AFTERNOON SESSION**

The Senate reconvened at 6 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

Having voted on the prevailing side by which **H 294**, as amended in the Senate, failed the Senate, Senator Zito served notice that she may on this or the next legislative day move for reconsideration of the vote.

**H 294**, as amended in the Senate, was ordered held at the Secretary’s desk.

**H 334** 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–None.

Absent and excused–Burtenshaw. Total - 1.

Total - 35.

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

**H 70** 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 declared **H 70** passed, title was approved, and the bill ordered returned to the House.

**H 104** 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 declared **H 104** passed, title was approved, and the bill ordered returned to the House.

**H 107** 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?"

On request by Senator Burgoyne, granted by unanimous consent, **H 107** was referred to the Fourteenth Order of Business, General Calendar.

**H 233** 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 President declared **H 233** passed, title was approved, and the bill ordered returned to the House.

**H 175** 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 declared **H 175** passed, title was approved, and the bill ordered returned to the House.

**H 203** 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 President declared **H 203** passed, title was approved, and the bill ordered returned to the House.

**H 85** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye,

Whereupon the President declared H 85 passed, title was approved, and the bill ordered returned to the House.

H 86 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 H 81 passed, title was approved, and the bill ordered returned to the House.

H 129 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 President declared H 129 passed, title was approved, and the bill ordered returned to the House.

H 132, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 132, as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, H 229 retained its place on the Third Reading Calendar for Thursday, April 8, 2021.

H 81 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 186** passed, title was approved, and the bill ordered returned to the House.

**H 267** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair 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 267** passed, title was approved, and the bill ordered returned to the House.

**H 268** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared **H 268** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, **H 161**, as amended, was referred to the Fourteenth Order of Business, General Calendar.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 7:51 p.m. until the hour of 10 a.m., Wednesday, April 7, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 6, 2021

Dear Madam President:

I transmit herewith H 258, which has passed the House.

MAULIN, Chief Clerk

H 258 was filed for first reading.

Senator Lodge was recorded present at this order of business.

April 6, 2021

Dear Madam President:

I return herewith S 1087, S 1163, and S 1088, as amended, which have failed to pass the House.

MAULIN, Chief Clerk

S 1087, S 1163, and S 1088, as amended, were ordered filed in the office of the Secretary of the Senate.

April 6, 2021

Dear Madam President:

I return herewith S 1079, as amended, S 1058, S 1160, S 1124, as amended, S 1024, S 1026, S 1056, S 1076, S 1109, S 1117, S 1116, as amended, S 1102, S 1104, S 1164, S 1165, S 1123, S 1042, as amended, S 1035, S 1078, and S 1172, which have passed the House.

MAULIN, Chief Clerk

S 1079, as amended, S 1058, S 1160, S 1124, as amended, S 1024, S 1026, S 1056, S 1076, S 1109, S 1117, S 1116, as amended, S 1102, S 1104, S 1164, S 1165, S 1123, S 1042, as amended, S 1035, S 1078, and S 1172 were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

S 1186 having been held at the desk for possible reconsideration of the vote by which it passed the Senate, and no motion for reconsideration having been received, S 1186 was ordered transmitted to the House.

Having voted on the prevailing side and proper notice having been served, Senator Zito moved, seconded by Senator Rice, that the vote by which H 294, as amended in the Senate, failed the Senate be now reconsidered. The question being, "Shall the motion prevail?"
Roll call vote was requested by Senator Johnson. Senators Burgoyne, Martin and Ward-Engelking stood in support.

Roll call resulted as follows:


Total - 35.

Whereupon the President declared the motion did not prevail and ordered **H 294**, as amended in the Senate, returned to the House.

The President announced that **HCR 8** was before the Senate for final consideration.

Moved by Senator Harris, seconded by Senator Vick, that **HCR 8** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

**AYES**—Anthon, Bair, Bayer, Burtneshaw, Cook, Den Hartog, Grow, Harris, Heider, Lakey, Patrick, Rice, Ricks, Riggs, Souza, Thayn, Vick, Winder, Zito. Total - 19.


Total - 35.

Whereupon the President declared **HCR 8** adopted, title was approved, and the resolution ordered returned to the House.

The President announced that **HCR 11** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Martin, seconded by Senator Wintrow, **HCR 11** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that **HJM 1** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Vick, seconded by Senator Johnson, **HJM 1** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that **SCR 107** was before the Senate for final consideration.

Moved by Senator Guthrie, seconded by Senator Burgoyne, that **SCR 107** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared **SCR 107** adopted, title was approved, and the resolution ordered transmitted to the House.

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

**Petitions, Resolutions, and Memorials**

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

**Reports of Standing Committees**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:28 p.m. until the hour of 3 p.m. of this day.

**RECESS AFTERNOON SESSION**

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

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

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 7, 2021

The **JUDICIARY AND RULES** Committee reports that **S 1079**, as amended, **S 1058**, **S 1160**, **S 1124**, as amended, **S 1024**, **S 1026**, **S 1056**, **S 1076**, **S 1119**, **S 1137**, **S 1116**, as amended, **S 1102**, **S 1104**, **S 1164**, **S 1165**, **S 1123**, **S 1042**, as amended, **S 1035**, **S 1078**, and **S 1172** have been correctly enrolled.

**LAKEY, Chairman**

April 7, 2021

The President signed Enrolled **S 1079**, as amended, **S 1058**, **S 1160**, **S 1124**, as amended, **S 1024**, **S 1026**, **S 1056**, **S 1076**, **S 1119**, **S 1137**, **S 1116**, as amended, **S 1102**, **S 1104**, **S 1164**, **S 1165**, **S 1123**, **S 1042**, as amended, **S 1035**, **S 1078**, and **S 1172** and ordered them transmitted to the House for the signature of the Speaker.

**Lodge, Chair**

April 7, 2021

The **STATE AFFAIRS** Committee reports out **H 302** and **HCR 13** with the recommendation that they do pass.

**H 302** was filed for second reading.

**HCR 13** was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.
April 7, 2021

The STATE AFFAIRS Committee reports out H 220 and H 223 with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LODGE, Chair

There being no objection, H 220 and H 223 were referred to the Fourteenth Order of Business, General Calendar.

April 7, 2021

The FINANCE Committee reports out S 1193, S 1194, S 1195, S 1196, S 1197, and S 1198 with the recommendation that they do pass.

BAIR, Chairman

S 1193, S 1194, S 1195, S 1196, S 1197, and S 1198 were filed for second reading.

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

Messages from the House

April 7, 2021

Dear Madam President:


MAULIN, Chief Clerk


The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

On motion by Senator Wintrow, seconded by Senator Lodge, the Gubernatorial appointment of Marianne King as the Administrator of the Office of Drug Policy was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1199

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF COMMERCE; APPROPRIATING AND TRANSFERRENG MONEYS FROM THE GENERAL FUND TO THE IDAHO BROADBAND FUND; APPROPRIATING AND TRANSFERRENG MONEYS FROM THE GENERAL FUND TO THE IDAHO OPPORTUNITY FUND; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE FROM THE IDAHO BROADBAND FUND FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE FROM THE FEDERAL COVID-19 RELIEF FUND FOR THE IDAHO FOODBANK FOR FISCAL YEAR 2021; PROVIDING REAPPROPRIATION AUTHORITY FROM THE IDAHO BROADBAND FUND; PROVIDING REAPPROPRIATION AUTHORITY FROM THE FEDERAL COVID-19 RELIEF FUND; PROVIDING OVERSIGHT AUTHORITY; AND DECLARING AN EMERGENCY.

S 1200

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE IDAHO WRONGFUL CONVICTION ACT; AMENDING SECTION 6-3503, IDAHO CODE, AS ADDED IN SECTION 1 OF SENATE BILL NO. 1027, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-SIXTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING COMPENSATION RELATED TO A WRONGFUL CONVICTION; AND DECLARING AN EMERGENCY.

S 1199 and S 1200 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 258, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 337, H 340, and H 341, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1192, by Finance 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 Woodward, granted by unanimous consent, H 229 was referred to the Fourteenth Order of Business, General Calendar.

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

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee 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.

Senator Harris was recorded present at this order of business.

Report of the Committee of the Whole

Senator Lee, Chairman of the Committee of the Whole, reported out H 66, H 252, H 161, as amended, and H 229, without recommendation, amended as follows:

SENATE AMENDMENT TO H 66
AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 17 through 41; and delete pages 2 through 4, and insert:

"SECTION 3. That Chapter 9, Title 34, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 34-913, Idaho Code, and to read as follows:

34-913. DISCLOSURES IN ELECTIONS TO AUTHORIZE BONDED INDEBTEDNESS. (1) Notwithstanding any other provision of law, on and after July 1, 2021, any taxing district that proposes to submit any question to the electors of the district that would authorize any bonded indebtedness must provide a brief official statement setting forth in simple, understandable language information on the proposal substantially as follows:

(a) The purpose for which the bonds are to be used, including but not necessarily limited to a description of the facility or project that will be financed, in whole or in part, by the sale of the bonds; the date of the election; and the principal amount of the bonds to be issued;
(b) The anticipated interest rate on the proposed bonds based on current market rates and a maximum interest rate if a maximum is specified in the question to be submitted to electors;
(c) The total amount to be repaid over the life of the bonds based on the anticipated interest. Such total shall reflect three (3) components: a total of the principal to be repaid; a total of the interest to be paid; and the sum of both;
(d) The estimated average annual cost to the taxpayer of the proposed bond, in the format of "A tax of $ per $100,000 of taxable assessed value, per year, based on current conditions";
(e) The length of time, reflected in months or years, in which the proposed bonds will be paid off or retired; and
(f) The total existing indebtedness, including interest accrued, of the taxing district.
(2)(a) The formula for calculating the estimated average annual cost to the taxpayer shall be as follows:

\[
\text{Annual Cost} = \frac{(\text{Bond Total}/\text{Taxable Value}) \times 100,000}{\text{Duration}}
\]

Where:

- Bond Total is the total amount to be bonded,
- Taxable Value is the taxable assessed value of the property,
- Duration is the length of time, in years, the bonds will be outstanding;
(b) The elements of which are defined as:

(i) "Bond total" means the total amount to be bonded, from subsection (1)(e) of this section as based on the anticipated interest rate in subsection (1)(b) of this section;
(ii) "Duration" means the time, in years, from subsection (1)(e) of this section; and
(iii) "Taxable value" means the most recent total taxable value for property for the applicable taxing district, which shall be obtained from the applicable county treasurer or assessor's office.
(3) The formal statement must be made a part of the ballot prior to the location on the ballot where a person casts a vote and must be included in the official notice of the election.
(4) In order to be binding, a ballot question to authorize a bond must include the information and language required by this section in its official statement.
(5) Upon a determination by a court, pursuant to section 34-2001A, Idaho Code, that the taxing district failed to comply with the provisions of this section, the court must declare the outcome of the ballot question invalid and award court costs and fees to the prevailing party.

SECTION 4. That Chapter 9, Title 34, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 34-914, Idaho Code, and to read as follows:

34-914. DISCLOSURES IN ELECTIONS TO AUTHORIZE A LEVY. (1) Notwithstanding any other provision of law, on and after July 1, 2021, any taxing district that proposes to submit any question to the electors of the district that would authorize any levy, except for the levies authorized for the purposes provided in sections 63-802(1)(h) and 33-802(4), Idaho Code, and except for levies relating to bonded indebtedness where section 34-913, Idaho Code, applies, must include in the ballot question, or in a brief official statement on the ballot but separate from the ballot question, a disclosure setting forth in simple, understandable language information on the proposal substantially as follows:

(a) The purpose for which the levy shall be used; the date of the election; and the dollar amount estimated to be collected each year from the levy;
(b) The estimated average annual cost to the taxpayer of the proposed levy, in the form of "A tax of $ per $100,000 of taxable assessed value, per year, based on current conditions." If the taxing district proposing the levy has an existing levy of the same type that is set to expire at the time that the proposed levy will begin, an additional statement may be provided along the following lines: "The proposed levy replaces an existing levy that will expire or that currently costs $ per $100,000 of taxable assessed value." The statement shall also disclose that, if the proposed levy is approved, the tax per $100,000 of taxable assessed value is either: (i) not expected to change or (ii) is expected to increase or decrease the tax by $ per $100,000 of taxable assessed value. The dollar amounts referenced in this paragraph shall be calculated by multiplying the expected levy rate by one hundred thousand dollars ($100,000);
(c) The length of time, reflected in months or years, in which the proposed levy will be assessed; and
(d) If an existing levy is referenced, the expiration date of the levy must also be provided.
(2) The information called for in subsection (1) of this section must be placed immediately above the location on the ballot where a person casts a vote and must also be included in like manner in the official notice of the election.
(3) In order to be binding, a ballot question to authorize a levy must include the information and language required by this section in its official statement. The ballot question may not include other information or language regarding any other bond, levy, or matter, whether previous, current, or proposed, except as authorized under this section.
(4) Upon a determination by a court, pursuant to section 34-201A, Idaho Code, that the taxing district failed to comply with the provisions of this section, the court must declare the outcome of the ballot question invalid and award court costs and fees to the prevailing party.

SECTION 5. That Section 34-201A, Idaho Code, be, and the same is hereby amended to read as follows:

34-2001A BOND ELECTION AND MILL LEVY
CONTESTS — TIME FOR FILING — VALIDATION
OF ELECTIONS AND BONDS. (1) The provisions of this chapter with respect to the contest of elections shall be applicable to bond elections conducted by cities, counties, school districts, and water and sewer districts, and to elections conducted by school districts for mill levy increases as authorized by sections 33-802, 33-803, and 33-804, Idaho Code. Any such contest shall be regarded as one contesting the outcome of the vote on the bond or mill levy proposition, rather than election to office, and the public entity calling the election, rather than a person declared to have been elected to office, shall be regarded as the defendant.

(2) When the validity of any bond or mill levy election is contested upon any of the grounds enumerated in section 34-2001, Idaho Code, on the grounds of a failure to comply with the requirements of section 34-913 or 34-914, Idaho Code, or upon any other grounds whatsoever the plaintiff or plaintiffs must, within forty (40) days after the votes are canvassed and the results thereof declared, file in the proper court a verified written complaint setting forth, in addition to the other requirements of this chapter, the following:

(a) The name of the party contesting the bond or mill levy election, and that he is an elector of the public entity conducting the bond or mill levy election;

(b) The proposition or propositions voted on at the election which are contested; and

(c) The particular grounds of such contest.

(3) No such election contest shall be maintained and no bond or mill levy election shall be set aside or held invalid unless a complaint is filed as permitted hereunder under this section within the period prescribed in this section. As to bond or mill levy elections which have been held prior to the effective date of this act, no such contest shall be maintained where it is alleged that the election should be set aside or held on any ground enumerated in section 34-2001, Idaho Code, unless no ground enumerated in section 34-2001, Idaho Code, or on any other ground, unless such election contest be filed as herein provided within forty (40) days from and after the effective date of this act.

(4) All bond elections conducted by cities, counties, school districts, and water and sewer districts prior to the effective date of this act, and all proceedings had in the authorization and issuance of the bonds authorized thereat, are hereby validated, ratified, and confirmed and all such bonds are declared to constitute legally binding obligations in accordance with their terms. Nothing in this section shall be construed to affect or validate any bond election, or bonds issued pursuant thereto, the legality of which is being contested at the time this act takes effect, or any election, the legality of which is contested within the forty (40) day period from and after the effective date of this act.

SECTION 6. That Section 74-605, Idaho Code, be, and the same is hereby amended to read as follows:

74-605 EXCLUSIONS. Nothing in this chapter shall prohibit:

(1) A public official or employee from speaking, campaigning, contributing personal money or otherwise exercising the public official’s or employee’s individual first amendment rights for political purposes, provided no public funds are used for expenditures supporting the public official or employee in such activity;

(2) A public entity, public official or employee from the neutral encouragement of voters to vote;

(3) An elected official or employee from personally campaigning or advocating for or against a ballot measure, provided no public funds, property or resources are used for supporting the elected official or employee in such activity;

(4) A public entity from preparing and distributing to electors an objective statement explaining the purpose and effect of the ballot measure, including in the case of bond or levy elections the cost per taxpayer or taxable value, or similar information based on reasonable estimates prepared in good faith;

(5) The formulation and publication of statements regarding proposed amendments to the state constitution, as authorized by section 67-453, Idaho Code;

(6) The publication of information described in sections 34-120, 34-120A, 34-913, 34-914, and 34-1406, Idaho Code, as applicable, or other provisions of law requiring notices and disclosures in connection with elections and ballot measures; or

(7) A balanced student classroom discussion or debate of current or pending election issues."

SENATE AMENDMENT TO H 252
AMENDMENT TO SECTION 1
On page 1 of the printed bill, delete lines 35 through 41, and insert:

"(2) Land that is contiguous to land qualifying under subsection (1) of this section shall also be appraised, assessed, and taxed as land actively devoted to agriculture if the land:

(a) Consists of pivot corners for a center pivot-irrigated crop, provided such pivot corners are not used for a commercial or residential purpose; or

(b) Is used primarily to store agricultural commodities or agricultural equipment, or both;"

and on page 2, delete lines 36 through 41, and insert:

"(c) "Platting" means the filing of the drawing, map or plan of a subdivision or a replatting of such, including certification, descriptions and approvals with the proper county or city official."

SENATE AMENDMENT TO H 161, As Amended
AMENDMENT TO SECTION 1
On page 4 of the engrossed bill, in line 21, following "to" insert: "five dollars ($5.00) from each commercial license,".

SENATE AMENDMENT TO H 229
AMENDMENT TO SECTION 1
On page 1 of the printed bill, delete line 23, and insert: "fee of thirty-one forty-five dollars and fifty cents ($3445.050). Upon receipt of".

On page 2, delete lines 16 and 17, and insert: "purposes shall purchase validation stickers for sixty-seven seventy-five dollars and fifty cents ($6775.050) and the validation stickers shall be displayed on the".

The Committee also has S 1161, H 59, S 1169, H 246, H 135, H 193, H 299, and H 107 under consideration, reports progress, and begs leave to sit again.

LEEU, Chairman
On motion by Senator Lee, seconded by Senator Stennett, the report was adopted by voice vote.

H 66, as amended in the Senate, H 252, as amended in the Senate, H 161, as amended, as amended in the Senate, and H 229, 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 Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

H 222 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Lent, granted by unanimous consent, the following typographical correction was made to H 222, pursuant to Senate Rule 9(F):

On Page 2, line 21, change "advisory council" to "commission."

Roll call resulted as follows:


Whereupon the President declared H 222 passed, title was approved, and the bill ordered returned to the House.

H 210 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 President declared H 210 passed, title was approved, and the bill ordered returned to the House.

H 217 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 217 passed, title was approved, and the bill ordered returned to the House.

H 126 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie 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 126 passed, title was approved, and the bill ordered returned to the House.

H 103 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 H 103 passed, title was approved, and the bill ordered returned to the House.

H 138 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 138 passed, title was approved, and the bill ordered returned to the House.

H 139 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 139 passed, title was approved, and the bill ordered returned to the House.

H 142 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS–Burgoyne, Sten nett, Wintr ow. Total - 3.

Whereupon the President declared H 142 passed, title was approved, and the bill ordered returned to the House.

H 131 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 declared H 131 passed, title was approved, and the bill ordered returned to the House.

H 165 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 165 passed, title was approved, and the bill ordered returned to the House.

H 156 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 H 156 passed, title was approved, and the bill ordered returned to the House.

H 276 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 276 passed, title was approved, and the bill ordered returned to the House.

H 277 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer 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 277 passed, title was approved, and the bill ordered returned to the House.

H 198 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 198 passed, title was approved, and the bill ordered returned to the House.

H 155 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 155 passed, title was approved, and the bill ordered returned to the House.

H 231 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 declared H 231 passed, title was approved, and the bill ordered returned to the House.

H 243 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator
Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

Whereupon the President declared **H 243** passed, title was approved, and the bill ordered returned to the House.

**H 279** 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:


Total - 35.

Whereupon the President declared **H 279** passed, title was approved, and the bill ordered returned to the House.

**H 187** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS–Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared **H 187** passed, title was approved, and the bill ordered returned to the House.

**H 235** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rabe 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, Lent, Lodge, Rice, Ricks, Souza, Zito. Total - 8.

Total - 35.

Whereupon the President declared **H 235** passed, title was approved, and the bill ordered returned to the House.

**H 239** 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:


Total - 35.

Whereupon the President declared **H 239** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House Appropriations bills, followed by House bills.

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

Reports of Standing Committees

April 7, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 66, H 252, H 161**, as amended, and **H 229** have been correctly printed.

LACLEY, Chairman

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

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

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

**H 66**, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

**H 252**, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

**H 161**, as amended, as amended in the Senate, and **H 229**, as amended in the Senate, by Transportation and Defense Committee, were read the first time at length and filed for second reading.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:22 p.m. until the hour of 10 a.m., Thursday, April 8, 2021.

JANICE MCGEACHIN, President
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

EIGHTY-EIGHTH LEGISLATIVE DAY
THURSDAY, APRIL 8, 2021

Senate Chamber
President McGeachin called the Senate to order at 10 a.m.
Roll call showed all members present.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Charlotte Brockman, 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 April 7, 2021, was read and approved as corrected.

LAKEY, Chairman
There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.
On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees
April 8, 2021
The JUDICIARY AND RULES Committee reports that S 1199 and S 1200 have been correctly printed.

LAKEY, Chairman
S 1199 was referred to the Finance Committee.
S 1200 was referred to the Judiciary and Rules Committee.

April 7, 2021
The HEALTH AND WELFARE Committee reports out H 316 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MARTIN, Chairman
There being no objection, H 316 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House
April 7, 2021
Dear Madam President:
I transmit herewith H 214, with the Governor's veto message, which has passed the House, the Governor's veto notwithstanding.

MAULIN, Chief Clerk
THE OFFICE OF THE GOVERNOR
Boise
March 26, 2021
The Honorable Scott Bedke
Speaker of the House
Dear Mr. Speaker:
I have the honor to advise you that I am returning herewith, without my approval, disapproved and vetoed:

H 214
within the time limited by law, the same having arrived in the Office of the Governor at the hour of 2:55 p.m. on March 22, 2021.

I veto this legislation because it undermines the original intent of the Legislature that wisely assigned to the Chairman, or his designee, the responsibility for the day-to-day administrative functions of the Tax Commission so that the individual Commissioners remain free to dedicate their time and expertise on ensuring the predictable, consistent, and fair application of tax law to Idaho's taxpayers. House Bill 214 unnecessarily forces Commissioners to be involved in the administrative decision-making process, thus diverting the Commissioners from their core responsibilities and interfering with the Chairman's obligation to act as the Tax Commission's "chief executive and administrative head" as intended.

Additionally, adding a level of red tape goes against my core belief of good government. This legislation adds a burdensome level of bureaucracy and uncertainty, which I fear will only complicate and slow the Tax Commission's ability to accomplish its important mission. In the last year, we witnessed firsthand during the pandemic the incredible ability of the Tax Commission staff to step up and adapt quickly in changing environments to successfully implement important initiatives and programs that support Idaho citizens and businesses.

/s/ Brad Little
Governor

The question being, "Shall H 214 become law, the Governor's veto notwithstanding?"
Roll call resulted as follows:


Total - 35.
Dear Madam President:

I transmit herewith H 329, H 343, H 346, H 357, H 359, and H 349, which have passed the House.

MAULIN, Chief Clerk

H 329, H 343, H 346, H 357, H 359, and H 349 were filed for first reading.

April 7, 2021

Dear Madam President:

I return herewith S 1179, which has failed to pass the House.

MAULIN, Chief Clerk

S 1179 was ordered filed in the office of the Secretary of the Senate.

April 7, 2021

Dear Madam President:

I return herewith S 1136, as amended, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Anthon, granted by unanimous consent, S 1136, as amended, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

April 7, 2021

Dear Madam President:

I return herewith S 1089, as amended, S 1110, S 1184, S 1130, S 1131, S 1133, as amended, S 1101, S 1047, S 1095, S 1083, S 1180, and SCR 104, which have passed the House.

MAULIN, Chief Clerk

S 1089, as amended, S 1110, S 1184, S 1130, S 1131, S 1133, as amended, S 1101, S 1047, S 1095, S 1083, S 1180, and SCR 104 were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to S 1136, as amended, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1136, as amended?"

On request by Senator Anthon, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1136, as amended.

S 1136, as amended, was referred to the Judiciary and Rules Committee for engrossing.

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

On motion by Senator Stennett, seconded by Senator Lee, HCR 13 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

H 329, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 343, H 346, H 357, and H 359, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 349, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 302, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1193, S 1194, S 1195, S 1196, S 1197, and S 1198, by Finance Committee, were read the second time at length and filed for third reading.

H 66, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

H 252, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 161, as amended, as amended in the Senate, and H 229, as amended in the Senate, by Transportation and Defense 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

S 1192 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:


NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1192 passed, title was approved, and the bill ordered transmitted to the House.
H 337 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:


NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared H 337 passed, title was approved, and the bill ordered returned to the House.

H 340 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 340 passed, title was approved, and the bill ordered returned to the House.

H 341 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 H 341 passed, title was approved, and the bill ordered returned to the House.

H 150 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks 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 150 passed, title was approved, and the bill ordered returned to the House.

H 152 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks 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 152 passed, title was approved, and the bill ordered returned to the House.

H 143 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:


NAYS–Zito. Total - 1.

Absent and excused–Bair, Thayn. Total - 2.

Total - 35.

Whereupon the President declared H 143 passed, title was approved, and the bill ordered returned to the House.

H 178 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Whereupon the President declared H 178 passed, title was approved, and the bill ordered returned to the House.

H 232 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Cook, Grow, Martin, Ricks. Total - 4.
Total - 35.

Whereupon the President declared H 232 passed, title was approved, and the bill ordered returned to the House.

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

Messages from the House

April 8, 2021

Dear Madam President:

I transmit herewith H 362, which has passed the House.

MAULIN, Chief Clerk

H 362 was filed for first reading.

On request by Senator Anthon, 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 362, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

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

Reports of Standing Committees

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:06 p.m. until the hour of 3 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Agenbroad, Bair, Riggs, Stennett, Thayn, and Woodward, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 8, 2021

The JUDICIARY AND RULES Committee reports that S 1136, as amended, as amended in the House, has been correctly engrossed.

LAKEY, Chairman

S 1136, as amended, as amended in the House, was filed for first reading.

April 8, 2021

The JUDICIARY AND RULES Committee reports that S 1089, as amended, S 1110, S 1184, S 1130, S 1131, S 1133, as amended, S 1101, S 1047, S 1095, S 1083, S 1180, and SCR 104 have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1089, as amended, S 1110, S 1184, S 1130, S 1131, S 1133, as amended, S 1101, S 1047, S 1095, S 1083, S 1180, and SCR 104 and ordered them transmitted to the House for the signature of the Speaker.

April 8, 2021

The FINANCE Committee reports out H 343, H 346, H 357, H 359, and S 1199 with the recommendation that they do pass.

BAIR, Chairman

H 343, H 346, H 357, H 359, and S 1199 were filed for second reading.

Senator Riggs was recorded present at this order of business.

April 8, 2021

The EDUCATION Committee reports out H 298 with the recommendation that it do pass.

THAYN, Chairman

H 298 was filed for second reading.

April 8, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out HCR 15 with the recommendation that it do pass.

RICE, Chairman

HCR 15 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Bair was recorded present at this order of business.

April 8, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 332 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, H 332 was referred to the Fourteenth Order of Business, General Calendar.

Senator Woodward was recorded present at this order of business.

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

Messages from the House

April 8, 2021

Dear Madam President:

I return herewith S 1188, S 1189, S 1190, S 1191, S 1134, SJM 101, SJM 103, SJM 102, S 1115, S 1011, S 1084, S 1181, and S 1176, which have passed the House.

MAULIN, Chief Clerk

S 1188, S 1189, S 1190, S 1191, S 1134, SJM 101, SJM 103, SJM 102, S 1115, S 1011, S 1084, S 1181, and S 1176 were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Anthon, 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 1136, as amended, as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.
On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

On request by Senator Anthon, granted by unanimous consent, H 220 retained its place on the General Calendar.

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee 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 Lee, Chairman of the Committee of the Whole, reported out H 246, H 135, and H 107, without recommendation, amended as follows:

SENATE AMENDMENT TO H 246
AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 11 through 40, and insert:

"SECTION 1. That Section 32-1010, Idaho Code, be, and the same is hereby amended to read as follows:

32-1010. INTENT OF THE LEGISLATURE – IDAHO PARENTAL RIGHTS ACT. (1) This section through section 32-1014, Idaho Code, shall be known and may be cited as the "Idaho Parental Rights Act."

(2) The interests and role of parents in the care, custody and control of their children are both implicit in the concept of ordered liberty and deeply rooted in our nation's history and tradition. They are also among the unalienable rights retained by the people under the ninth amendment to the constitution of the United States.

(3) The state of Idaho has independent authority to protect its parents' fundamental right to nurture and direct their children's destiny, upbringing and education.

(4) The protections and rights recognized in sections 32-1011 through 32-1014, Idaho Code, are rootet in the due process of law guaranteed pursuant to section 13, article I, of the constitution of the state of Idaho.

(5) Governmental efforts that restrict or interfere with these fundamental rights are only permitted if that restriction or interference satisfies the strict scrutiny standard provided in section 32-1013, Idaho Code.

(6) Nothing in this act shall be construed as altering the established presumption in favor of the constitutionality of statutes and regulations.

(7) The provisions of the Idaho parental rights act are hereby declared to be severable, and if any provision of the act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of the act.

SECTION 2. That Chapter 10, Title 32, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 32-T014, Idaho Code, and to read as follows:

32-1014. EMERGENCY ORDER NOT JUSTIFICATION TO INTERFERE WITH PARENTAL RIGHTS. At no time shall the existence of any order, proclamation, or declaration issued pursuant to chapter 6 or 10, title 46, Idaho Code, be considered essential to further a compelling governmental interest to justify:

(1) Forced medical action on a child;
(2) Forced removal of a child from the home; or
(3) The violation of or interference with a parent's fundamental and established rights protected by the Idaho parental rights act."

On page 2, in line 1, delete "SECTION 2" and insert: "SECTION 3".

CORRECTION TO TITLE
On page 1, delete lines 2 through 9, and insert:

"RELATING TO DOMESTIC RELATIONS; AMENDING SECTION 32-1010, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A CORRECT CODE REFERENCE, TO PROVIDE SEVERABILITY, AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 10, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1014, IDAHO CODE, TO PROVIDE THAT CERTAIN ORDERS, PROCLAMATIONS, OR DECLARATIONS SHALL NOT BE CONSIDERED JUSTIFICATION FOR FORCED MEDICAL ACTION ON A CHILD, FORCED REMOVAL OF A CHILD FROM THE HOME, OR THE VIOLATION OF OR INTERFERENCE WITH PARENTAL RIGHTS; AND DECLARING AN EMERGENCY."

SENATE AMENDMENT TO H 135
AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 15 through 19, and insert: "state of disaster emergency. Because all jobs are essential to the economy of the state of Idaho, any orders or proclamations that restrict citizens must be narrowly tailored to the purposes of the disaster emergency, include a specific and limited duration, and may not universally restrict jobholders by job type or classification."

On page 2, in line 22, following "resolution" insert: "or other legislative action"; and in line 34, following "resolution" insert: "or other legislative action".

SENATE AMENDMENT TO H 107
AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 30 through 32, and insert:

"(2)(a) The validity of an instrument recorded prior to July 1, 2017, shall not be affected by the failure of a notary public to perform a duty or meet a requirement specified in chapter 1, title 51, Idaho Code. Such a failure does not invalidate a notarial act performed by the notary public.
(b) The validity of a notarial act complying with the provisions of chapter 1, title 51, Idaho Code, does not prevent an aggrieved person from seeking to invalidate the record or transaction that is the subject of the notarial act or from seeking remedies authorized by federal or state law other than the provisions of chapter 1, title 51, Idaho Code.
(c) This subsection does not validate a purported notarial act performed by an individual who does not have the authority to perform notarial acts."
CORRECTION TO TITLE

On page 1, in line 2, delete "REVISE PRO-"); delete line 3; and in line 4, delete "STRUMENT," and insert: "CLARIFY THE APPLICATION AND EFFECT OF THE REVISED UNIFORM LAW ON NOTARIAL ACTS ON CERTAIN INSTRUMENTS AND NOTARIAL ACTS;".

The Committee also has S 1161, H 59, S 1169, H 193, H 299, H 220, and H 223 under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

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

H 246, H 135, and H 107 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 Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

H 162 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nelson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Agenbroad, Bair. Total - 1.

Total - 35.

Whereupon the President declared H 162 passed, title was approved, and the bill ordered returned to the House.

H 266 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, Burgoyne, Nye, Stennett. Total - 4.

Absent and excused–Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared H 266 passed, title was approved, and the bill ordered returned to the House.

H 307 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie 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–Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared H 307 passed, title was approved, and the bill ordered returned to the House.

H 317 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:


NAYS–None.

Absent and excused–Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared H 317 passed, title was approved, and the bill ordered returned to the House.

H 241 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:


NAYS–Anthon, Bayer, Cook, Crabtree, Harris, Lent, Lodge, Rice, Ricks, Souza, Vick. Total - 35.

Absent and excused–Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared H 241 passed, title was approved, and the bill ordered returned to the House.

H 264 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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–Agenbroad. Total - 1.
Total - 35.

Whereupon the President declared **H 264** passed, title was approved, and the bill ordered returned to the House.

**H 265** 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:


NAYS–None.

Absent and excused–Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared **H 265** passed, title was approved, and the bill ordered returned to the House.

**H 280** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared **H 280** passed, title was approved, and the bill ordered returned to the House.

**H 166** 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:


Absent and Excused–Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared **H 166** passed, title was approved, and the bill ordered returned to the House.

**H 292** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Absent and excused–Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared **H 292** passed, title was approved, and the bill ordered returned to the House.

**H 309** 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:


Absent and excused–Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared **H 309** passed, title was approved, and the bill ordered returned to the House.

**H 250**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and Excused–Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared **H 250**, as amended, passed, title was approved, and the bill ordered returned to the House.

**H 160** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

NAYS—None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared H 160 passed, title was approved, and the bill ordered returned to the House.

H 245 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared H 245 passed, title was approved, and the bill ordered returned to the House.

H 286 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie 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—Agenbroad. Total - 1.

Total - 35.

Whereupon the President declared H 286 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

Reports of Standing Committees

April 8, 2021

The JUDICIARY AND RULES Committee reports that Senate amendments to H 246, H 135, and H 107 have been correctly printed.

LAKEY, Chairman
Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Grace Kuhn, 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 April 8, 2021, was read and approved as corrected.

**LAKEY, Chairman**

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

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

**Reports of Standing Committees**

April 9, 2021

The JUDICIARY AND RULES Committee reports that S 1197, S 1189, S 1190, S 1191, S 1134, SJM 101, SJM 103, SJM 102, S 1115, S 1011, S 1084, S 1181, and S 1176 have been correctly enrolled.

**LAKEY, Chairman**

The President signed Enrolled S 1189, S 1190, S 1191, S 1134, SJM 101, SJM 103, SJM 102, S 1115, S 1011, S 1084, S 1181, and S 1176 and ordered them transmitted to the House for the signature of the Speaker.

April 9, 2021

The STATE AFFAIRS Committee reports out H 290 with the recommendation that it do pass.

**LODGE, Chair**

H 290 was filed for second reading.

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

**Messages from the House**

April 8, 2021

Dear Madam President:


MAULIN, Chief Clerk


April 8, 2021

Dear Madam President:

I return herewith Enrolled S 1079, as amended, S 1058, S 1160, S 1124, as amended, S 1024, S 1026, S 1056, S 1076, S 1119, S 1137, S 1116, as amended, S 1102, S 1104, S 1164, S 1165, S 1123, S 1042, as amended, S 1035, S 1078, and S 1172, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1079, as amended, S 1058, S 1160, S 1124, as amended, S 1024, S 1026, S 1056, S 1076, S 1119, S 1137, S 1116, as amended, S 1102, S 1104, S 1164, S 1165, S 1123, S 1042, as amended, S 1035, S 1078, and S 1172 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

**Motions and Resolutions**

The President announced that HCR 15 was before the Senate for final consideration.

Moved by Senator Rice, seconded by Senator Grow, that HCR 15 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared HCR 15 adopted, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.
Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1201
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE OFFICE
OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR
2022; APPROPRIATING MONEYS TO THE OFFICE
OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR
2022; LIMITING THE NUMBER OF AUTHORIZED
FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING
THE APPROPRIATION FROM OBJECT TRANSFER
LIMITATIONS.

S 1201 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 343, H 346, H 357, and H 359, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1199, by Finance Committee, was read the second time at length and filed for third reading.

H 298, by Education Committee, was read the second time at length and filed for third reading.

S 1136, as amended, as amended in the House, by State Affairs Committee, was read the second time at length and filed for third reading.

H 315 and H 336, by Health and Welfare Committee, were read the second time at length and filed for third reading.

H 246, as amended in the Senate, by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

H 135, as amended in the Senate, and H 107, as amended in the Senate, 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

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate passage of S 1136, as amended, as amended in the House, 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 1136, as amended, as amended in the House, be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared S 1136, as amended, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrollment.

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of H 135, as amended in the Senate, 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 H 135, as amended in the Senate, was before the Senate for final consideration.

H 135, as amended in the Senate, 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:


Total - 35.

Whereupon the President declared H 135, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

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

Reports of Standing Committees

April 9, 2021

The JUDICIARY AND RULES Committee reports that S 1136, as amended, as amended in the House, has been correctly enrolled.

LAKEY, Chairman
The President signed Enrolled S.1136, as amended, as amended in the House, and ordered it transmitted to the House for the signature of the Speaker.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:42 p.m. until the hour of 10:30 a.m., Monday, April 12, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

NINETY-SECOND LEGISLATIVE DAY
MONDAY, APRIL 12, 2021

Senate Chamber
President McGeechlin called the Senate to order at 10:30 a.m.
Roll call showed all members present.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Josh Nelson, 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 April 9, 2021, was read and approved as corrected.

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

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

Reports of Standing Committees
April 12, 2021
The JUDICIARY AND RULES Committee reports that S 1201 has been correctly printed.

LAKEY, Chairman
S 1201 was referred to the Finance Committee.

April 12, 2021
The JUDICIARY AND RULES Committee reports that S 1200 was filed for second reading.

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

Messages from the House
April 9, 2021
Dear Madam President:
I transmit herewith HCR 17, H 363, HCR 18, HCR 19, and HCR 20, which have passed the House.

MAULIN, Chief Clerk

HCR 17, H 363, HCR 18, HCR 19, and HCR 20 were filed for first reading.
April 9, 2021
Dear Madam President:

MAULIN, Chief Clerk

April 9, 2021
Dear Madam President:
I return herewith Enrolled S 1089, as amended, S 1110, S 1184, S 1130, S 1131, S 1133, as amended, S 1101, S 1047, S 1095, S 1083, S 1180, and SCR 104 which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1089, as amended, S 1110, S 1184, S 1130, S 1131, S 1133, as amended, S 1101, S 1047, S 1095, S 1083, and S 1180 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.
Enrolled SCR 104 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.
On request by Senator Anthon, 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 1202
BY FINANCE COMMITTEE

AN ACT
RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REQUIREMENTS REGARDING ANNUAL REPORTING OF PAYMENTS TO THE IDAHO STATE BUILDING AUTHORITY; PROVIDING
REPORTING REQUIREMENTS REGARDING THE CAREER LADDER: PROVIDING REPORTING REQUIREMENTS REGARDING LITERACY INTERVENTION PROGRAMS; PROVIDING REPORTING REQUIREMENTS REGARDING DUAL CREDIT; AND DIRECTING THE USE OF FEDERAL FUNDS.

S 1202 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 17, by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 363, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 18, HCR 19, and HCR 20, by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 290, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1193 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–Anthon, Bayer, Bartenshaw, Cook, Den Hartog, Grow, Harris, Heider, Johnson, Lent, Patrick, Rice, Ricks, Souza, Thayn, Vick, Zito. Total - 17.

Total - 35.

Whereupon the President declared S 1193 passed, title was approved, and the bill ordered transmitted to the House.

S 1194 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 1194 passed, title was approved, and the bill ordered transmitted to the House.

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

Petitions, Resolutions, and Memorials

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

Reports of Standing Committees

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:55 a.m. until the hour of 3 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

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

Petitions, Resolutions, and Memorials

SP 102

BY STATE AFFAIRS COMMITTEE

A PROCLAMATION

COMMENDING JON EVANS FOR HIS INDUCTION INTO THE BOYS AND GIRLS CLUBS OF AMERICA HALL OF FAME, HIS TIRELESS DEDICATION TO IDAHO'S YOUTH, AND THE COUNTLESS NUMBER OF CHILDREN HE HAS SERVED.

We, the members of the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby proclaim:

WHEREAS, the Boys and Girls Clubs of America awards its best people the "Masters and Mentors Award," the highest honor given to Boys and Girls Clubs of America professionals to recognize their significant sustained contributions and demonstrated excellence and inducts those people into the Boys and Girls Clubs of America Hall of Fame; and

WHEREAS, in its 165-year history, the Boys and Girls Clubs of America has bestowed this honor on only 83 people and never to anyone from Idaho; and

WHEREAS, Jon Evans, the CEO of the Boys and Girls Clubs of the Lewis Clark Valley in Lewiston, Idaho, was awarded the Masters and Mentors Award by the Boys and Girls Clubs of America and will be inducted into the Boys and Girls Clubs of America Hall of Fame; and

WHEREAS, Jon Evans has dedicated his career to serving and mentoring tens of thousands of young people for more than 37 years and has demonstrated excellence in his profession, embodied the mission of the Boys and Girls Clubs of America, and successfully mentored other professionals; and

WHEREAS, Jon Evans first entered the Boys and Girls Clubs of America as a ten-year-old and he has been committed to the organization ever since; and

WHEREAS, Jon Evans has been a role model for young people as a peer, then as a youth leader, then as a program director, and now as a chief executive officer; and

WHEREAS, Jon Evans has been a leader in the Lewiston community, helping keep the community going during the recent pandemic by working with business leaders, community organizations, and local schools to keep central Idaho children safe and engaged.
NOW, THEREFORE, BE IT PROCLAIMED by the members of the Senate assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, that we recognize and congratulate Jon Evans for his induction into the Boys and Girls Clubs of America Hall of Fame, his tireless dedication to Idaho's youth, and the countless number of children he has served.

SP 102 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 12, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1089, as amended, S 1110, S 1184, S 1130, S 1131, S 1133, as amended, S 1101, S 1047, S 1095, S 1083, and S 1180 were delivered to the Office of the Governor at 11:10 a.m., April 12, 2021.

LAKEY, Chairman

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

April 12, 2021

The JUDICIARY AND RULES Committee reports that Enrolled SCR 104 was delivered to the Office of the Secretary of State at 11:59 a.m., April 12, 2021.

LAKEY, Chairman

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

April 12, 2021

The FINANCE Committee reports out S 1201 with the recommendation that it do pass.

BAIR, Chairman

S 1201 was filed for second reading.

April 12, 2021

The TRANSPORTATION Committee reports out H 362 with the recommendation that it do pass.

DEN HARTOG, Chair

H 362 was filed for second reading.

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

Messages from the House

April 12, 2021

Dear Madam President:

I return herewith S 1039, as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Thayn, granted by unanimous consent, S 1039, 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.

Dear Madam President:

I return herewith S 1139, S 1045, S 1186, S 1175, SCR 106, SJM 104, and S 1187, which have passed the House.

MAULIN, Chief Clerk

S 1139, S 1045, S 1186, S 1175, SCR 106, SJM 104, and S 1187 were referred to the Judiciary and Rules Committee for enrolling.

April 12, 2021

Dear Madam President:

I transmit herewith Enrolled HCR 15 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled HCR 15 and ordered it returned to the House.

April 12, 2021

Dear Madam President:

I return herewith Enrolled S 1188, S 1189, S 1190, S 1191, S 1134, SJM 101, SJM 103, SJM 102, SJM 105, S 1011, S 1084, S 1181, S 1176, and S 1136, as amended, as amended in the House, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1188, S 1189, S 1190, S 1191, S 1134, S 1115, S 1011, S 1084, S 1181, S 1176, and S 1136, as amended, as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled SJM 101, SJM 103, and SJM 102 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to S 1039, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1039, as amended in the House?"

On request by Senator Thayn, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1039, as amended in the House.

S 1039, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The Senate advanced to the Eleventh Order of Business.

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

S 1203

BY FINANCE COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND
TO THE INNOCENCE FUND; AND DECLARING AN EMERGENCY.

S 1203 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

S 1195 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1195 passed, title was approved, and the bill ordered transmitted to the House.

S 1197 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 S 1197 passed, title was approved, and the bill ordered transmitted to the House.

S 1198 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 S 1198 passed, title was approved, and the bill ordered transmitted to the House.

H 66, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks 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 66, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 252, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks 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 252, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 161, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Martin, Zito. Total - 3.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President declared H 161, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 229, as amended in the Senate, 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:


NAYS–Bair, Bayer, Cook, Harris, Martin, Ricks, Thayn, Zito. Total - 8.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President declared H 229, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 302 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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–Lodge. Total - 1.

Total - 35.

Whereupon the President declared H 302 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House Appropriations bills, followed by House bills.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:23 p.m. until the hour of 10 a.m., Tuesday, April 13, 2021.

JANICE MCGEACHIN, President
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

NINETY-THIRD LEGISLATIVE DAY
TUESDAY, APRIL 13, 2021

Senator Chamber
President McGeachin called the Senate to order at 10 a.m.
Roll call showed all members present except Senators Bair and Stennett, absent and excused.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Grace Kuhn, 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 April 12, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

April 13, 2021

The JUDICIARY AND RULES Committee reports that SP 102, S 1202, and S 1203 have been correctly printed.

LAKEY, Chairman

SP 102 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1202 and S 1203 were referred to the Finance Committee.

Senator Bair was recorded present at this order of business.

April 13, 2021

The JUDICIARY AND RULES Committee reports that S 1039, as amended in the House, has been correctly engrossed.

LAKEY, Chairman

S 1039, as amended in the House, was filed for first reading.

April 12, 2021

The JUDICIARY AND RULES Committee reports that S 1139, S 1045, S 1186, S 1175, SCR 106, SJM 104, and S 1187 have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1139, S 1045, S 1186, S 1175, SCR 106, SJM 104, and S 1187 and ordered them transmitted to the House for the signature of the Speaker.

Senator Stennett was recorded present at this order of business.

April 12, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1188, S 1189, S 1190, S 1191, S 1134, S 1115, S 1011, S 1084, S 1178, S 1176, and S 1136, as amended, as amended in the House, were delivered to the Office of the Governor at 4:17 p.m., April 12, 2021.

LAKEY, Chairman

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

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

Messages from the House

April 12, 2021

Dear Madam President:

I transmit herewith H 338 and H 344, which have passed the House.

MAULIN, Chief Clerk

H 338 and H 344 were filed for first reading.

On request by Senator Anthon, 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 1204
BY FINANCE COMMITTEE

AN ACT
RELATING TO AMERICAN RESCUE PLAN FUNDS; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE; BY THE ADDITION OF A NEW SECTION 67-3533, IDAHO CODE, TO DECLARE FEDERAL AMERICAN RESCUE PLAN ACT OF 2021 FUNDS COGNIZABLE AND TO PROVIDE LEGISLATIVE INTENT; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3534, IDAHO CODE, TO ESTABLISH THE AMERICAN RESCUE PLAN FUND; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE, BY THE ADDITION OF A
NEW SECTION 67-3535, IDAHO CODE, TO ESTABLISH THE AMERICAN RESCUE PLAN COST RECOVERY FUND; AND DECLARING AN EMERGENCY.

S 1204 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 338, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 344, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

S 1039, as amended in the House, by Education Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1200, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1201, by Finance Committee, was read the second time at length and filed for third reading.

H 362, by Ways and Means Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1199 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.
Total - 35.

Whereupon the President declared H 107, as amended in the Senate, 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:


NAYS–None.

Absent and excused–Anthon. Total - 1.
Total - 35.

H 357 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Anthon. Total - 1.
Total - 35.

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

H 298 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:


Total - 35.

Whereupon the President declared H 298 passed, title was approved, and the bill ordered returned to the House.

H 315 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 315 passed, title was approved, and the bill ordered returned to the House.

H 336 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 H 336 passed, title was approved, and the bill ordered returned to the House.

H 290 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie 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 290 passed, title was approved, and the bill ordered returned to the House.

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1200 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 1200 be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Rabe. Total - 1.

Total - 35.

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

S 1200 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks 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 1200 passed, title was approved, and the bill ordered transmitted to the House.

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

Petitions, Resolutions, and Memorials

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

Reports of Standing Committees

April 13, 2021

The JUDICIARY AND RULES Committee reports that S 1204 has been correctly printed.

LAKEY, Chairman

S 1204 was referred to the Finance Committee.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:57 a.m. until the hour of 3 p.m. of this day.

RECESS

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 13, 2021

The FINANCE Committee reports out H 338, S 1202, and S 1203 with the recommendation that they do pass.

BAIR, Chairman
H 338, S 1202, and S 1203 were filed for second reading.

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

Messages from the Governor

April 13, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 9, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1035, S 1058, S 1076, S 1078, S 1104,
S 1123, and S 1172

Sincerely,
/s/ Brad Little
Governor of Idaho

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

April 13, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 12, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1137 and S 1164

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

April 13, 2021

Dear Madam President:

I return herewith S 1192, which has passed the House.

MAULIN, Chief Clerk

S 1192 was referred to the Judiciary and Rules Committee for enrolling.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:28 p.m. until the hour of 10 a.m., Wednesday, April 14, 2021.
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

NINETY-FOURTH LEGISLATIVE DAY
WEDNESDAY, APRIL 14, 2021

Senate Chamber
President McGeachin called the Senate to order at 10 a.m.
Roll call showed all members present except Senator Rabe, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Tyler Tippets, 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 April 13, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees
April 13, 2021

The JUDICIARY AND RULES Committee reports that S 1192 has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1192 and ordered it transmitted to the House for the signature of the Speaker.

April 14, 2021

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:

Peter Smith to the Idaho Lottery Commission, term to expire January 1, 2023.

LODGE, Chair

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.

April 14, 2021

The FINANCE Committee reports out S 1204 with the recommendation that it do pass.

BAIR, Chairman

S 1204 was filed for second reading.

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

Messages from the Governor
April 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I hereby advise you that I have transmitted to the Office of the Secretary of State, with my approval, the following Senate Bill, to wit:

S 1089, as amended

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 11:10 a.m. on April 12, 2021.

I am pleased to sign this bill repealing some antiquated exemptions to spousal rape which have curiously remained on the books far longer than they should have. My purpose for writing is simply to encourage you to clarify what constitutes a lawful marriage for the purposes of Section 18-6101. We need to be certain our laws do not have the effect of exempting bad actors - such as human or sex traffickers - from criminal liability under this section. A marriage, though lawful under the laws of some foreign jurisdiction, could tacitly still provide safe harbor to rape in circumstances it should not.

There is no question this bill improves our laws, but this bill also illuminates possible shortcomings that remain in law. At my request, the Idaho Criminal Justice Commission stands ready to work with legislative partners on further improvements to this section.

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
April 13, 2021

Dear Madam President:

I transmit herewith Enrolled H 343, H 359, and H 302 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 343, H 359, and H 302 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.
Motions and Resolutions

The President announced that SP 102 was before the Senate for final consideration, the question being, "Shall the proclamation be adopted?"

On motion by Senator Johnson, seconded by Senator Nelson, SP 102 was adopted by voice vote, title was approved, and the proclamation ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1205 BY STATE AFFAIRS COMMITTEE

AN ACT
RELATING TO FIREARMS; PROVIDING A SHORT TITLE; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 18-3315B, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PROHIBITION OF REGULATION OF CERTAIN FIREARMS, TO PROHIBIT CERTAIN REGULATION OF FIREARMS, TO PROVIDE FOR ENFORCEABILITY, TO PROVIDE CERTAIN IMMUNITY FROM CIVIL LIABILITY, TO DEFINE TERMS, TO PROVIDE APPLICABILITY, AND TO MAKE TECHNICAL CORRECTIONS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1205 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1039, as amended in the House, by Education Committee, was read the second time at length and filed for third reading.

H 338, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1202 and S 1203, by Finance 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

S 1201 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Cook, Zito. Total - 3.

Total - 35.

Whereupon the President declared S 1201 passed, title was approved, and the bill ordered transmitted to the House.

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 338 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 H 338 be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


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

H 338 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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 338 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1202 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 1202 was before the Senate for final consideration.

S 1202 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:


Total - 35.
Whereupon the President declared S 1202 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1203 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 1203 was before the Senate for final consideration.

S 1203 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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 1203 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:45 a.m. until the hour of 10:30 a.m., Monday, April 19, 2021.

*****

[Note: The following is action recorded during RECESS.]

April 14, 2021

Dear Madam President:

I return herewith Enrolled S 1139, S 1045, S 1186, S 1175, and S 1187, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1139, S 1045, S 1186, S 1175, and S 1187 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 14, 2021

Dear Madam President:

I return herewith Enrolled SCR 106 and SJM 104, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled SCR 106 and SJM 104 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

April 14, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1139, S 1045, S 1186, S 1175, and S 1187 were delivered to the Office of the Governor at 2 p.m., April 14, 2021.

LACEY, Chairman

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

April 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 9, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1160
Sincerely,
/s/ Brad Little
Governor of Idaho

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

April 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 9, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1042, as amended
Sincerely,
/s/ Brad Little
Governor of Idaho

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

April 14, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 13, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1011, S 1079, as amended, S 1083, S 1084, S 1095, S 1101, S 1102, S 1115, S 1116, as amended, S 1119, S 1124, as amended, S 1130, S 1137, S 1138, as amended, S 1165, S 1180, and S 1184

Sincerely,
/s/ Brad Little
Governor of Idaho
The correspondence was ordered filed in the office of the Secretary of the Senate.

April 14, 2021

The Honorable Janice McGeachin  
President of the Senate  
Idaho State Senate  

Dear Madam President:

I have the honor to inform you that I have signed on April 14, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1024, S 1026, S 1047, S 1056, S 1134,  
S 1176, S 1181, S 1188, S 1189, S 1190, and S 1191

Sincerely,  
/s/ Brad Little  
Governor of Idaho

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

April 14, 2021

Dear Madam President:

I return herewith S 1177 and S 1143, as amended, which have passed the House.

MAULIN, Chief Clerk

S 1177 and S 1143, as amended, were referred to the Judiciary and Rules Committee for enrolling.

April 14, 2021

Dear Madam President:

I transmit herewith Enrolled H 171, as amended in the Senate, H 102, as amended in the Senate, H 191, as amended in the Senate, H 346, H 357, H 298, H 315, H 336, and H 290 for the signature of the President.

MAULIN, Chief Clerk

The President Pro Tempore signed Enrolled H 171, as amended in the Senate, H 102, as amended in the Senate, H 191, as amended in the Senate, H 346, H 357, H 298, H 315, H 336, and H 290 and ordered them returned to the House.

April 16, 2021

The JUDICIARY AND RULES Committee reports that S 1177 and S 1143, as amended, have been correctly enrolled.

LAKEY, Chairman

The President Pro Tempore signed Enrolled S 1177 and S 1143, as amended, and ordered them transmitted to the House for the signature of the Speaker.
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

NINETY-NINTH LEGISLATIVE DAY
MONDAY, APRIL 19, 2021

Senate Chamber
President McGeachin called the Senate to order at 10:30 a.m.
Roll call showed all members present.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Ella Lueckenga, 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 April 14, 2021, was read and approved as corrected.

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

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

Reports of Standing Committees
April 15, 2021
The JUDICIARY AND RULES Committee reports that S 1205 has been correctly printed.

LAKEY, Chairman

S 1205 was referred to the State Affairs Committee.
April 16, 2021
The JUDICIARY AND RULES Committee reports that Enrolled SCR 106 and SJM 104 were delivered to the Office of the Secretary of State at 11:52 a.m., April 16, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.
April 14, 2021
The STATE AFFAIRS Committee reports out HCR 17, HCR 18, and HCR 20 with the recommendation that they do pass.

LODGE, Chair

HCR 17, HCR 18, and HCR 20 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary’s desk for one legislative day.

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

Messages from the Governor
April 17, 2021
The Honorable Janice McGeachin
President of the Senate
Idaho State Senate
Dear Madam President:

I have the honor to inform you that I have signed on April 17, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1110

In 2019, I vetoed Senate Bill 1159 and House Bill 296 because I had serious concerns for the constitutional sufficiency of the bills and the unintended consequences of their passage. I expressed my support for the Legislature’s goal of ensuring that the rights of all Idahoans – not just those in urban areas – have a voice in Idaho’s initiative process. However, I believed those bills went too far.

I have similar concerns with Senate Bill 1110, but I believe the bill presents a much closer call. Idaho has an important interest in ensuring that our ballots are not cluttered with initiatives that have not demonstrated sufficient grassroots support. Under current law, an initiative can qualify for the ballot after collecting voter signatures in only a few of Idaho’s more populated, urban areas. This is unacceptable, especially since technological advancements make it more feasible than ever before to reach voters. Senate Bill 1110 has a laudable goal of ensuring that initiatives have a minimum level of support throughout all of Idaho before they are placed on the ballot.

Article III, Section 1 of the Idaho Constitution guarantees to the people an initiative and referendum process. Not every state in our country provides these important rights and I urge the Legislature to ensure those rights remain accessible to the people. However, I cannot overlook that the same constitutional provision limits those rights to “such conditions and in such manner as may be provided by acts of the legislature.” Said differently, our constitution gives broad discretion to the Legislature to place conditions on ballot access. Whether Senate Bill 1110 amounts to an impermissible restriction in violation of our constitution is highly fact dependent and, ultimately, a question for the Idaho judiciary to decide.

I also expect the federal courts may be called to determine whether Senate Bill 1110 violates the First Amendment of the U.S. Constitution. Yet, there is good cause to believe the neutral regulations in this bill are constitutionally permissible. Last summer, excellent lawyering by Idaho Deputy Attorneys General secured a favorable ruling from our nation’s highest court in a lawsuit challenging Idaho’s initiative process. The U.S. Supreme Court recognized a circuit split and indicated that it may soon welcome an invitation to overturn precedent from the Ninth Circuit Court of Appeals upon which opponents of Senate Bill 1110 rely.

I appreciate that signing this bill will be controversial. Very few issues elicit such strong feelings from both sides of the
debate. I am grateful for the positions that each side articulated during debate and in meetings with my office.

Sincerely,
/s/ Brad Little
Governor of Idaho

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

April 19, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

VIA: HAND DELIVERY C/O Jen Novak Secretary of the Senate

Dear Madam President:

Pursuant to Idaho Code 67-504, I hereby notify the Senate that I delivered without my approval, disapproved, and vetoed the following Senate Bill, to wit:

S 1136, as amended, as amended in the House

This vetoed legislation and my objections were hand delivered during the legislative recess on April 16, 2021 at 3:24 p.m. to Jen Novak, Secretary of the Senate and Senate Member, Pro Tempore Chuck Winder. This notice shall serve as the requirement under Idaho Code 67-504 as to whom the vetoed legislation was delivered to, as well as the date and time of its delivery.

Sincerely,
/s/ Brad Little
Governor

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

April 16, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I hereby advise you that I am returning to you, without my approval, disapproved and vetoed, the following Senate Bill, to wit:

S 1136, as amended, as amended in the House

I cannot in good conscience approve any bill that will impair the ability of the Governor to protect Idaho and its people in the future emergencies. Nor can I sign any bill that violates our constitutional commitment to the separation of powers. Like you, I swore an oath to faithfully discharge my duties and to uphold our constitution.

That is why I am vetoing Senate Bill 1136a today, and why I must also veto House Bill 135a when it is delivered.

The Idaho Constitution – like the U.S. Constitution – wisely divides the primary powers of our government between three co-equal branches. To the legislature, it gives the power to make laws. To the judiciary, it gives the power to interpret those laws. To the executive, it gives the power to enforce the laws.

With those powers come sobering responsibilities. The legislature must be deliberate in its lawmaking. The judiciary must be fair in administering justice. And the executive must, above all else, protect the people of Idaho.

Our constitution prohibits each branch from exercising powers assigned to the others. It also forbids one branch from preventing another from performing its constitutional powers. These prohibitions are necessary to prevent tyranny that can result from absolute power by any one branch. But there is also a more practical reason: no branch has the expertise and resources needed to effectively carry out the duties of the others.

Declaring and responding to emergencies are core executive functions, and our constitution gives the Governor broad powers to do what is necessary to protect the state and the people of Idaho.

The executive branch has the resources and can tap subject matter experts in emergency response to quickly and effectively deploy resources in fast-moving situations.

This last year has been difficult, but look where Idaho is today. Countless lives were saved and we avoided a crisis in healthcare. I listened to the experts, and Idaho was one of only a few states with the fewest COVID-19 restrictions. We now have the strongest economy in the nation.

I attribute our success to the spirit of the Idaho people. However, I cannot overlook the critical role played by Idaho’s emergency statutes, namely sections 46-601 and 46-1008. Those statutes are not restrictive on people’s rights. Rather, they compliment the Governor’s constitutional powers and provide additional resources and flexibility for the executive branch to do what is necessary to help Idahoans.

We know future emergencies will include floods, fires, and drought – the routine experiences of living in the West. Unfortunately, it is also likely Idaho will face future multi-state disasters involving major earthquakes, enormous flooding, or devastating fires. We could experience a massive, sustained power grid failure. The full list of potential devastating disasters is simply unknown.

That is why any legislative changes to our emergency statutes must be done carefully and collaboratively to avoid unintended consequences that will harm the state’s ability to act timely and effectively for the benefit of Idahoans in future emergencies.

Regrettably, there are serious concerns with the process that led to these bills. Numerous stakeholders felt ignored including our National Guard, the cities, the counties, FEMA, state emergency managers, and business.

As a result, these two bills pose serious practical and constitutional consequences for the future.

First, the bills are overly restrictive and will handcuff the Governor’s ability to take the timely and necessary action to help Idahoans during future emergencies. The bills will prevent a Governor from taking steps unless it is “essential to protect life and property.” Imposing such a narrow standard will unwisely prohibit actions necessary to restore services and infrastructure, ensure the continuity of government, save jobs, help schools reopen, and protect the economy at large. For example, the Governor will be unable to suspend regulations that impair agriculture and industry from operating or minimizing financial loss during a drought, flood, or other disaster. Nor will the Governor be able to deploy the National Guard to take any and all action necessary following a massive earthquake including, but not limited to, removing debris, repairing infrastructure, and assisting businesses and government offices with reopening.
The bills further prohibit the state, as well as counties and cities, from taking any action that "limit" a constitutional right. Idahoans value our freedoms and I agree that our constitutional rights can never be outright suspended, especially during emergencies. However, temporary limitations on our rights are necessary in some circumstances to effectively combat emergency conditions. For example, we need the ability to evacuate and cordon a town in advance of a dam break even if doing so temporarily limits our rights to travel, work, or assemble. This unqualified restriction will complicate efforts to save lives and mitigate emergencies, and will put public safety personnel at risk. The one common denominator of a disaster is that the no-action or slow-action alternative is unacceptable and not what our citizens expect and deserve.

Alarmingly, Senate Bill 1136a will also prevent future Governors from declaring an extreme emergency under section 46-601 for any natural disaster, even large-scale earthquakes that result in massive loss of life and infrastructure. This is unacceptable. While I applaud the Legislature for including cyberattacks, limiting the statute’s application only to violent and intentional human acts is dangerous and shortsighted. Had emergency managers been adequately consulted, I am confident the Legislature would have understood that natural disasters can and do – far more frequently than an enemy attack – rise to an extreme emergency requiring the additional flexibility section 46-601 provides.

Second, Senate Bill 1136a and House Bill 135a unnecessarily politicize the state’s emergency response efforts and will jeopardize critical funding for local governments. Disasters often worsen and spread over time requiring supplemental declarations and orders. Very few, if any, emergencies are extended “solely” for the purpose of receiving funding. Thus, the bills will more than likely require the Legislature to convene every 60 days to approve those emergency declarations with conditions or restrictions. In large-scale emergencies, such as an earthquake, volcanic eruption, or attack, it may not be physically possible for the full body of the Legislature to convene or maintain a quorum. Yet, Senate Bill 1136a provides no backup plan. That is irresponsible. On the other end of the spectrum, it will be unnecessary and costly to convene the Legislature to extend smaller emergencies that impact only one or a few communities.

If the Legislature is unable or unwilling to extend an emergency declaration, the state will no longer meet the criteria to be eligible to receive federal disaster funding. Nor will the Governor be authorized to utilize the disaster emergency account, which is only available during a declared emergency. The change in House Bill 135a allowing disaster expenses incurred “arising out of” an emergency does not go the necessary distance to make the disaster emergency account available after a declaration is terminated.

I agree that there is a time and place for the Legislature to be involved during future emergencies. That is why I came to you early in the session and offered tangible solutions and the path forward. I encouraged the Legislature to consider appointing a smaller group of legislators – such as the duly elected Legislative Council – to take on the role of representing the full legislative body when convening 105 members is impracticable or unnecessary. Further, the Legislature was encouraged to explore legislation specific to statewide public health emergencies.

Third, Senate Bill 1136a and House Bill 135a violate the separation of powers doctrine and are unconstitutional. The bills limit the Governor’s constitutional powers to respond to emergencies as is necessary and to utilize the National Guard. The bills attempt to reassign to the Legislature the core executive powers to extend, modify, and terminate emergency declarations and orders. The bills also attempt to give the legislature the ability to dictate the subjects of an extraordinary session, which is a constitutional power assigned solely to the Governor in Article IV, Section 9.

Finally, it is well settled that the Legislature lacks the constitutional power to extend, modify, or terminate an emergency declaration by concurrent resolution. Yet, the bills double down on that legally ineffective procedure, further jeopardizing the state’s ability to timely and effectively respond to future emergencies for the protection of Idaho, our people, and our livelihoods.

We can do better!

I remain willing and committed to working with all of you in the Legislature to improve and modernize Idaho’s emergency statutes. But, we will need to involve all of the stakeholders and focus on how any changes will impact Idaho’s ability to respond to future emergencies.

I am extremely grateful to the members of the Legislature who have taken the time to hear me out. You know who you are, and I appreciate you more than you know.

I also urge my partners in the Legislature who voted for House Bill 135a and Senate Bill 1136a to reconsider their votes on the override.

It’s time to get back on track. The people of Idaho deserve our best.

Sincerely,
/s/ Brad Little
Governor of Idaho

The question being, " Shall S 1136, as amended, as amended in the House, become law, the Governor's veto notwithstanding?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Harris, Heider, Johnson, Lakey, Lee, Lent, Rice, Ricks, Riggis, Souza, Thayn, Vick, Winder, Zito. Total - 23.


Total - 35.

Less than two-thirds having voted in the affirmative, the President declared that S 1136, as amended, as amended in the House, has failed to become law, the Governor's veto sustained. S 1136, as amended, as amended in the House, and the Governor's message 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

Dear Madam President:

I transmit herewith H 339, as amended, which has passed the House.

MAULIN, Chief Clerk

H 339, as amended, was filed for first reading.

April 16, 2021

Dear Madam President:

I transmit herewith H 322, as amended, H 350, H 365, H 366, and H 364, which have passed the House.

MAULIN, Chief Clerk

H 322, as amended, H 350, H 365, H 366, and H 364 were filed for first reading.

April 14, 2021

Dear Madam President:

I return herewith S 1111, as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by President Pro Tempore Winder, granted by unanimous consent, S 1111, 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.

April 16, 2021

Dear Madam President:

I return herewith S 1086, which has passed the House.

MAULIN, Chief Clerk

S 1086 was referred to the Judiciary and Rules Committee for enrolling.

April 15, 2021

Dear Madam President:

I transmit herewith Enrolled H 338 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 338 and ordered it returned to the House.

April 16, 2021

Dear Madam President:

I transmit herewith Enrolled H 135, as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 135, as amended in the Senate, and ordered it returned to the House.

April 15, 2021

Dear Madam President:

I return herewith Enrolled S 1192, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1192 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to S 1111, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1111, as amended in the House?"

President Pro Tempore Winder requested unanimous consent that the Senate concur in the House amendments to S 1111, as amended in the House.

Senator Burgoyne objected. Senators Stennett and Ward-Engleking stood in support.

On motion by President Pro Tempore Winder, seconded by Senator Anthon, that the Senate concur in the House amendments to S 1111, as amended in the House.

Roll call resulted as follows:


Total - 35.

S 1111, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Peter Smith was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Riggs, seconded by Senator Stennett, the Gubernatorial appointment of Peter Smith as a member of the Idaho Lottery Commission was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1206

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE OFFICE OF
THE ATTORNEY GENERAL FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING THE APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1207
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE LEGISLATIVE BRANCH FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE LEGISLATIVE SERVICES OFFICE FOR FISCAL YEAR 2022; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND APPROPRIATING ADDITIONAL MONEYS TO THE LEGISLATURE FOR FISCAL YEAR 2022.

S 1208
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE CONTROLLER; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE CONTROLLER FOR FISCAL YEAR 2021; PROVIDING REAPPROPRIATION AUTHORITY; AND DECLARING AN EMERGENCY.

S 1209
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2022.

S 1206, S 1207, S 1208, and S 1209 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 339, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 322, as amended, and H 350, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 365, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 366, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 364, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills
S 1204, by Finance 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

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Sten nett, that all rules of the Senate interfering with the immediate passage of S 1204 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 1204 be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–Zito. Total - 1.

Total - 35.

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

S 1204 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:


Total - 35.

Whereupon the President declared S 1204 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, H 362 retained its place on the Third Reading Calendar for Wednesday, April 21, 2021.

S 1039, as amended in the House, 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 declared S 1039, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.
On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

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

Petitions, Resolutions, and Memorial

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:09 p.m. until the hour of 3 p.m. of this day.

RECESS
Afternoon Session

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except President Pro Tempore Winder and Senators Bayer, Burgoyne, Grow, Harris, and Vick, absent and excused.

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

Senator Bayer was recorded present at this order of business.

SP 103
By State Affairs Committee
A PROCLAMATION
COMMENDING THE ADA COUNTY HIGHWAY DISTRICT ON ITS 50TH ANNIVERSARY.

We, the members of the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, proclaim as follows:

WHEREAS, on May 25, 1971, Ada County voters created the Ada County Highway District (ACHD), the only single countywide highway district established under Idaho law; and

WHEREAS, since commencing work in 1972, ACHD and its elected commission have maintained almost all of the roads in Ada County, with the exception of roads that fall under private ownership or within the jurisdiction of the Idaho Transportation Department; and

WHEREAS, despite the enormous growth of Ada County and its transportation system, ACHD has accomplished the goals for which it was established, including countywide quality standards and the efficient allocation of resources; and

WHEREAS, ACHD has retained its commitment to its constituency, including a policy of filling reported potholes within 24 hours; and

WHEREAS, ACHD has continued to adapt to the changing demands of Ada County's citizens, as demonstrated by its adoption of a Complete Streets Policy to provide safe and comfortable travel for vehicles, bicycles, pedestrians, people with disabilities, and mass transit users; and

WHEREAS, ACHD is an Idaho leader in technology, design, and innovation and shares its expertise with other highway authorities in Idaho; and

WHEREAS, ACHD, its staff, and its commissioners have provided valuable service to the citizens of Ada County.

NOW, THEREFORE, BE IT PROCLAIMED by the members of the Senate assembled in the First Regular Session of the Sixty-sixth Idaho Legislature that we congratulate ACHD for its success in addressing the unique transportation needs of Ada County for 50 years.

SP 103 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

President Pro Tempore Winder and Senator Vick were recorded present at this order of business.

April 19, 2021

The JUDICIARY AND RULES Committee reports that S 1206, S 1207, S 1208, and S 1209 have been correctly printed.

LAKEY, Chairman

S 1206, S 1207, S 1208, and S 1209 were referred to the Finance Committee.

April 19, 2021

The JUDICIARY AND RULES Committee reports that S 1086 and S 1039, as amended in the House, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1086 and S 1039, as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

April 19, 2021

The JUDICIARY AND RULES Committee reports that S 1111, as amended in the House, has been correctly engrossed.

LAKEY, Chairman

S 1111, as amended in the House, was filed for first reading.

April 19, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1192 was delivered to the Office of the Governor at 11:40 a.m., April 19, 2021.

LAKEY, Chairman

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

April 19, 2021

The FINANCE Committee reports out H 365 with the recommendation that it do pass.

BAIR, Chairman

H 365 was filed for second reading.

April 19, 2021

The STATE AFFAIRS Committee reports out S 1205 with the recommendation that it do pass.

LODGE, Chair

S 1205 was filed for second reading.
On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 19, 2021

Dear Madam President:

I return herewith S 1107, as amended, S 1195, S 1196, S 1197, S 1198, S 1168, as amended, S 1051, S 1199, and S 1062, which have passed the House.

MAULIN, Chief Clerk

S 1107, as amended, S 1195, S 1196, S 1197, S 1198, S 1168, as amended, S 1051, S 1199, and S 1062 were referred to the Judiciary and Rules Committee for enrolling.

April 19, 2021

Dear Madam President:

I return herewith Enrolled S 1177 and S 1143, as amended, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1177 and S 1143, as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, 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 1210
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; AND PROVIDING FOR A DISTRIBUTION METHOD.

S 1210 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:14 p.m. until the hour of 10:30 a.m., Tuesday, April 20, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
ONE HUNDREDTH LEGISLATIVE DAY
TUESDAY, APRIL 20, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Charlotte Brockman, 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 April 19, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

April 20, 2021

The JUDICIARY AND RULES Committee reports that

SP 103 and S 1210 have been correctly printed.

LAKEY, Chairman

SP 103 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1210 was referred to the Finance Committee.

April 20, 2021

The JUDICIARY AND RULES Committee reports that

S 1107, as amended, S 1195, S 1196, S 1197, S 1198, S 1168, as amended, S 1051, S 1199, and S 1062 have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1107, as amended, S 1195, S 1196, S 1197, S 1198, S 1168, as amended, S 1051, S 1199, and S 1062 and ordered them transmitted to the House for the signature of the Speaker.

April 19, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1177 and S 1143, as amended, were delivered to the Office of the Governor at 3:30 p.m., April 19, 2021.

LAKEY, Chairman

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

April 20, 2021

The FINANCE Committee reports out S 1206, S 1207, S 1208, and S 1209 with the recommendation that they do pass.

BAIR, Chairman

S 1206, S 1207, S 1208, and S 1209 were filed for second reading.

April 20, 2021

The STATE AFFAIRS Committee reports out H 366 with the recommendation that it do pass.

LODGE, Chair

H 366 was filed for second reading.

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

Messages from the House

April 19, 2021

Dear Madam President:

I transmit herewith H 367 and H 348, which have passed the House.

MAULIN, Chief Clerk

H 367 and H 348 were filed for first reading.

April 20, 2021

Dear Madam President:

I return herewith S 1061, as amended in the House, which has passed the House.

MAULIN, Chief Clerk

On request by Senator Riggs, granted by unanimous consent, S 1061, 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

The President announced that the House amendments to S 1061, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1061, as amended in the House?"

On request by Senator Riggs, granted by unanimous consent, that the Senate not concur in the House amendments to S 1061, as amended in the House.
S 1061, as amended in the House, was ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, HCR 17 retained its place on the calendar.

The President announced that HCR 18 was before the Senate for final consideration.

Moved by Senator Vick, seconded by Senator Stennett, that HCR 18 be adopted. The question being, "Shall the resolution be adopted?"

On request by Senator Anthon, granted by unanimous consent, HCR 18 and HCR 20 retained their places on the calendar.

The Senate advanced to the Eleventh Order of Business.

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

S 1211
BY STATE AFFAIRS COMMITTEE

AN ACT
RELATING TO WOLVES; AMENDING SECTION 22-5304, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE POWERS AND DUTIES OF THE IDAHO WOLF DEPREDAITION CONTROL BOARD; AMENDING SECTION 22-5306, IDAHO CODE, TO REVISE PROVISIONS REGARDING WOLF CONTROL ASSESSMENTS AND THE TRANSFER OF CERTAIN FUNDS; AMENDING SECTION 36-201, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TAKING OF WOLVES, TO PROVIDE FOR HUNTING AND TRAPPING SEASONS, AND TO REVISE PROVISIONS REGARDING COLLARING OF WOLVES; AMENDING SECTION 36-408, IDAHO CODE, TO REVISE PROVISIONS REGARDING WOLF TAGS AND TO CLARIFY THAT APPROPRIATE EDUCATION REQUIREMENTS MUST BE MET; AND AMENDING SECTION 36-1107, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CONTROL OF DEPREDAITION OF WOLVES ON LIVESTOCK AND DOMESTIC ANIMALS AND TO PROVIDE FOR THE CONTROL OF DEPREDAITION OF WOLVES ON WILDLIFE POPULATIONS.

S 1211 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

S 1111, as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

H 367, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 348, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

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

Reports of Standing Committees

April 20, 2021

The JUDICIARY AND RULES Committee reports that S 1211 has been correctly printed.

LAKEY, Chairman

S 1211 was referred to the Resources and Environment Committee.

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

Second Reading of Bills

H 365, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1205, by State Affairs 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

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 365 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 H 365 be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


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

H 365 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair 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 365 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1205 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 1205 was before the Senate for final consideration.
S 1205 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared S 1205 passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:57 a.m. until the hour of 10:30 a.m., Wednesday, April 21, 2021.

JANICE MCGEACHIN, President
Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE
_____________________

ONE HUNDRED FIRST LEGISLATIVE DAY
WEDNESDAY, APRIL 21, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.
Roll call showed all members present except Senators Bair and Den Hartog, absent and excused.

Prayer was offered by Senator Steve Vick.
The Pledge of Allegiance was led by Grace Kuhn, 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 April 20, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

April 20, 2021

The FINANCE Committee reports out H 367 and S 1210 with the recommendation that they do pass.

BAIR, Chairman

H 367 and S 1210 were filed for second reading.

April 20, 2021

The RESOURCES AND ENVIRONMENT Committee reports out S 1211 with the recommendation that it do pass.

VICK, Chairman

S 1211 was filed for second reading.

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

Messages from the Governor

April 20, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 19, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1192

Sincerely,
/s/ Brad Little
Governor of Idaho

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

April 20, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 20, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1139

Sincerely,
/s/ Brad Little
Governor of Idaho

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

April 20, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho Legislature

Dear Madam President:

I hereby advise you that I have transmitted to the Office of the Secretary of State, with my signature, the following Senate Bill, to wit:

S 1045

Within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 2:00 p.m. on April 14, 2021.

As Governor, I have taken several opportunities to write you on other bills that I have signed into law where I expressed my concern about transparent budgeting and funding sources for legislative policy priorities.

Every year the Advanced Opportunities program has been in place, the fiscal impact has increased, with Legislature appropriating additional funds during the session but additional money being withdrawn from the Public Education Stabilization
Fund (PESF) at the end of the year to cover increases in this entitlement.

When it was enacted during the 2015 session, the Advanced Opportunities program had an estimated fiscal impact of $5.4 million for Fiscal Year 2016. In Fiscal Year 2020, $18 million was appropriated to cover the costs of the program and an additional $5.2 million had to be withdrawn from PESF to cover the entire cost of the program at year’s end. We are still waiting to see the current-year impact to PESF, and $20 million was appropriated in Fiscal Year 2021. I recommended an additional $9.7 million in my Fiscal Year 2022 budget to avert a PESF withdrawal next year.

I worry about expanding the Advanced Opportunities program again when we still do not have fiscal control over the existing program. In the future, we need to sharpen the goals of the Advanced Opportunities program and refine the program to align proven strategies with our state’s larger post-secondary goals.

The legislation, as written, creates some issues that need to be addressed through the placement of the program in the appropriate budget.

Specifically, this legislation creates a new section of code in Title 33, Chapter 46 for non-public school students, which would create a statutory entitlement if placed in the K-12 budget. Section 33-1002 specifies that Advanced Opportunities will trigger a withdrawal from PESF in any year when the overall public schools appropriation is less than the distributions. If this program were placed in the State Board of Education’s budget or the State Department of Education’s budget, the amount could be limited to the appropriation only. That way, the true cost of the program is transparent and above board.

In signing this into law, I respectfully request the Legislature place this program’s appropriation in the State Board or the State Department budget, aligning it with the sponsors’ intent that the program be subject to appropriation each year.

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

April 20, 2021

Dear Madam President:

I transmit herewith H 371 and HCR 21, which have passed the House.

MAULIN, Chief Clerk

H 371 and HCR 21 were filed for first reading.

April 20, 2021

Dear Madam President:

I return herewith SJR 102, S 1006, and S 1043, as amended, which have passed the House.

MAULIN, Chief Clerk

SJR 102, S 1006, and S 1043, as amended, were referred to the Judiciary and Rules Committee for enrolling.

April 20, 2021

Dear Madam President:

I transmit herewith Enrolled H 66, as amended in the Senate, and H 252, as amended in the Senate, for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 66, as amended in the Senate, and H 252, as amended in the Senate, and ordered them returned to the House.

April 20, 2021

Dear Madam President:

I return herewith Enrolled S 1086 and S 1039, as amended in the House, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1086 and S 1039, as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, 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 371, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

HCR 21, by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Bair was recorded present at this order of business.

S 1206, S 1207, S 1208, and S 1209, by Finance Committee, were read the second time at length and filed for third reading.

H 366, by Ways and Means Committee, was read the second time at length and filed for third reading.

S 1111, as amended in the House, by State Affairs 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 Anthon, granted by unanimous consent, H 362 retained its place on the Third Reading Calendar.

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1206 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 1206 be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused--Den Hartog. Total - 1.

Total - 35.

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

S 1206 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–Bayer, Zito. Total - 2.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1206 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1208 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1208 was before the Senate for final consideration.

S 1208 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:


NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1208 passed, title was approved, and the bill ordered transmitted to the House.

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

Reading of Communications

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

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:59 a.m. until the hour of 2 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 2 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Den Hartog, Johnson, Thayn, and Zito, 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

April 21, 2021

The JUDICIARY AND RULES Committee reports that SJR 102, S 1006, and S 1043, as amended, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled SJR 102, S 1006, and S 1043, as amended, and ordered them transmitted to the House for the signature of the Speaker.

April 21, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1086 and S 1039, as amended in the House, were delivered to the Office of the Governor at 12:59 p.m., April 21, 2021.

LAKEY, Chairman

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

April 21, 2021

The FINANCE Committee reports out H 371 with the recommendation that it do pass.

BAIR, Chairman

H 371 was filed for second reading.

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

Messages from the House

April 21, 2021

Dear Madam President:

I transmit herewith Enrolled H 107, as amended in the Senate, and H 365 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 107, as amended in the Senate, and H 365 and ordered them returned to the House.

April 21, 2021

Dear Madam President:

I return herewith Enrolled S 1107, as amended, S 1195, S 1196, S 1197, S 1198, S 1168, as amended, S 1051, S 1199, and S 1062, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1107, as amended, S 1195, S 1196, S 1197, S 1198, S 1168, as amended, S 1051, S 1199, and S 1062 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Zito was recorded present at this order of business.

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

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1211 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 1211 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:


NAYS—None.


Total - 35.

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

S 1211 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 Burtenshaw disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:


Total - 35.
Whereupon the President declared S 1211 passed, title was approved, and the bill ordered transmitted to the House.

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

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate passage of H 366 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 H 366 be read the third time at length, section by section, and be put upon its final passage. The question being, “Shall the rules be suspended?”

Roll call resulted as follows:


NAYS—None.


Total - 35.

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

H 366 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, “Shall the bill pass?”

Roll call resulted as follows:


Total - 35.

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

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:28 p.m. until the hour of 10:30 a.m., Thursday, April 22, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE
__________________________

ONE HUNDRED SECOND LEGISLATIVE DAY
THURSDAY, APRIL 22, 2021

Senate Chamber

President McGeachin called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Harris, absent and formally excused by the Chair; and Senator Den Hartog, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Josh Nelson, 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 April 21, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees

April 22, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1107, as amended, S 1195, S 1196, S 1197, S 1198, S 1168, as amended, S 1051, S 1199, and S 1062 were delivered to the Office of the Governor at 3 p.m., April 21, 2021.

LAKEY, Chairman

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

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

Messages from the Governor

April 21, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate
Dear Madam President:

I have the honor to inform you that I have signed on April 21, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1177

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 Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 367, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1210, by Finance Committee, was read the second time at length and filed for third reading.

H 371, by Appropriations 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 Anthon, granted by unanimous consent, H 362 retained its place on the Third Reading Calendar for Monday, April 26, 2021.

S 1209 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared S 1209 passed, title was approved, and the bill ordered transmitted to the House.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11 a.m. until the hour of 2 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 2 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Harris, Johnson, Vick, and Ward-Engelking, absent and formally excused by the Chair; and President Pro Tempore Winder and Senators Burtenshaw, Den Hartog, and Rice, absent and excused.
Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

**Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 367 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 H 367 be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

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

**H 367** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

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

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 371 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 371** was before the Senate for final consideration.

**H 371** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Agenbroad arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared **H 371** passed, title was approved, and the bill ordered returned to the House.

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

On request by Senator Anthon, granted by unanimous consent, \textbf{H 299} was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, \textbf{H 332} was referred to the Local Government and Taxation Committee.

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee 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 Lee, Chairman of the Committee of the Whole, reported out \textbf{H 220} and \textbf{H 316}, without recommendation, amended as follows:

\textbf{SENATE AMENDMENT TO H 220}

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 29 through 36, and insert:

"(2) "Affiliate" means an organization that owns or controls or is owned or controlled, in whole or in part, by the other; is related by shareholdings or other means of control; or is a subsidiary, parent, or sibling corporation."

On page 4, delete lines 36 through 39; and in line 40, delete "8712" and insert: "8711".

\textbf{CORRECTION TO TITLE}

On page 1, in line 10, delete "TO PROVIDE FOR A RIGHT OF INTERVEN-"; and in line 11, delete "TION.".

\textbf{SENATE AMENDMENT TO H 316}

AMENDMENT TO SECTION 5

On page 4 of the printed bill, in line 49, following "districts," insert: "An order of a district board of health will take effect immediately. However, notwithstanding the provisions of this subsection, if an order applies to all persons in a county or a public health district, the board of county commissioners within each affected county, after consulting with the district board of health, will determine by resolution whether or not to approve the order within county limits within seven (7) days of the date of the order. If the board of county commissioners approves the order, then the order will take effect immediately for a period of thirty (30) days. Thereafter, the order may be extended, amended, or modified and reimposed for thirty (30) day periods, subject to approval by the board of county commissioners.".

\textbf{AMENDMENT TO THE BILL}

On page 8, delete lines 14 through 18, and insert: "SECTION 10. This act shall be in full force and effect on and after March 1, 2022.".

\textbf{CORRECTION TO TITLE}

On page 1, delete line 26, and insert: "AND PROVIDING AN EFFECTIVE DATE.".

The Committee also has \textbf{S 1161}, \textbf{H 59}, \textbf{S 1169}, \textbf{H 193}, \textbf{H 223}, and \textbf{S 1128} under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

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

\textbf{H 220}, as amended in the Senate, and \textbf{H 316}, 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 Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

On request by Senator Anthon, \textbf{H 220} and \textbf{H 316} have been correctly printed.

LAKEY, Chairman

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

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

\textbf{MESSAGES FROM THE HOUSE}

April 21, 2021

Dear Madam President:

I transmit herewith \textbf{H 135}, as amended in the Senate, with the Governor's veto message, which has passed the House, the Governor's veto notwithstanding.

MAULIN, Chief Clerk

Pursuant to Senate Rule 16(7), on request by Senator Anthon, granted by unanimous consent, \textbf{H 135}, as amended in the Senate, and the Governor's veto message, was ordered held at the Secretary's desk until Monday, April 26th, 2021.

April 21, 2021

Dear Madam President:

I transmit herewith \textbf{H 374}, which has passed the House.

MAULIN, Chief Clerk

\textbf{H 374} was filed for first reading.

April 22, 2021

Dear Madam President:

I transmit herewith \textbf{H 380}, \textbf{H 376}, and \textbf{H 377}, which have passed the House.

MAULIN, Chief Clerk

\textbf{H 380}, \textbf{H 376}, and \textbf{H 377} were filed for first reading.
April 22, 2021

Dear Madam President:

I transmit herewith Enrolled **H 246**, as amended in the Senate, and **H 366** for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled **H 246**, as amended in the Senate, and **H 366** and ordered them returned to the House.

April 22, 2021

Dear Madam President:

I return herewith Enrolled **SJR 102, S 1006** and **S 1043**, as amended, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled **SJR 102** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

Enrolled **S 1006** and **S 1043**, as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, 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 220**, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

**H 316**, as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

**H 374**, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

**H 380**, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

**H 376**, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**H 377**, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of **H 299** 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 **H 299** 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:


NAYS–None.


Total - 35.

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

**H 299** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Rabe. Total - 1.


Total - 35.

Whereupon the President declared **H 299** passed, title was approved, and the bill ordered returned to the House.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:55 p.m. until the hour of 10:30 a.m., Monday, April 26, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
H 374 was filed for second reading.

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

Messages from the Governor

April 21, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Rick Hogaboam of Nampa, Idaho, to the office of Acting State Senator for Legislative District 12, Canyon County, State of Idaho.

This appointment is effective Saturday April 24, 2021 through Saturday, May 1, 2021.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, Idaho Code, Todd Lakey, State Senator, District 12, Canyon County, State of Idaho, has nominated Rick Hogaboam of Nampa, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 12, Canyon County, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Rick Hogaboam of Nampa, Idaho to the office of Acting State Senator, District 12, for a term commencing Saturday, April 24, 2021 through Saturday, May 1, 2021.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Twenty-first day of April, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Hogaboam, and he was recorded present at this order of business.

April 21, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Rebecca Funk of Coeur d'Alene, Idaho, to the office of Acting State Senator for Legislative District 4, Kootenai County, State of Idaho.
This appointment is effective Monday, April 26, 2021, and will continue for as long as necessary.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT


NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Joni Burtenshaw of Terreton, Idaho to the office of Acting State Senator, District 35, for a term commencing Monday, April 26, 2021, and will continue for as long as necessary.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Twenty-third day of April, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Funk, and she was recorded present at this order of business.

April 22, 2021

The Honorable Janice McGeechin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 22, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1051, S 1062, S 1107, as amended, S 1143, as amended, S 1168, as amended, S 1195, S 1196, S 1197, S 1198, and S 1199

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 Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having been held, the President announced that HCR 17 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by President Pro Tempore Winder, seconded by Senator Ward-Engelking, HCR 17 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that SP 103 was before the Senate for final consideration, the question being, "Shall the proclamation be adopted?"

On motion by President Pro Tempore Winder, seconded by Senator Den Hartog, SP 103 was adopted by voice vote, title was approved, and the proclamation ordered transmitted to the House.
The President announced that **HCR 21** was before the Senate for final consideration, the question being, “Shall the resolution be adopted?”

On motion by Senator Vick, seconded by Senator Stennett, **HCR 21** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

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

**S 1212**

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2022; REQUIRING INFORMED CONSENT; PROVIDING FOR PROMOTION OF HEALTHY ACTIVITIES; AND PROVIDING AN END DATE FOR CERTAIN ACTIVITIES.

**S 1212** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**H 220**, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

**H 316**, as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

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

**Petitions, Resolutions, and Memorials**

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

**Reports of Standing Committees**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 11:18 a.m. until the hour of 3 p.m. of this day.

**RECESS**

**AFTERNOON SESSION**

The Senate reconvened at 3 p.m., pursuant to recess, President McGeachin presiding.

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

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 26, 2021

The **LOCAL GOVERNMENT AND TAXATION Committee** reports out **H 380** with the recommendation that it do pass.

**H 380** was filed for second reading.

April 26, 2021

The EDUCATION Committee reports out **H 377** with the recommendation that it do pass.

**THAYN, Chairman**

**H 377** was filed for second reading.

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

**Messages from the Governor**

April 26, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 22, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

**S 1086**

Sincerely,
/\/ 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**

Pursuant to Senate Rule 16(7), on request by Senator Anthon, granted by unanimous consent, H 135, as amended in the Senate, and the Governor's veto message, was ordered held at the Secretary's desk until Friday, April 30, 2021.

April 26, 2021

Dear Madam President:

I return herewith **S 1200**, as amended in the House, which has passed the House.

**MAULIN, Chief Clerk**

On request by Senator Ricks, granted by unanimous consent, **S 1200**, 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.

Senator Woodward was recorded present at this order of business.

April 26, 2021

Dear Madam President:

I return herewith **S 1194, S 1206, S 1207**, and **S 1208**, which have passed the House.

**MAULIN, Chief Clerk**
S 1194, S 1206, S 1207, and S 1208 were referred to the Judiciary and Rules Committee for enrolling.

April 23, 2021

Dear Madam President:

I transmit herewith Enrolled H 367, H 371, and H 299 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 367, H 371, and H 299 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to S 1200, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1200, as amended in the House?"

On request by Senator Ricks, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1200, as amended in the House.

S 1200, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

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

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 377 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 H 377 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.

H 377 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:


Whereupon the President declared H 316, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 220, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw (Burtenshaw), Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Hogaboom (Lakey), Johnson, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Stennett, Thayn, Vick, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS–None.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 220**, as amended in the Senate, was before the Senate for final consideration.

**H 220**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zito 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, Burtenshaw (Burtenshaw), Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Hogaboam (Lakey), Johnson, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 28.


Total - 35.

Whereupon the President declared **H 220**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

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

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:50 p.m. until the hour of 10:30 a.m., Tuesday, April 27, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 27, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 26, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1039, as amended in the House
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

April 26, 2021

Dear Madam President:

I transmit herewith H 345, which has passed the House.

MAULIN, Chief Clerk

H 345 was filed for first reading.

On request by Senator Anthon, 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 1200, as amended in the House, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

H 345, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 374, by Appropriations Committee, was read the second time at length and filed for third reading.

H 380, by Ways and Means Committee, was read the second time at length and filed for third reading.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 10:52 a.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 Senators Harris and Patrick, absent and formally excused by the Chair; and Senators Crabtree, Heider, and Johnson, absent and excused.

Prior to recess the Senate was at the Twelfth Order of Business, Second Reading of Bills.

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

Reports of Standing Committees

April 27, 2021

The FINANCE Committee reports out H 345 and S 1212 with the recommendation that they do pass.

BAIR, Chairman

H 345 and S 1212 were filed for second reading.

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

Messages from the House

April 27, 2021

Dear Madam President:

I transmit herewith Enrolled H 161, as amended, as amended in the Senate, H 229, as amended in the Senate, HCR 17, HCR 21, and H 377 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 161, as amended, as amended in the Senate, H 229, as amended in the Senate, HCR 17, HCR 21, and H 377 and ordered them returned to the House.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 1:48 p.m. until the hour of 8 a.m., Friday, April 30, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
Dear Mr. President:

I transmit herewith H 353, H 356, H 358, H 372, and H 373, which have passed the House.

MAULIN, Chief Clerk

H 353, H 356, H 358, H 372, and H 373 were filed for first reading.

April 27, 2021

Dear Mr. President:

I return herewith S 1210, which has failed to pass the House.

MAULIN, Chief Clerk

S 1210 was ordered filed in the office of the Secretary of the Senate.

April 27, 2021

Dear Mr. President:

I return herewith S 1185, S 1173, S 1209, S 1204, S 1203, and S 1211, which have passed the House.

MAULIN, Chief Clerk

S 1185, S 1173, S 1209, S 1204, S 1203, and S 1211 were referred to the Judiciary and Rules Committee for enrolling.

April 29, 2021

Dear Mr. President:

I return herewith S 1202, which has passed the House.

MAULIN, Chief Clerk

S 1202 was referred to the Judiciary and Rules Committee for enrolling.

April 27, 2021

Dear Mr. President:

I return herewith Enrolled S 1194, S 1206, S 1207, and S 1208, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1194, S 1206, S 1207, and S 1208 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Lee, 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 284 and H 370, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 381, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 382, H 383, H 384, H 353, H 356, H 358, H 372, and H 373, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.
Second Reading of Bills

S 1200, as amended in the House, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 345, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1212, by Finance Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Lee, seconded by Senator Stennett, by voice vote, the Senate adjourned at 8:59 a.m. until the hour of 10 a.m., Monday, May 3, 2021.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ONE HUNDRED THIRTEENTH LEGISLATIVE DAY
MONDAY, MAY 3, 2021

President McGeachin called the Senate to order at 10 a.m.
Roll call showed all members present except Senators Crabtree, Nelson, and Rabe, absent and formally excused by the Chair; and Senator Lakey, absent and excused.
Prayer was offered by Senator Michelle Stennett.
The Pledge of Allegiance was led by Grace Kuhn, 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 April 30, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees
April 30, 2021

The JUDICIARY AND RULES Committee reports that S 1185, S 1173, S 1209, S 1204, S 1203, S 1211, and S 1202 have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1185, S 1173, S 1209, S 1204, S 1203, S 1211, and S 1202 and ordered them transmitted to the House for the signature of the Speaker.

April 30, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1194, S 1206, S 1207, and S 1208 were delivered to the Office of the Governor at 10:25 a.m., April 30, 2021.

LAKEY, Chairman

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

The FINANCE Committee reports out H 284, H 353, H 356, H 358, H 370, H 372, H 373, H 382, H 383, and H 384 with the recommendation that they do pass.

BAIR, Chairman

H 284, H 353, H 356, H 358, H 370, H 372, H 373, H 382, H 383, and H 384 were filed for second reading.

May 3, 2021

The TRANSPORTATION Committee reports out H 381 with the recommendation that it do pass.

DEN HARTOG, Chair

H 381 was filed for second reading.

May 3, 2021

The STATE AFFAIRS Committee reports out H 258 and H 348 with the recommendation that they do pass.

LODGE, Chair

H 258 and H 348 were filed for second reading.

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

Messages from the Governor
April 28, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 27, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1006

Sincerely,
/s/ Brad Little
Governor of Idaho

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

May 3, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on April 27, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1043, as amended

Sincerely,
/s/ Brad Little
Governor of Idaho
The correspondence was ordered filed in the office of the Secretary of the Senate.

April 29, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Tom Lamar of Moscow, Idaho, to the office of Acting State Senator for Legislative District 5, Benewah and Latah Counties, State of Idaho.

This appointment is effective Monday, May 3 through Friday, May 7, 2021.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, Idaho Code, David Nelson, State Senator, District 5, Benewah and Latah Counties, State of Idaho, has nominated Tom Lamar of Moscow, Idaho, to perform the duties of his office temporarily as Acting State Senator, District 5, Benewah and Latah Counties, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Tom Lamar of Moscow, Idaho to the office of Acting State Senator, District 5, for a term commencing Monday, May 3 through Friday, May 7, 2021.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Twenty-ninth day of April, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Lamar, and he was recorded present at this order of business.

April 29, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Zach Reider of Boise, Idaho, to be Acting State Senator for Legislative District 17, Ada County, State of Idaho.

This appointment is effective Monday, May 3 through Tuesday, May 4, 2021.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, Idaho Code, Ali Rabe, State Senator, District 17, Ada County, State of Idaho, has nominated Zach Reider of Boise, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 17, Ada County, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Zach Reider of Boise, Idaho to the office of Acting State Senator, District 17, for a term commencing Monday, May 3 through Tuesday, May 4, 2021.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this Twenty-ninth day of April, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Reider, and he was recorded present at this order of business.

On request by Senator Anthon, 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 1213
BY FINANCE COMMITTEE

AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2022; CLARIFYING THE USE OF ADVANCED OPPORTUNITIES MONEYS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1213 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Petitions, Resolutions, and Memorials

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

Reports of Standing Committees

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 10:25 a.m. until the hour of 2 p.m. of this day.
RECESS
AFTERNOON SESSION

The Senate reconvened at 2 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Johnson and Vick, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 30, 2021

The STATE AFFAIRS Committee reports out HCR 19 with the recommendation that it do pass.

LODGE, Chair

HCR 19 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Vick was recorded present at this order of business.

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

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 284 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 H 284 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:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 353 was before the Senate for final consideration.

H 353 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, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 284 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 353 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 356 was before the Senate for final consideration.
H 356 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent 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, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS--None.

Absent and excused--Johnson. Total - 1.
Total - 35.

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

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 358 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:
AYES--Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS--None.

Absent and excused--Johnson. Total - 1.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 358 was before the Senate for final consideration.

H 358 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:
AYES--Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS--None.

Absent and excused--Johnson. Total - 1.
Total - 35.

Whereupon the President declared H 358 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 372 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:
AYES--Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS--None.

Absent and excused--Johnson. Total - 1.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 370 was before the Senate for final consideration.

H 370 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:
AYES--Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS--None.

Absent and excused--Johnson. Total - 1.
Total - 35.

Whereupon the President declared H 370 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 372 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:
AYES--Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS--None.

Absent and excused--Johnson. Total - 1.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 372 was before the Senate for final consideration.

H 372 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:


NAYS–Bayer. Total - 1.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 372 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 373 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 382 was before the Senate for final consideration.

H 382 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, Zito. Total - 2.

Absent and excused–Johnson. Total - 1.

Total - 35.

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

President McGeachin called President Pro Tempore Winder to the Chair.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 383 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that H 383 was before the Senate for final consideration.

H 383 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair 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–Johnson. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 383 passed, title was approved, and the bill ordered returned to the House.

President McGeachin returned to the Chair.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 384 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 384 was before the Senate for final consideration.

H 384 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, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 384 passed, title was approved, and the bill ordered returned to the House.

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

Third Reading of Bills

Having been held, H 362 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:


NAYS–Agenbroad, Bair, Burgoyne, Cook, Johnson, Ricks. Total - 6.

Paired and voting included in roll call:

AYE - Bayer NAY - Johnson

Total - 35.

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

On request by Senator Anthon, granted by unanimous consent, S 1111, as amended in the House, was referred to the State Affairs Committee.

H 374 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:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 374 passed, title was approved, and the bill ordered returned to the House.

H 380 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Paired and voting included in roll call:

AYE - Lakey NAY - Johnson

Total - 35.
Whereupon the President declared **H 380** passed, title was approved, and the bill ordered returned to the House.

**S 1200**, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks 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, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared **S 1200**, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

**H 345** 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, Zito. Total - 2.


Total - 35.

Whereupon the President declared **H 345** passed, title was approved, and the bill ordered returned to the House.

**S 1212** 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:

AYES–Agenbroad, Bair, Burgoyne, Burtenshaw, Cook, Crabtree, Funk (Souza), Grow, Guthrie, Harris, Heider, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Reider (Rabe), Ricks, Riggs, Stennett, Ward-Engelking, Winder, Wintrow, Woodward. Total - 26.


Total - 35.

Whereupon the President declared **S 1212** passed, title was approved, and the bill ordered transmitted to the House.

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

**Second Reading of Bills**

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 381** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 381** was before the Senate for final consideration.

**H 381** 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:


NAYS–None.


Total - 35.

Whereupon the President declared **H 381** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 258** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 258** was before the Senate for final consideration.
H 258 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

Whereupon the President declared H 258 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 348 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 348 was before the Senate for final consideration.

H 348 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared H 348 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ONE HUNDRED FOURTEENTH LEGISLATIVE DAY
TUESDAY, MAY 4, 2021

Senate Chamber
President McGeachin called the Senate to order at 11 a.m.
Roll call showed all members present except Senators
Johnson and Patrick, absent and formally excused by the Chair.
Prayer was offered by Chaplain Doug Armstrong.
The Pledge of Allegiance was led by Grace Kuhn, 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 May 3, 2021, was read and
approved as corrected.

LAKEY, Chairman

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

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

Reports of Standing Committees
May 4, 2021

The JUDICIARY AND RULES Committee reports that
S 1213 has been correctly printed.

LAKEY, Chairman

S 1213 was referred to the Finance Committee.

May 4, 2021

The JUDICIARY AND RULES Committee reports that
S 1200, as amended in the House, has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1200, as amended in the
House, and ordered it transmitted to the House for the signature
of the Speaker.

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

Messages from the House
April 21, 2021

Dear Madam President:

I transmit herewith H 135, as amended in the Senate, with
the Governor's veto message, which has passed the House, the
Governor's veto notwithstanding.

MAULIN, Chief Clerk
THE OFFICE OF THE GOVERNOR
Boise

April 20, 2021

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I have returned without my approval,
disapproved, and vetoed, the following House Bill, to wit:

H 135, as amended in the Senate,

I cannot in good conscience approve any bill that will impair
the ability of the Governor to protect Idaho and its people in
future emergencies. Nor can I sign any bill that violates our
constitutional commitment to the separation of powers. Like
you, I swore an oath to faithfully discharge my duties and to
uphold our constitution.

That is why I am vetoing House Bill 135a, and why I vetoed
Senate Bill 1136a on April 16, 2021.

The Idaho Constitution - like the U.S. Constitution - wisely divides
the primary powers of our government between three co-equal
branches. To the legislature, it gives the power to make laws. To
the judiciary, it gives the power to interpret those laws. To the
executive, it gives the power to enforce the laws.

With those powers come sobering responsibilities. The legislature
must be deliberate in its lawmaking. The judiciary must be fair
in administering justice. And the executive must, above all else,
protect the people of Idaho.

Our constitution prohibits each branch from exercising powers
assigned to the others. It also forbids one branch from preventing
another from performing its constitutional powers. These
prohibitions are necessary to prevent tyranny that can result
from absolute power by any one branch. But there is also a
more practical reason: no branch has the expertise and resources
needed to effectively carry out the duties of the others.

Declaring and responding to emergencies are core executive
functions, and our constitution gives the Governor broad powers
to do what is necessary to protect the state and the people of
Idaho. The executive branch has the resources and can tap
subject matter experts in emergency response to quickly and
effectively deploy resources in fast-moving situations.

This last year has been difficult, but look where Idaho is today.
Countless lives were saved and we avoided a crisis in healthcare.
I listened to the experts, and Idaho was one of only a handful of
states with the fewest COVID-19 restrictions. We now have the
strongest economy in the nation.

I attribute our success to the spirit of the Idaho people. However, I cannot overlook the critical role played by Idaho's
emergency statutes, especially section 46-1008. Those statutes
are not restrictive on people's rights. Rather, they complement the Governor's constitutional powers and provide additional resources and flexibility for the executive branch to do what is necessary to help Idahoans.

We know future emergencies will include floods, fires, and drought - the routine experiences of living in the West. Unfortunately, it is also likely Idaho will face future multi-state disasters involving major earthquakes, enormous flooding, or devastating fires. We could experience a massive, sustained power grid failure. The full list of potential devastating disasters is simply unknown.

That is why any legislative changes to our emergency statutes must be done carefully and collaboratively to avoid unintended consequences that will harm the state's ability to act timely and effectively for the benefit of Idahoans in future emergencies.

Regrettably, there are serious concerns with the process that led to House Bill 135a. Numerous stakeholders felt ignored including our National Guard, the cities, the counties, FEMA, state emergency managers, and business.

First, House Bill 135a is overly restrictive and will handcuff the Governor's ability to take timely and necessary action to help Idahoans during future emergencies. The bill will prevent a Governor from taking steps unless it is "essential to protect life and property." Imposing such a narrow standard will unwisely prohibit actions necessary to restore services and infrastructure, ensure the continuity of government, save jobs, help schools reopen, and protect the economy at large. For example, the Governor will be unable to suspend regulations that impair agriculture and industry from operating or minimizing financial loss during a drought, flood, or other disaster. Nor will the Governor be able to deploy the National Guard to take any and all action necessary following a massive earthquake including, but not limited to, removing debris, repairing infrastructure, and assisting businesses and government offices with reopening.

House Bill 135a further prohibits the state, as well as counties and cities, from taking any action that "limit" a constitutional right. Idahoans value our freedoms and I agree that our constitutional rights can never be outright suspended, especially during emergencies. However, temporary limitations on our rights are necessary in some circumstances to effectively combat emergency conditions and to protect the greater good. For example, we need the ability to evacuate and cordon a town in advance of a dam break even if doing so temporarily limits our rights to travel, work, or assemble. This unqualified restriction will complicate efforts to save lives and mitigate emergencies, and will put public safety personnel at risk. The one common denominator of a disaster is that the no-action or slow-action alternative is unacceptable and not what our citizens expect and deserve.

Second, House Bill 135a unnecessarily politicizes the state's emergency response efforts and will jeopardize critical funding for local governments. Disasters often worsen and spread over time requiring supplemental declarations and orders. Very few, if any, emergencies are extended "solely" for the purpose of receiving funding. Thus, the bills will more than likely require the Legislature to convene every sixty days to approve those emergency declarations with conditions or restrictions. In large-scale emergencies, such as an earthquake, volcanic eruption, or attack, it may not be physically possible for the full body of the Legislature to convene or maintain a quorum. Yet, House Bill 135a provides no backup plan. That is irresponsible. On the other end of the spectrum, it will be unnecessary and costly to convene the Legislature to extend smaller emergencies that impact only one or a few communities.

If the Legislature is unable or unwilling to extend an emergency declaration, the state will no longer meet the criteria to be eligible to receive federal disaster funding. Nor will the Governor be authorized to utilize the disaster emergency account, which is only available during a declared emergency. The change in House Bill 135a allowing disaster expenses incurred "arising out of" an emergency does not go the necessary distance to make the disaster emergency account available after a declaration is terminated.

I agree that there is a time and place for the Legislature to be involved during future emergencies. That is why I came to the Legislature early in this session and offered tangible solutions and a path forward. I encouraged the Legislature to consider appointing a smaller group of legislators - such as the duly elected Legislative Council - to take on the role of representing the full legislative body when convening 105 members is impracticable or unnecessary. Further, the Legislature was encouraged to explore legislation specific to statewide public health emergencies. However, House Bill 135a was drafted, amended, and passed without seeking critical input or collaboration from my office.

Third, House Bill 135a violates the separation of powers doctrine and is unconstitutional. The bill limits the Governor's constitutional powers to respond to emergencies as is necessary and to utilize the National Guard. It attempts to reassign to the Legislature the core executive powers to extend and terminate emergency declarations and orders. House Bill 135a also attempts to give the Legislature the ability to determine the subjects of an extraordinary session, which is a constitutional power assigned solely to the Governor in Article IV, Section 9. Finally, it is well settled that the Legislature lacks the constitutional power to extend, modify, or terminate an emergency declaration by concurrent resolution. Yet, House Bill 135a doubles down on that legally ineffective procedure, further jeopardizing the state's ability to timely and effectively respond to future emergencies for the protection of Idaho, our people, and our livelihoods.

We can do better!

I remain willing and committed to working with all of you in the Legislature to improve and modernize Idaho's emergency statutes. But, we will need to involve all of the stakeholders and focus on how any changes will impact Idaho's ability to respond to future emergencies.

I am extremely grateful to the members of the Legislature who have taken the time to hear me out. You know who you are, and I appreciate you more than you know.

I also urge my partners in the Legislature who voted for House Bill 135a to reconsider their votes on the override.

It's time to get back on track. The people of Idaho deserve our best.

Sincerely,

/s/ Brad Little
Governor of Idaho

The question being, "Shall H. 135, as amended in the Senate, become law, the Governor's veto notwithstanding?"
Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bair, Bayer, Burtneshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Harris, Lakey, Lee, Lent, Rice, Ricks, Riggs, Thayn, Vick, Winder, Zito. Total - 21.


Absent and excused—Johnson, Patrick. Total - 2.

Total - 35.

Less than two-thirds having voted in the affirmative, the President declared that H 135, as amended in the Senate, has failed to become law, the Governor's veto sustained. H 135, as amended in the Senate, with the Governor's veto message attached, was ordered returned to the House of Representatives.

May 3, 2021

Dear Madam President:

I transmit herewith H 355, H 385, H 386, H 387, and H 388, which have passed the House.

MAULIN, Chief Clerk

H 355, H 385, H 386, H 387, and H 388 were filed for first reading.

May 3, 2021

Dear Madam President:

I return herewith S 1205, S 1046, as amended, as amended, and SP 103 which have passed the House.

MAULIN, Chief Clerk

S 1205 and S 1046, as amended, as amended, were referred to the Judiciary and Rules Committee for enrolling.

SP 103 was ordered filed in the office of the Secretary of the Senate.

May 3, 2021

Dear Madam President:

I return herewith Enrolled S 1185, S 1173, S 1209, S 1204, S 1203, S 1211, and S 1202, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1185, S 1173, S 1209, S 1204, S 1203, S 1211, and S 1202 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, 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 1214

BY FINANCE COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE CONSUMER PROTECTION FUND TO THE GENERAL FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE PUBLIC EDUCATION STABILIZATION FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE STATE REGULATORY FUND TO THE BUDGET STABILIZATION FUND FOR FISCAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE STATE HIGHWAY FUND TO THE GENERAL FUND FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE UNEMPLOYMENT PENALTY AND INTEREST FUND TO THE GENERAL FUND FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE TWENTY-SEVENTH PAYROLL FUND FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE DISASTER EMERGENCY ACCOUNT TO THE TAX RELIEF FUND FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE TAX REBATE FUND FOR FISCAL YEAR 2022; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE BUSINESS INFORMATION INFRASTRUCTURE FUND FOR FISCAL YEAR 2022; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1214 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 355, H 385, H 386, H 387, and H 388, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

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

Reports of Standing Committees

May 4, 2021

The JUDICIARY AND RULES Committee reports that S 1214 has been correctly printed.

LAKEY, Chairman

S 1214 was referred to the Finance Committee.

May 4, 2021

The JUDICIARY AND RULES Committee reports that S 1205 and S 1046, as amended, as amended, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1205 and S 1046, as amended, as amended, and ordered them transmitted to the House for the signature of the Speaker.

May 4, 2021

The FINANCE Committee reports out H 355, H 385, H 386, H 387, H 388, and S 1213 with the recommendation that they do pass.

BAIR, Chairman

H 355, H 385, H 386, H 387, H 388, and S 1213 were filed for second reading.
On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 12:08 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 Patrick, absent and formally excused by the Chair; and President Pro Tempore Winder and Senators Lee and Vick, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

May 4, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1185, S 1173, S 1209, S 1204, S 1203, S 1211, and S 1202 were delivered to the Office of the Governor at 12:52 p.m., May 4, 2021.

LAKEY, Chairman

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

May 4, 2021

The FINANCE Committee reports out S 1214 with the recommendation that it do pass.

BAIR, Chairman

S 1214 was filed for second reading.

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

Messages from the Governor

May 4, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on May 3, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1194, S 1206, S 1207, and S 1208

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

May 4, 2021

Dear Madam President:

I transmit herewith H 391, H 392, H 393, H 389, and H 390, which have passed the House.

MAULIN, Chief Clerk

H 391, H 392, H 393, H 389, and H 390 were filed for first reading.

May 4, 2021

Dear Madam President:


MAULIN, Chief Clerk


On request by Senator Anthon, 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 1215

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2022; AMENDING SECTION 5, CHAPTER 230, LAWS OF 2021, TO CLARIFY THE TRANSFER OF MONEYS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1216

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2022; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1215 and S 1216 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 391, H 392, and H 393, by Ways and Means Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 389 and H 390, by Ways and Means Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1213 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 1213** 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:


NAYS–None.

Absent and excused–Lee, Patrick, Rice, Vick, Winder. Total - 5.

Total - 35.

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

**S 1213** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook 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–Lee, Patrick, Vick, Winder. Total - 4.

Total - 35.

Whereupon the President declared **S 1213** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 385** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Patrick, Rice, Vick. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 385** was before the Senate for final consideration.

**H 385** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Patrick, Vick. Total - 2.

Total - 35.

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

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 386** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee,

NAYS–None.

Absent and excused–Patrick, Vick. Total - 2.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 386 was before the Senate for final consideration.

H 386 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent 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–Patrick, Vick. Total - 2.
Total - 35.

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

Moved by Senator Anthon, seconded by Senator Sten nett, that all rules of the Senate interfering with the immediate consideration of H 387 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Patrick, Vick. Total - 2.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 387 was before the Senate for final consideration.

H 387 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:


Absent and excused–Patrick, Vick. Total - 2.
Total - 35.

Whereupon the President declared H 387 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Sten nett, that all rules of the Senate interfering with the immediate consideration of H 388 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Patrick, Vick. Total - 2.
Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 388 was before the Senate for final consideration.

H 388 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, Zito. Total - 2.

Absent and excused–Lee, Patrick, Vick, Winder. Total - 4.
Total - 35.

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

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

**Reports of Standing Committees**

May 4, 2021

The JUDICIARY AND RULES Committee reports that S 1215 and S 1216 have been correctly printed.

LAKEY, Chairman

S 1215 and S 1216 were referred to the Finance Committee.

May 4, 2021

The FINANCE Committee reports out S 1215 and S 1216 with the recommendation that they do pass.

BAIR, Chairman
S 1215 and S 1216 were filed for second reading.

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

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 3:02 p.m. until the hour of 4 p.m. of this day.

RECESS
AFTERNOON SESSION

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

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

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

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

Reports of Standing Committees

May 4, 2021

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 389 and H 390 with the recommendation that they do pass.

RICE, Chairman

H 389 and H 390 were filed for second reading.

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

Messages from the House

May 4, 2021

Dear Madam President:

I return herewith Enrolled S 1200, as amended in the House, S 1205, and S 1046, as amended, as amended, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1200, as amended in the House, S 1205, and S 1046, as amended, as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:23 p.m. until the hour of 10 a.m., Wednesday, May 5, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

ONE HUNDRED FIFTEENTH LEGISLATIVE DAY
WEDNESDAY, MAY 5, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Rabe, absent and formally excused by the Chair; and Senators Burtenshaw and Thayn, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Grace Kuhn, 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 May 4, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 108
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH EXCEPTIONS, AND REJECTING CERTAIN AGENCY RULE DOCKETS THAT ARE NOT APPROVED.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 29, Article III of the Constitution of the State of Idaho in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain Rules of the Department of Agriculture, Rules for Weights and Measures, are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain Rules of the Division of Occupational and Professional Licenses, Rules of the Idaho State Contractors Board and Rules of the Idaho Electrical Board, are not consistent with legislative intent; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2021 legislative session, that impose a fee or charge, be, and the same are hereby approved, with the exception of the following enumerated pending fee rules:

IDAPA 02, Rules of the Department of Agriculture, Rules for Weights and Measures, Chapter 02.02.14, only, adopted as pending fee rules under Docket Number 02-0000-2000FA.

IDAPA 24.21.01, Rules of the Idaho State Contractors Board, Division of Occupational and Professional Licenses, Section 175., only, adopted as pending fee rules under Docket Number 24-2101-2000F.


BE IT FURTHER RESOLVED that IDAPA 02, Rules of the Department of Agriculture, Rules for Weights and Measures, Chapter 02.02.14, only, adopted as pending fee rules under Docket Number 02-0000-2000FA; IDAPA 24.21.01, Division of Occupational and Professional Licenses, Rules of the Idaho State Contractors Board, Section 175., only, adopted as pending fee rules under Docket Number 24-2101-2000F; and IDAPA 24.39, Rules of the Division of Occupational and Professional Licenses, Rules of the Idaho Electrical Board, Chapter 24.39.10, Section 105., Subsections 09.a. and b., only, adopted as pending fee rules under Docket Number 24-3900-2000F, are hereby rejected and not approved, and thereby pursuant to Sections 67-5291 and 67-5224, Idaho Code, are declared null, void, and of no force and effect.

BE IT FURTHER RESOLVED that rule provisions imposing fees or charges that were not submitted through the Office of Rules Coordinator for legislative review or that otherwise are not included and approved in this concurrent resolution shall be null, void, and of no force and effect unless approved by adoption of a separate concurrent resolution by both houses of the Legislature as provided in Section 67-5224, Idaho Code.

SCR 109
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE, WITH AN EXCEPTION.
Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature by statute must approve temporary rules by adoption of a concurrent resolution approving the rule if the temporary rule is to remain in effect beyond the end of the current legislative session; and

WHEREAS, the expiration of temporary rules would occasion additional expense to state agencies in readopting and republishing temporary rules needed to conduct state business; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following Rules of the State Public Defense Commission, adopted as pending rules under IDAPA 61.01.01 and 61.01.02, only be, and the same are hereby rejected and declared null, void, and of no force and effect:

(1) Docket Number 61-0101-2002, Subsection 010.22.; and

(2) Docket Number 61-0102-2002:
   (a) Paragraph 020.01.a.;
   (b) Paragraph 030.02.a.;
   (c) Paragraph 030.02.b.;
   (d) Subsection 030.05.;
   (e) Subsection 040.02.;
   (f) Subparagraph 050.02.a.ii.;
   (g) Subsection 060.03.;
   (h) Paragraph 060.04.a.;
   (i) Subsection 070.01.;
   (j) Subparagraph 070.02.a.iii.;
   (k) Subsection 070.03.;
   (l) Paragraph 080.03.a.;
   (m) Paragraph 080.03.c.; and
   (n) Subsection 090.01.

SCR 108, SCR 109, and SCR 110 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

**Reports of Standing Committees**

May 5, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1200, as amended in the House, S 1205, and S 1046, as amended, as amended, were delivered to the Office of the Governor at 9:15 a.m., May 5, 2021.

LAKEY, Chairman

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

May 4, 2021

The STATE AFFAIRS Committee reports out H 391, H 392, and H 393 with the recommendation that they do pass.

LODGE, Chair

H 391, H 392, and H 393 were filed for second reading.

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

**Messages from the Governor**

April 29, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Brady Fuller of Boise, Idaho, to the office of Acting State Senator for Legislative District 17, Ada County, State of Idaho.
This appointment is effective Wednesday, May 5, 2021.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL PERSONS that pursuant to the provisions of Section 59-917, Idaho Code, Ali Rabe, State Senator, District 17, Ada County, State of Idaho, has nominated Brady Fuller of Boise, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 17, Ada County, State of Idaho

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Brady Fuller of Boise, Idaho to the office of Acting State Senator, District 17, on Wednesday, May 5, 2021.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this twenty-ninth day of April, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America the two hundred and forty-fifth and of the Statehood of Idaho the one hundred thirty-first.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Fuller, and he was recorded present at this order of business.

On motion by Senator Burgoyne, seconded by Senator Stennett, that the First Regular Session of the Sixty-sixth Legislature of the Idaho Senate adjourn Sine Die.

Senator Burgoyne requested a roll call vote. Senators Stennett, Ward-Engleking, Wintrow, and Acting Senator Lamar stood in support.

Roll call resulted as follows:


Absent and excused–Burtenshaw. Total - 1.

Total - 35.

Less than two-thirds having voted in the affirmative, the President declared the motion to adjourn Sine Die did not prevail.

The Senate advanced to the Ninth Order of Business.

Messages from the House

May 4, 2021

Dear Madam President:

I transmit herewith H 394, H 396, H 397, H 398, H 399, H 400, H 401, H 402, H 395, and H 369, which have passed the House.

MAULIN, Chief Clerk

H 394, H 396, H 397, H 398, H 399, H 400, H 401, H 402, H 395, and H 369 were filed for first reading.

May 4, 2021

Dear Madam President:

I return herewith S 1075, S 1212, and S 1105, which have passed the House.

MAULIN, Chief Clerk

S 1075, S 1212, and S 1105 were referred to the Judiciary and Rules Committee for enrolling.

May 4, 2021

Dear Madam President:

I transmit herewith Enrolled H 355, H 385, H 386, H 387, and H 388 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 355, H 385, H 386, H 387, and H 388 and ordered them returned to the House.

On request by Senator Anthon, 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 1217

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO A STATE OF EXTREME EMERGENCY; PROVIDING LEGISLATIVE INTENT; REPEALING SECTION 46-601, IDAHO CODE, RELATING TO AUTHORITY OF THE GOVERNOR; AMENDING CHAPTER 6, TITLE 46, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 46-601, IDAHO CODE, TO AUTHORIZE THE GOVERNOR TO PROCLAIM A STATE OF EXTREME EMERGENCY, TO DEFINE TERMS, TO PROVIDE THAT THE GOVERNOR SHALL HAVE CERTAIN POWERS, DUTIES, AND LIMITATIONS DURING A DECLARED STATE OF EXTREME EMERGENCY, AND TO PROVIDE THAT NOTHING SHALL PROHIBIT THE GOVERNOR FROM DEPLOYING THE NATIONAL GUARD AS HE MAY DEEM PROPER; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1218

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2734A, IDAHO CODE, TO PROHIBIT THE COMMERCIAL PROMOTION OR ADVERTISEMENT OF SCHEDULE I CONTROLLED SUBSTANCES.
S 1217 and S 1218 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 394, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 396, H 397, H 398, H 399, H 400, and H 401, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 402, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 395 and H 369, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

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

Reports of Standing Committees

May 5, 2021

The JUDICIARY AND RULES Committee reports that SCR 108, SCR 109, SCR 110, S 1217, and S 1218 have been correctly printed.

LAKEY, Chairman

SCR 108, SCR 109, and SCR 110 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1217 and S 1218 were referred to the State Affairs Committee.

On motion by Senator Anthon, seconded by Senator Lee, by voice vote the Senate recessed at 10:43 a.m. until the hour of 12:30 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 12:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

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

Petitions, Resolutions, and Memorials

SCR 111

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION


Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the First Regular Session of the Sixty-sixth Idaho Legislature convened on January 11, 2021, and continues in session as of the date of introduction of this concurrent resolution; and

WHEREAS, the members of the First Regular Session of the Sixty-sixth Idaho Legislature desire to recess May 6 through May 11, reconvening on May 12; and

WHEREAS, the approved motion by the Citizens' Committee on Legislative Compensation determined that, if the Legislature, by passage of a concurrent resolution, adjourns to a day certain for more than three days, no unvouched or vouched expense allowance shall be payable to any member of the Legislature for the time period during such temporary recess without the approval of the President Pro Tempore of the Senate or the Speaker of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the First Regular Session of the Sixty-sixth Idaho Legislature shall recess May 6 through May 11, reconvening on May 12.

BE IT FURTHER RESOLVED that no unvouched or vouched expense allowance shall be payable to any member of the Legislature for the time period during such temporary recess without the approval of the President Pro Tempore of the Senate or the Speaker of the House of Representatives.

SCR 111 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

May 5, 2021

The JUDICIARY AND RULES Committee reports that SCR 111 has been correctly printed.

LAKEY, Chairman

SCR 111 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

May 5, 2021

The JUDICIARY AND RULES Committee reports that S 1075, S 1212, and S 1105 have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1075, S 1212, and S 1105 and ordered them transmitted to the House for the signature of the Speaker.

May 5, 2021

The FINANCE Committee reports out H 369, H 395, H 396, H 397, H 398, H 399, H 400, and H 401 with the recommendation that they do pass.

BAIR, Chairman
H 369, H 395, H 396, H 397, H 398, H 399, H 400, and H 401 were filed for second reading.

May 5, 2021

The STATE AFFAIRS Committee reports out H 394, S 1217, and S 1218 with the recommendation that they do pass.

LODGE, Chair

H 394, S 1217, and S 1218 were filed for second reading.

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

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, HCR 19 was placed before the Senate for final consideration at this time.

The President announced that HCR 19 was before the Senate for final consideration.

Moved by President Pro Tempore Winder, seconded by Senator Anthon, that HCR 19 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 28.


Total - 35.

Whereupon the President declared HCR 19 adopted, title was approved, and the resolution ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of SCR 111 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.

S 1214 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair 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 1214 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1215 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 1215 was before the Senate for final consideration.

Second Reading of Bills

S 1214, S 1215, and S 1216, by Finance Committee, were read the second time at length and filed for third reading.

H 389 and H 390, by Ways and Means 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

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of S 1214 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 1214 be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"
S 1215 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Harris. Total - 1.

Total - 35.

Whereupon the President declared S 1215 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1216 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 1216 was before the Senate for final consideration.

S 1216 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 S 1216 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of H 389 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–Agenbroad, Anthon, Bair, Burgoyne, Fuller (Rabe), Guthrie, Harris, Johnson, Lakey, Lamar (Nelson), Lee, Lodge, Nye, Stennett, Ward-Engelking, Wintrow. Total - 16.

Total - 35.

Whereupon the President declared H 389 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of H 390 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–Burgoyne, Fuller (Rabe), Lamar (Nelson), Stennett, Ward-Engelking. Total - 5.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 390 was before the Senate for final consideration.

H 390 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ricks 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 that H 390 had failed to pass the Senate and ordered the bill returned to the House.
On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

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

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

Messages from the House
May 5, 2021
Dear Madam President:

I return herewith Enrolled S 1075, S 1212, and S 1105, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1075, S 1212, and S 1105 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate passage of H 391 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 H 391 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:

AYES–Agenbroad, Anthon, Bair, Bayer, Burtonshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Vick, Winder, Woodward, Zito. Total - 29.


Total - 35.

Whereupon the President declared H 391 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of H 392 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 392 was before the Senate for final consideration.

H 392 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


Total - 35.

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

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of H 393 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 393 was before the Senate for final consideration.
H 393 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:


Total - 35.

Whereupon the President declared H 393 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate consideration of S 1217 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1217 was before the Senate for final consideration.

S 1217 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:


Total - 35.

Whereupon the President declared S 1217 passed, title was approved, and the bill ordered transmitted to the House.

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

Messages from the House

May 5, 2021

Dear Madam President:

I return herewith S 1053, as amended, S 1063, S 1064, S 1065, S 1067, and S 1213, which have passed the House.

MAULIN, Chief Clerk

S 1053, as amended, S 1063, S 1064, S 1065, S 1067, and S 1213 were referred to the Judiciary and Rules Committee for enrolling.

May 5, 2021

Dear Madam President:

I transmit herewith Enrolled HCR 19 and H 389 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled HCR 19 and H 389 and ordered them returned to the House.

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

Reports of Standing Committees

May 5, 2021

The JUDICIARY AND RULES Committee reports that S 1053, as amended, S 1063, S 1064, S 1065, S 1067, and S 1213 have been correctly enrolled.

L clientele, Chairman
The President signed Enrolled S 1053, as amended, S 1063, S 1064, S 1065, S 1067, and S 1213 and ordered them transmitted to the House for the signature of the Speaker.

May 5, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1075, S 1212, and S 1105 were delivered to the Office of the Governor at 4:30 p.m., May 5, 2021.

LAKEY, Chairman

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

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

Messages from the House

May 5, 2021

Dear Madam President:

I return herewith SCR 111, S 1215, and S 1216, which have passed the House.

MAULIN, Chief Clerk

SCR 111, S 1215, and S 1216 were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of SCR 108 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that SCR 109 was before the Senate for final consideration.

On motion by Senator Anthon, seconded by Senator Stennett, SCR 109 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of SCR 110 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that SCR 110 was before the Senate for final consideration.

On motion by Senator Lakey, seconded by Senator Burgoyne, SCR 110 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 369 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 H 369 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.
H 369 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, Den Hartog, Ricks, Vick, Zito. Total - 5.

Total - 35.

Whereupon the President declared H 369 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 395 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 H 395 was before the Senate for final consideration.

H 395 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:

AYES–Agenbroad, Anthon, Bair, Burgroyne, Burtenshaw, Cook, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Ward-Engelking, Winder, Wintrow, Woodward. Total - 32.

NAYS–Bayer, Vick, Zito. Total - 3.

Total - 35.

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

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 396 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 H 396 was before the Senate for final consideration.

H 396 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs 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 396 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 398 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 H 398 was before the Senate for final consideration.

H 398 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared H 398 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 399 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 H 399 was before the Senate for final consideration.

H 399 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, Zito. Total - 2.

Total - 35.

Whereupon the President declared H 399 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 400 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–Bayer, Zito. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 400 was before the Senate for final consideration.

H 400 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–Bayer, Zito. Total - 2.

Total - 35.

Whereupon the President declared H 401 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 394 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bair, Bayer, Burgoyne, Burtenshaw, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Winrow, Woodward, Zito. Total - 34.

NAYS–Burgoyne. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 394 was before the Senate for final consideration.

H 394 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Winder 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, Burgoyne, Crabtree, Den Hartog, Fuller (Rabe), Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lamar (Nelson), Lee, Lent, Lodge, Martin, Nye, Patrick, Rice, Ricks, Riggs, Stennett, Thayn, Vick, Ward-Engelking, Winder, Winrow, Woodward, Zito. Total - 34.

NAYS–Burgoyne. Total - 1.
Total - 35.

Whereupon the President declared H 394 passed, title was approved, and the bill ordered returned to the House.

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

Reports of Standing Committees

May 5, 2021

The JUDICIARY AND RULES Committee reports that SCR 111, S 1215, and S 1216 have been correctly enrolled.

LAEKY, Chairman

The President signed Enrolled SCR 111, S 1215, and S 1216 and ordered them transmitted to the House for the signature of the Speaker.

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

Messages from the House

May 5, 2021

Dear Madam President:

I return herewith Enrolled S 1053, as amended, S 1063, S 1064, S 1065, S 1067, and S 1213, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1053, as amended, S 1063, S 1064, S 1065, S 1067, and S 1213 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

May 5, 2021

Dear Madam President:

I return herewith S 1217, which has passed the House.

MAULIN, Chief Clerk

S 1217 was referred to the Judiciary and Rules Committee for enrolling.

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

Reports of Standing Committees

May 5, 2021

The JUDICIARY AND RULES Committee reports that S 1217 has been correctly enrolled.

LAEKY, Chairman

The President signed Enrolled S 1217 and ordered it transmitted to the House for the signature of the Speaker.

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

Messages from the House

May 5, 2021

Dear Madam President:

I transmit herewith Enrolled H 391, H 392, H 393, H 369, H 395, H 396, H 398, H 399, H 400, H 401, and H 394 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 391, H 392, H 393, H 369, H 395, H 396, H 398, H 399, H 400, H 401, and H 394 and ordered them returned to the House.

May 5, 2021

Dear Madam President:

I return herewith Enrolled SCR 111, S 1215, S 1216, and S 1217 which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled SCR 111 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

Enrolled S 1215, S 1216, and S 1217 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

Miscellaneous Business

May 5, 2021

On motion by Senator Anthon, seconded by Senator Burgoyne, by voice vote, the Senate adjourned at 8:45 p.m. until the hour of 1 p.m., Wednesday, May 12, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

*****

[Note: The following is action recorded during RECESS.]

May 5, 2021

Dear Madam President:

I return herewith S 1178, which has passed the House.

MAULIN, Chief Clerk

S 1178 was referred to the Judiciary and Rules Committee for enrolling.

May 6, 2021

The JUDICIARY AND RULES Committee reports that S 1178 has been correctly enrolled.

LAEKY, Chairman

The President Pro Tempore signed Enrolled S 1178 and ordered it transmitted to the House for the signature of the Speaker.
May 6, 2021

Dear Madam President:

I return herewith Enrolled S 1178, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1178 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

May 6, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1178 was delivered to the Office of the Governor at 3:15 p.m., May 6, 2021.

LAKEY, Chairman

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

May 6, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1053, as amended, S 1063, S 1064, S 1065, S 1067, S 1213, S 1215, S 1216, and S 1217 were delivered to the Office of the Governor at 11:30 a.m., May 6, 2021.

LAKEY, Chairman

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

May 6, 2021

The JUDICIARY AND RULES Committee reports that Enrolled SCR 111 was delivered to the Office of the Secretary of State at 1:27 p.m., May 6, 2021.

LAKEY, Chairman

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

May 6, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on May 6, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1173 and S 1209

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.
ONE HUNDRED TWENTY-SECOND LEGISLATIVE DAY
WEDNESDAY, MAY 12, 2021

Senate Chamber

President McGeachin called the Senate to order at 1 p.m.

Roll call showed all members present except Senators Bair, Den Hartog, and Vick, absent and formally excused by the Chair; and Senators Agenbrand, Cook, Crabtree, Grow, Lent, Nye, Riggs, Thayn, Ward-Engelking, and Woodward, absent and excused.

Prayer and Pledge of Allegiance was offered by Chaplain Doug Armstrong.

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 May 5, 2021, was read and approved as corrected.

LAKEY, Chairman

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

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

Messages from the Governor

May 10, 2021

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 May 10, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1053, as amended, S 1063, S 1064, S 1065, S 1067, S 1075, S 1105, S 1178, S 1205, S 1212, S 1213, S 1215, and S 1216

Sincerely,
/s/ Brad Little
Governor of Idaho

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

May 10, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on May 10, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1204

I am concerned the language in S 1204 is in conflict with Idaho Code 67-3516(2) allowing the administrator of the Division of Financial Management, the Board of Examiners, and the State Controller's Office to grant non-state fund spending authority "if not cognizable at the time when appropriations were made." This statutory authority is longstanding.

The bill declares all funds resulting from the American Rescue Plan Act (ARPA) are cognizable, although the Legislative Services Office identified in Idaho Report 21-01 that there are programs for "which there are not specified dollar amounts for funding awards or sufficient guidance..." Thus, by the Legislature's own admission, certain funds are not cognizable, notwithstanding this bill's declaration to the contrary. As such, critical funding for issues such as suicide prevention and funding to the aging population are at risk of timely distribution.

I have made clear my commitment to work collaboratively with the Legislature on the discretionary funds and look forward to working together on investments that will benefit our children and grandchildren. However, limiting the authority to use non-discretionary grant funds for specific programs that are demonstrably not cognizable at the time of appropriations will mean that there will be significant delays for programs that may be needed to facilitate our economic rebound.

Sincerely,
/s/ Brad Little
Governor of Idaho

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

May 10, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on May 10, 2021 and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1217

Unlike Senate Bill 1136a, which I previously vetoed this legislative session, Senate Bill 1217 preserves the ability of future Governors to take timely and necessary action to protect Idahoans in future extreme emergencies, such as destructive earthquakes and cyberattacks, while also creating a responsible process to ensure the legislature is involved and able to assist with the state's response efforts. Further, Senate Bill 1217 better complements our state constitution and safeguards the separation of powers between the legislative and executive branches.
Thank you to my colleagues and friends in the Senate who worked with my office to improve and modernize Idaho Code § 46-601. I am also grateful to all of those in legislature who listened to my concerns as well as those of Major General Michael Garshak and Director Brad Richy. I also commend Senate leadership for their recent collaboration and willingness to compromise in the legislative process that resulted in broad support for Senate Bill 1217.

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
May 5, 2021
Dear Madam President:

I transmit herewith H 319, as amended, which has passed the House.

MAULIN, Chief Clerk

H 319, as amended, was filed for first reading.
May 5, 2021
Dear Madam President:

I return herewith S 1150, as amended in the House, which has passed the House.

MAULIN, Chief Clerk

Senator Lodge requested unanimous consent that S 1150, as amended in the House, be referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

Senator Stennett objected.

On motion by Senator Lodge, seconded by Senator Anthon, by voice vote, S 1150, 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.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 1:28 p.m. until the hour of 2:30 p.m. of this day.

RECESS AFTERNOON SESSION
The Senate reconvened at 2:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Bair, Den Hartog, and Vick, absent and formally excused by the Chair; and Senator Stennett, absent and excused.

Prior to recess the Senate was at the Ninth Order of Business, Messages from the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions
The President announced that the House amendments to S 1150, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1150, as amended in the House?"

Senator Lodge requested unanimous consent that the Senate concur by voice vote in the House amendments to S 1150, as amended in the House.

Senator Burgoyne objected.

On motion by Senator Lodge, seconded by Senator Anthon, the Senate concurred by voice vote in the House amendments to S 1150, as amended in the House.

S 1150, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

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

Second Reading of Bills
H 397, by Appropriations Committee, was read the second time at length and filed for third reading.

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

Reports of Standing Committees
May 12, 2021
The JUDICIARY AND RULES Committee reports that S 1150, as amended in the House, has been correctly engrossed.

LAKEY, Chairman

S 1150, as amended in the House, was filed for first reading.

On request by Senator Anthon, 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 1219
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE CONTROLLER FOR FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE CONTROLLER FOR FISCAL YEAR 2021; AND DECLARING AN EMERGENCY.

S 1220
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO 2021 EFFECTIVE DATES; AMENDING CHAPTER 290, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 3, CHAPTER 290, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 291, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 7, CHAPTER 292, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN
EFFECTIVE DATE; AMENDING CHAPTER 294, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 3, CHAPTER 294, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 295, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 5, CHAPTER 295, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 7, CHAPTER 296, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 3, CHAPTER 297, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 298, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 4, CHAPTER 298, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 299, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 4, CHAPTER 299, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 300, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 4, CHAPTER 300, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 3, CHAPTER 301, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 302, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 302, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 303, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 11, CHAPTER 303, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 305, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 8, CHAPTER 305, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 307, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 6, CHAPTER 307, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 308, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 10, CHAPTER 308, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 309, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 309, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 310, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 310, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 6, CHAPTER 312, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 18, CHAPTER 313, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 314, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 12, CHAPTER 314, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING SECTION 7, CHAPTER 315, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 316, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 316, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 317, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 317, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 318, LAWS OF 2021, TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 321, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 43, CHAPTER 321, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 322, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 322, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 323, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 323, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 324, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 324, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 325, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 15, CHAPTER 325, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 326, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 326, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 327, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 3, CHAPTER 327, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 330, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 5, CHAPTER 330, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 331, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 331, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 332, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 332, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAPTER 333, LAWS OF 2021, BY THE ADDITION OF A NEW SECTION 2, CHAPTER 333, LAWS OF 2021, TO DECLARE AN EMERGENCY AND TO PROVIDE AN EFFECTIVE DATE; AMENDING CHAP
H 319, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

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

**Reports of Standing Committees**

May 12, 2021

The JUDICIARY AND RULES Committee reports that S 1219 and S 1220 have been correctly printed.

LAKEY, Chairman

S 1219 was referred to the Finance Committee.

S 1220 was referred to the State Affairs Committee.

May 12, 2021

The FINANCE Committee reports out S 1219 with the recommendation that it do pass.

BAIR, Chairman

S 1219 was filed for second reading.

May 12, 2021

The STATE AFFAIRS Committee reports out S 1220 with the recommendation that it do pass.

LODGE, Chair

S 1220 was filed for second reading.

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

**Second Reading of Bills**

**Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Lee, that all rules of the Senate interfering with the immediate passage of S 1150, as amended in the House, 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 1150, as amended in the House, 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:


Absent and excused–Bair, Den Hartog, Thayn, Vick. Total - 5.

Total - 35.

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

S 1150, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bayer, Burgoyne, Burttenshaw, Cook, Crabtree, Funk (Souza), Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Thayn, Winder, Woodward, Zito. Total - 25.


Absent and excused–Bair, Den Hartog, Vick. Total - 3.

Paired and voting included in roll call:

AYE - Thayn NAY - Nelson

Total - 35.

Whereupon the President declared S 1150, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1219 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.

Absent and excused–Bair, Den Hartog, Thayn, Vick. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1219 was before the Senate for final consideration.

S 1219 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:


NAYS–None.

Absent and excused–Bair, Den Hartog, Thayn, Vick. Total - 4.

Total - 35.

Whereupon the President declared S 1219 passed, title was approved, and the bill ordered transmitted to the House.
On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

**Messages from the House**

May 12, 2021

Dear Madam President:

I transmit herewith HCR 23, which has passed the House.

MAULIN, Chief Clerk

HCR 23 was filed for first reading.

May 12, 2021

Dear Madam President:

I return herewith S 1214, which has passed the House.

MAULIN, Chief Clerk

S 1214 was referred to the Judiciary and Rules Committee for enrolling.

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

**Reports of Standing Committees**

May 12, 2021

The JUDICIARY AND RULES Committee reports that S 1150, as amended in the House, and S 1214 have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1150, as amended in the House, and S 1214 and ordered them transmitted to the House for the signature of the Speaker.

On request by Senator Anthon, 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**

May 12, 2021

HCR 23, by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

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

**Second Reading of Bills**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 4:27 p.m. until the hour of 5:30 p.m. of this day.

**RECESS**

**AFTERNOON SESSION**

May 12, 2021

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

**Messages from the House**

Dear Madam President:

I transmit herewith H 407, which has passed the House.

MAULIN, Chief Clerk

H 407 was filed for first reading.

May 12, 2021

Dear Madam President:

I return herewith Enrolled S 1150, as amended in the House, and S 1214, which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1150, as amended in the House, and S 1214 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, 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 407, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

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

**Reports of Standing Committees**

May 12, 2021

The STATE AFFAIRS Committee reports out H 407 with the recommendation that it do pass.

LODGE, Chair

H 407 was filed for second reading.

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

**Second Reading of Bills**

**Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 407 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 H 407 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:


NAYS–None.


Total - 35.

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

H 407 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator
Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

Whereupon the President declared H 407 passed, title was approved, and the bill ordered returned to the House.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 7:12 p.m. until the hour of 8 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 8 p.m., pursuant to recess, President McGeeachin presiding.

Roll call showed all members present except Senators Bair, Crabtree, Den Hartog, Heider, Johnson, Nelson, Thayn, and Vick, absent and excused.

Prior to recess the Senate was at the Twelfth Order of Business, Second Reading of Bills.

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

Reports of Standing Committees

May 12, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1150, as amended in the House, and S 1214 were delivered to the Office of the Governor at 7:12 p.m., May 12, 2021.

LAKEY, Chairman

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

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

Messages from the House

May 12, 2021

Dear Madam President:

I transmit herewith H 408, which has passed the House.

MAULIN, Chief Clerk

H 408 was filed for first reading.

May 12, 2021

Dear Madam President:

I return herewith S 1219, which has passed the House.

MAULIN, Chief Clerk

S 1219 was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Anthon, 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 408, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

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

Reports of Standing Committees

May 12, 2021

The JUDICIARY AND RULES Committee reports that S 1219 has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled S 1219 and ordered it transmitted to the House for the signature of the Speaker.

May 12, 2021

The FINANCE Committee reports out H 408 with the recommendation that it do pass.

BAIR, Chairman

H 408 was filed for second reading.

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

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of H 408 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 H 408 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:


NAYS–None.


Total - 35.

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

H 408 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?"
Reports of Standing Committees

May 12, 2021

The JUDICIARY AND RULES Committee reports that SCR 112 has been correctly printed.

LAKEY, Chairman

SCR 112 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 Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

May 12, 2021

Dear Madam President:

I transmit herewith Enrolled H 407 and H 408 for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled H 407 and H 408 and ordered them returned to the House.

May 12, 2021

Dear Madam President:

I return herewith Enrolled S 1219, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled S 1219 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Moved by Senator Anthon, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate consideration of SCR 112 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:


NAYS–None.


Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that SCR 112 was before the Senate for final consideration.

On motion by Senator Anthon, seconded by Senator Harris, SCR 112 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.
On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

May 12, 2021

The JUDICIARY AND RULES Committee reports that Enrolled S 1219 was delivered to the Office of the Governor at 10:32 p.m., May 12, 2021.

LAKEY, Chairman

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

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

Miscellaneous Business

On request by Senator Anthon, granted by unanimous consent, the President appointed a committee consisting of Senator Lakey, Chairman, and Senators Lent and Stennett to notify the Governor that the Senate had completed its business and was ready to adjourn Sine Die. The committee was excused.

On request by Senator Anthon, granted by unanimous consent, the President appointed a committee consisting of Senator Agenbroad, Chairman, and Senators Riggs and Burgoyne to notify the House of Representatives that the Senate had completed its business and was ready to adjourn Sine Die. The committee was excused.

The committee appointed to wait upon the Governor returned and reported that it had delivered the Governor's message. The committee conveyed the Governor's response to the President and the members of the Senate.

The President thanked and discharged the committee.

The committee appointed to wait upon the House of Representatives returned and reported that it had delivered the Senate's message. The committee conveyed the Speaker's response to the President and the members of the Senate.

The President thanked and discharged the committee.

On motion by Senator Anthon, seconded by Senator Stennett, that the Senate adjourn the First Regular Session of the Sixty-sixth Legislature of the Idaho Senate Sine Die.

Roll call vote was requested by Senator Zito.

President Pro Tempore Winder and Senator Bayer stood in support.

Roll call resulted as follows:


Total - 35.

Whereupon the President declared that a majority having voted in the affirmative, the First Regular Session of the Sixty-sixth Legislature of the Idaho Senate adjourned Sine Die at 11 p.m., Wednesday, May 12, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

*****

[Note: The following is action recorded after Senate recess]

Pursuant to Mason's Manual:

Section 204(3), RIGHT TO ADJOURN: Neither the Senate nor the House can constitutionally adjourn sine die without the consent of the other.

Section 445(2), MOTION TO ADJOURN SINE DIE: Neither the Senate nor the House can constitutionally adjourn sine die without the consent of the other.

Section 783(2), ADJOURNMENT FOR MORE THAN A SPECIFIED NUMBER OF DAYS: Either house’s adoption of a motion to adjourn for more than the constitutionally limited days is a nullity and void ab initio (from the beginning).

*****

May 13, 2021

Dear Madam President:

I return herewith SCR 112, which has passed the House.

MAULIN, Chief Clerk

SCR 112 was referred to the Judiciary and Rules Committee for enrolling.

May 13, 2021

The JUDICIARY AND RULES Committee reports that SCR 112 has been correctly enrolled.

LAKEY, Chairman

The President Pro Tempore signed Enrolled SCR 112 and ordered it transmitted to the House for the signature of the Speaker.

May 13, 2021

Dear Madam President:

I return herewith Enrolled SCR 112, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled SCR 112 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

May 13, 2021

The JUDICIARY AND RULES Committee reports that Enrolled SCR 112 was delivered to the Office of the Secretary of State at 2:32 p.m., May 13, 2021.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.
May 17, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have signed on May 17, 2021 and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1219 and S 1214

Sincerely,
/s/ Brad Little
Governor of Idaho

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

May 18, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I hereby advise you that I have returned without my approval, disapproved and vetoed, the following Senate Bill, to wit:

S 1150, as amended in the House

I am primarily concerned with the constitutionality and fairness of this bill. As amended, Senate Bill 1150a provides that signatures gathered outside of Idaho may only be collected from military members and missionaries. This is discriminatory and unfair to other qualified voters who wish to participate in Idaho's initiative and referendum process but find themselves temporarily out of the state when the opportunity arises. For example, families of military members deployed overseas should be afforded the same convenience to exercise their Article III, Section 1 rights when doing so presents no concerns for the security or integrity of the process. Further, as I articulated when I signed Senate Bill 1110 earlier this session, I support efforts to increase participation of all Idahoans - not just those living in urban areas - in our initiative and referendum process. I believe Senate Bill 1150 will frustrate that laudable goal.

Sincerely,
/s/ Brad Little
Governor of Idaho
SENATE JOURNAL
OF THE
IDAHO LEGISLATURE
FIRST REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THREE HUNDRED NINTH LEGISLATIVE DAY
MONDAY, NOVEMBER 15, 2021

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Agenbroad, absent and formally excused by the Chair. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Sarah Jane McDonald, Sergeant-at-Arms.

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 May 12, 2021, 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.

Senator Burgoyne inquired if the office of the Secretary of the Senate received an Order from any Idaho Court nullifying the Senate's Sine Die adjournment of May 12, 2021.

Madam President responded that the Secretary of the Senate had not received any Order from any Idaho Court.

Senator Burgoyne further inquired if the office of the Secretary of the Senate received from the Idaho House of Representatives any notice of non-concurrence or non-consent to the Senate's Sine die adjournment of May 12, 2021.

Madam President responded that the only notification the Secretary received on behalf of the Senate was the passage of House Resolution 4.

Senator Burgoyne questioned if the office of the Secretary of the Senate received from the Governor any notice calling the Legislature back into special session since the Senate's Sine die adjournment of May 12, 2021.

Madam President responded the Secretary of the Senate had not received any notice from the Governor.

Moved by Senator Burgoyne, seconded by Senator Stennett that the Senate recognized that it adjourned Sine Die on May 12, 2021. That no further proceedings of the Senate may be had until the next regular legislative session which convenes on January 10, 2022, unless a Court order nullifying its May 12, 2021 Sine Die adjournment is first received by the Senate, and that this purported convening of the Senate is therefore adjourned.

Roll call vote was requested by Senator Burgoyne. Senators Stennett, Ward-Engelking, Nelson, and Wintro stood in support.


Absent and excused–Agenbroad. Total - 1.

The Senate advanced to the Fourth Order of Business.

Reading of Communications

November 5, 2021

The Honorable Chuck Winder
President Pro Tempore
Idaho State Senate
P.O. Box 83720
Boise, Idaho 83720-0081

Dear Senator Winder,

I am no longer a resident of District 17 as of Friday, November 5, 2021. Thus my seat is vacant pursuant to 59-901(e).

I have truly enjoyed my time in the Senate and getting to know all of my Senate colleagues. I appreciate the moderate, collegial, and civil body the Senate strives to be. I hope this body can continue to ensure Idaho is a fair, safe, and prosperous State. I hope to see everyone again very soon.

Best regards,
Ali Rabe

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

The Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 113

BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION

Be It Resolved by the Legislature of the State of Idaho:
WHEREAS, on September 9, 2021, President Biden announced that his patience was "wearing thin" with Americans who are not vaccinated against COVID-19; and

WHEREAS, on that date, President Biden issued two executive orders setting out his "Action Plan" that included, among other things, a directive to the United States Department of Labor's Occupational Safety and Health Administration (OSHA) to develop a federal regulation requiring all United States employers with 100 or more employees to ensure their workforce is fully vaccinated or require any workers who remain unvaccinated to produce a negative test result on at least a weekly basis before coming to work or be fired; and

WHEREAS, the President Pro Tempore of the Idaho Senate, the Speaker of the Idaho House of Representatives, Governor Little, and the Idaho Attorney General jointly responded to the President by letter dated September 17, 2021, objecting to the proposed regulation because it has no legal basis and asking the President to rescind his directive to the Department of Labor; and

WHEREAS, the Idaho constitutional and legislative officers strongly opposed the mandates because: (1) the power to promulgate and enforce vaccination policies in Idaho belongs to the state; (2) the Department of Labor lacks the requisite legal authority to issue the President's vaccination mandates; and (3) cooperative federalism requires the Department of Labor not to issue the workplace vaccination mandates; and

WHEREAS, the COVID-19 Vaccination and Testing Emergency Temporary Standard issued by OSHA, published in the Federal Register on November 5, 2021, at Volume 86, pages 61496 through 61555, has serious legal flaws that will be foisted on Idaho unless remedied by a federal court; and

WHEREAS, companion legislation establishing and funding the Federal Overreach Legal Defense Fund has been proposed by this Legislature to pay for litigation defending Idaho from the overreach of the federal government.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature authorizes the President Pro Tempore of the Senate and the Speaker of the House of Representatives to use moneys from the Federal Overreach Legal Defense Fund to engage counsel to sue the federal government on behalf of their office and the Legislature to have a federal court declare the federal vaccine mandates unlawful and to enjoin the mandates or otherwise prevent them from having any effect on Idaho employers and employees.

SJ M 105
BY STATE AFFAIRS COMMITTEE
A JOINT MEMORIAL
TO PRESIDENT JOE BIDEN, TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, on September 9, 2021, President Joe Biden issued two executive orders mandating COVID-19 vaccines for federal workers and contractors and further unveiled new vaccine or testing requirements for health care providers and employers with 100 or more employees; and

WHEREAS, such an effort to compel Americans to submit to vaccination by using the force of federal government is an overreach of the power the several states entrusted to that central government under the principles of American federalism; and

WHEREAS, in addition to the moral and constitutional concerns inherent in such a sweeping, invasive mandate, the Biden Administration's plan would place an onerous burden on employers, particularly health care providers, by forcing these employers to choose between complying with federal orders or maintaining their workforce. Many health care employees and other segments of the workforce have found it necessary to stage protests or otherwise communicate their disapproval of a vaccine mandate. When viewed in the present context of nationwide labor shortages and political divisiveness, the plan is remarkably ill-timed; and

WHEREAS, the Legislature finds that inoculation is a personal medical choice, and an attack on such choice is to chisel away at the freedom and liberty upon which this nation was founded. Vaccination should not be required as a condition of employment, public or private, and religious exemptions should always be honored; and

WHEREAS, the Legislature finds it necessary and proper to voice its opposition to the Biden Administration's COVID-19 vaccine mandate and to state its position that President Biden's plan to fine large employers that do not require their employees to be vaccinated or submit to weekly COVID-19 testing is an unconstitutional overreach of executive authority as set forth in Article II of the United States Constitution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Legislature strongly opposes the Biden Administration's vaccine mandate for federal workers and contractors as well as the proposed requirements for large employers and health care employers to require vaccination and testing as erosions of the freedom and liberty of the people of this state and nation.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to President Joe Biden, the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

SCR 113 and SJM 105 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, 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 1221
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE FEDERAL OVERREACH LEGAL DEFENSE FUND; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-451B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE FEDERAL OVERREACH LEGAL DEFENSE FUND; PROVIDING FOR AN APPROPRIATION TO THE FEDERAL OVERREACH LEGAL DEFENSE FUND; AND DECLARING AN EMERGENCY.
S 1222
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO COVID-19; AMENDING TITLE 67, IDAHO
CODE, BY THE ADDITION OF A NEW CHAPTER 97,
TITLE 67, IDAHO CODE, TO ESTABLISH PROVISIONS
REGARDING CERTAIN COVID-19-RELATED FUNDING;
AND DECLARING AN EMERGENCY.

S 1223
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE IDAHO HEALTH FREEDOM ACT;
AMENDING SECTION 39-9002, IDAHO CODE, TO DEFINE
TERMS; AMENDING CHAPTER 90, TITLE 39, IDAHO
CODE, BY THE ADDITION OF A NEW SECTION 39-9003A,
IDAHO CODE, TO PROHIBIT THE TERMINATION OF
EMPLOYMENT BASED ON HEALTH CARE SERVICES
PREFERENCE; AMENDING SECTION 39-9004,
IDAHO CODE, TO REVISE PROVISIONS REGARDING
ENFORCEMENT; PROVIDING SEVERABILITY; AND
DECLARING AN EMERGENCY.

S 1224
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO EMPLOYERS AND EMPLOYEES;
AMENDING CHAPTER 9, TITLE 44, IDAHO CODE,
BY THE ADDITION OF A NEW SECTION 44-906,
IDAHO CODE, TO PROVIDE THAT AN EMPLOYER
THAT REQUIRES COVID-19 IMMUNIZATION AS A
CONDITION OF EMPLOYMENT MUST ALLOW CERTAIN
EXEMPTIONS FOR EMPLOYEES AND TO PROVIDE
FOR CERTAIN INFORMATION IN COMMUNICATIONS
REGARDING REQUIRED IMMUNIZATION; PROVIDING
SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1225
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO EMPLOYERS AND EMPLOYEES;
AMENDING CHAPTER 9, TITLE 44, IDAHO CODE, BY
THE ADDITION OF A NEW SECTION 44-907, IDAHO CODE,
TO PROVIDE THAT AN EMPLOYER THAT REQUIRES
COVID-19 IMMUNIZATION AS A CONDITION OF
EMPLOYMENT MUST ALLOW A CERTAIN EXEMPTION
FOR EMPLOYEES AND TO PROVIDE FOR CERTAIN
INFORMATION IN COMMUNICATIONS REGARDING
REQUIRED COVID-19 IMMUNIZATIONS; PROVIDING
SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1221, S 1222, S 1223, S 1224, and S 1225 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

November 15, 2021

The JUDICIARY AND RULES Committee reports that SCR 113, SJM 105, S 1221, S 1222, S 1223, S 1224, and S 1225 have been correctly printed.

LAKEY, Chairman
The Senate reconvened at 2:30 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senators Lakey and Patrick, absent and formally excused by the Chair; and Senators Agenbroad, Burtenshaw, Crabtree, Lodge, and Woodward, absent and excused. [District 17 seat temporarily vacant.]

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 3:10 p.m. until the hour of 5 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 5 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Grow, absent and formally excused by the Chair; and Senators Cook and Crabtree, absent and excused. [District 17 seat temporarily vacant.]

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 3:10 p.m. until the hour of 5 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 5 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Grow, absent and formally excused by the Chair; and Senators Cook and Crabtree, absent and excused. [District 17 seat temporarily vacant.]

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 3:10 p.m. until the hour of 5 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 5 p.m., pursuant to recess, President McGeachin presiding.

Roll call showed all members present except Senator Grow, absent and formally excused by the Chair; and Senators Cook and Crabtree, absent and excused. [District 17 seat temporarily vacant.]

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote the Senate recessed at 3:10 p.m. until the hour of 5 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 5 p.m., pursuant to recess, President McGeachin presiding.
Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:32 p.m. until the hour of 10 a.m., Wednesday, November 17, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary
On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

November 16, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

Pursuant to Idaho Code 67-504, I hereby notify the Senate that I delivered without my approval, disapproved, and vetoed the following Senate Bill, to wit:

Senate Bill 1150aaH

This vetoed legislation and my objections were hand delivered during the legislative recess on May 18, 2021, to Jennifer Novak, Secretary of the Senate, and Senator Grant Burgoyne. This notice shall serve as the requirement under Idaho Code 67-504 as to whom the vetoed legislation was delivered to, as well as the date and time of its delivery.

Sincerely,
/s/ Brad Little
Governor

On request by Senator Anthon, granted by unanimous consent, S 1150, as amended in the House, was recommitted to the State Affairs Committee.

November 16, 2021

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that I have appointed Carol Guthrie of Inkom, Idaho, to the office of Acting State Senator for Legislative District 28, Bannock and Power Counties, State of Idaho.

This appointment is effective Wednesday, November 17, 2021, and will continue for as long as necessary.

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR EXECUTIVE DEPARTMENT BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL PEOPLE that pursuant to the provisions of Section 59-917, Idaho Code, Jim Guthrie, State Senator, District 28, Bannock and Power Counties, State of Idaho, has nominated Carol Guthrie of Inkom, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 28, Bannock and Power Counties, State of Idaho.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Carol Guthrie of Inkom, Idaho to the office of Acting State Senator, District 28, for a term commencing on Wednesday, November 17, 2021, and will continue for as long as necessary.
IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 16th day of November, in the year of our Lord two thousand and twenty-one and of the Independence of the United States of America the two hundred forty-sixth and of the Statehood of Idaho the one hundred thirty-second.

/s/ BY THE GOVERNOR BRAD LITTLE
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Guthrie, and she was recorded present at this order of business.

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

Miscellaneous Business

On request by Senator Anthon, granted by unanimous consent, the President appointed a committee consisting of Senator Den Hartog, Chairman, and Senators Burchan, and Wintrou to notify the House of Representatives that the Senate had completed its business and was ready to adjourn Sine Die. The committee was excused.

On request by Senator Anthon, granted by unanimous consent, the President appointed a committee consisting of Senator Crabtree, Chairman, and Senators Grow and Stennett to notify the Governor that the Senate has completed its business and was ready to adjourn Sine Die. The committee was excused.

The committee appointed to wait upon the House of Representatives returned and reported that it had delivered the Senate's message. The committee conveyed the Speaker's response to the President and the members of the Senate.

The President thanked and discharged the committee.

The committee appointed to wait upon the Governor returned and reported that it had delivered the Senate's message. The committee conveyed the Governor's response to the President and the members of the Senate.

The President thanked and discharged the committee.


JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

*****

[Note: The following is action recorded after Senate Sine Die:]

November 17, 2021

Dear Madam President:

I return herewith Enrolled SJM 105, which has been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled SJM 105 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

November 17, 2021

The JUDICIARY AND RULES Committee reports that Enrolled SJM 105 was delivered to the Office of the Secretary of State at 4:39 p.m., November 17, 2021.

LAKEY, Chairman

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

CERTIFICATE

State of Idaho )

Senate Chamber, Boise, Idaho )

We, JANICE MCGEACHIN, President of the Senate, and JENNIFER NOVAK, Secretary of the Senate, do hereby certify and attest as follows:

That the daily Senate Journal of the proceedings of November 17, 2021, the Three hundred and eleventh Legislative Day, has been read and approved:

And, said Journal contains a true, complete, and accurate record of all Senate proceedings of said day, including final actions by the Senate and the Governor of the State of Idaho, as statutorily mandated.

IN WITNESS WHEREOF, we have hereunto set our hand this 19th day of November, 2021.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary

*****
# Senate Journal Index

## Senate Journals

- **First Extraordinary Session**
- **Organizational Session**
- **First Regular Session**

**Sixty-Sixth Idaho Legislature - 2021**

This index is divided into the following sections:

### First Extraordinary Session - August 24, 2020

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-EO</td>
<td>Journal for Extraordinary Session</td>
<td>9</td>
</tr>
</tbody>
</table>

### Organizational Session:

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-O</td>
<td>Office and Administration of the Senate for the Organizational Session, December 3, 2020</td>
<td>314</td>
</tr>
<tr>
<td>II-O</td>
<td>Committee Assignments for the First Regular Session</td>
<td>315</td>
</tr>
<tr>
<td>III-O</td>
<td>Alphabetical Index of Senate Action</td>
<td>316</td>
</tr>
</tbody>
</table>

### First Regular Session:

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Officers and Administration for the First Regular Session, January 11</td>
<td>317</td>
</tr>
<tr>
<td>II</td>
<td>Elected Members and Committee Assignments</td>
<td>322</td>
</tr>
<tr>
<td>III</td>
<td>Senate Attaches</td>
<td>323</td>
</tr>
<tr>
<td>IV</td>
<td>Topic Index, Alphabetically arranged, of ALL Senate introductions, including ONLY House Legislation received by the Senate, and Senate action on that legislation</td>
<td>325</td>
</tr>
<tr>
<td>V</td>
<td>Numerical Index of Senate Bills</td>
<td>369</td>
</tr>
<tr>
<td>VI</td>
<td>Numerical Index of Senate Joint Resolutions</td>
<td>387</td>
</tr>
<tr>
<td>VII</td>
<td>Numerical Index of Senate Joint Memorials</td>
<td>388</td>
</tr>
<tr>
<td>VIII</td>
<td>Numerical Index of Senate Proclamations</td>
<td>389</td>
</tr>
<tr>
<td>IX</td>
<td>Numerical Index of Senate Concurrent Resolutions</td>
<td>390</td>
</tr>
<tr>
<td>X</td>
<td>Actions of the Governor on Senate Bills which passed both the Senate and House, with effective dates and Session Law Chapter Numbers cited</td>
<td>392</td>
</tr>
<tr>
<td>XI</td>
<td>Numerical Index of House Bills received by the Senate</td>
<td>397</td>
</tr>
<tr>
<td>XII</td>
<td>Numerical Index of House Joint Resolutions received by the Senate</td>
<td>416</td>
</tr>
<tr>
<td>XIII</td>
<td>Numerical Index of House Joint Memorials received by the Senate</td>
<td>417</td>
</tr>
<tr>
<td>XIV</td>
<td>Numerical Index of House Concurrent Resolutions received by the Senate</td>
<td>418</td>
</tr>
<tr>
<td>XV</td>
<td>Senate Sponsors of Senate Legislation voted on in the Senate</td>
<td>420</td>
</tr>
<tr>
<td>XVI</td>
<td>Senate Sponsors of House Legislation voted on in the Senate</td>
<td>423</td>
</tr>
</tbody>
</table>
### SENATE INDEX

#### SECTION I-O

**SIXTY-SIXTH LEGISLATURE - ORGANIZATIONAL SESSION - 2021**

**OFFICERS AND ADMINISTRATION OF THE SENATE**

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>MCGEACHIN, JANICE</td>
<td>Idaho Falls</td>
</tr>
<tr>
<td></td>
<td>Lieutenant Governor/President of the Senate</td>
</tr>
<tr>
<td>WINDER, CHUCK</td>
<td>Boise</td>
</tr>
<tr>
<td></td>
<td>President Pro Tempore</td>
</tr>
<tr>
<td>ANTHON, KELLY ARTHUR</td>
<td>Burley</td>
</tr>
<tr>
<td></td>
<td>Majority Leader</td>
</tr>
<tr>
<td>LEE, ABBY</td>
<td>Fruitland</td>
</tr>
<tr>
<td></td>
<td>Assistant Majority Leader</td>
</tr>
<tr>
<td>HARRIS, MARK</td>
<td>Soda Springs</td>
</tr>
<tr>
<td></td>
<td>Majority Caucus Chair</td>
</tr>
<tr>
<td>STENNETT, MICHELLE</td>
<td>Ketchum</td>
</tr>
<tr>
<td></td>
<td>Minority Leader</td>
</tr>
<tr>
<td>BURGOYNE, GRANT</td>
<td>Boise</td>
</tr>
<tr>
<td></td>
<td>Assistant Minority Leader</td>
</tr>
<tr>
<td>WARD-ENGLKING, JANIE</td>
<td>Boise</td>
</tr>
<tr>
<td></td>
<td>Minority Caucus Chair</td>
</tr>
<tr>
<td>NOVAK, JENNIFER</td>
<td>Boise</td>
</tr>
<tr>
<td></td>
<td>Secretary of the Senate</td>
</tr>
<tr>
<td>ROURK, JACOB</td>
<td>Boise</td>
</tr>
<tr>
<td></td>
<td>Journal Clerk</td>
</tr>
<tr>
<td>JONES, MARY SUE</td>
<td>Boise</td>
</tr>
<tr>
<td></td>
<td>Assistant to the President Pro Tem</td>
</tr>
<tr>
<td>LEWERS, CATHERINE</td>
<td>Boise</td>
</tr>
<tr>
<td></td>
<td>Minority Chief of Staff</td>
</tr>
<tr>
<td>MCDONALD, SARAH JANE</td>
<td>Boise</td>
</tr>
<tr>
<td></td>
<td>Sergeant-at-Arms</td>
</tr>
</tbody>
</table>
SECTION II-O

SENATE COMMITTEE ASSIGNMENTS
2021 LEGISLATURE
[Organizational Session: December 3, 2020]

<table>
<thead>
<tr>
<th>Committee</th>
<th>Chairman</th>
<th>Vice Chairman</th>
<th>Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural Affairs (9)</td>
<td>Burtenshaw</td>
<td>Bayer</td>
<td>Patrick, Den Hartog,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Johnson, Zito, Ricks</td>
</tr>
<tr>
<td>Commerce and Human Resources (9)</td>
<td>Patrick</td>
<td>Souza</td>
<td>Martin, Lakey, Guthrie, Agenbroad, Riggs</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ward-Engelking, Burgoyne</td>
</tr>
<tr>
<td>Education (9)</td>
<td>Thayn</td>
<td>Crabtree</td>
<td>Den Hartog, Woodward,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lent, Johnson, Cook</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ward-Engelking, Nelson</td>
</tr>
<tr>
<td>Finance (10)</td>
<td>Bair</td>
<td>Agenbroad</td>
<td>Crabtree, Grow, Woodward,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lent, Riggs, Cook</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ward-Engelking, Nye</td>
</tr>
<tr>
<td>Health and Welfare (9)</td>
<td>Martin</td>
<td>Riggs</td>
<td>Heider, Lee, Harris, Agenbroad, Zito</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Wintrow, Rabe</td>
</tr>
<tr>
<td>Judiciary and Rules (9)</td>
<td>Lakey</td>
<td>Ricks</td>
<td>Lodge, Lee, Anthon, Thayn, Zito</td>
</tr>
<tr>
<td>Local Government and Taxation (9)</td>
<td>Rice</td>
<td>Grow</td>
<td>Martin, Lakey, Souza, Bayer,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Nye, Rabe</td>
</tr>
<tr>
<td>Resources and Environment (9)</td>
<td>Vick</td>
<td>Johnson</td>
<td>Stennett, Nye, Stennett</td>
</tr>
<tr>
<td>State Affairs (9)</td>
<td>Lodge</td>
<td>Guthrie</td>
<td>Stennett, Burgoyne</td>
</tr>
<tr>
<td>Transportation (9)</td>
<td>Den Hartog</td>
<td>Woodward</td>
<td>Nelson, Wintrow</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## SENATE JOURNAL

### SECTION III-O

### SIXTY-SIXTH IDAHO LEGISLATURE

#### ORGANIZATIONAL SESSION

#### 2021 LEGISLATIVE SESSION

December 3, 2020

<table>
<thead>
<tr>
<th>SUBJECT MATTER</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ORGANIZATIONAL SESSION - December 3, 2020</td>
<td>1</td>
</tr>
<tr>
<td>Certificate of Election and Oath of Office</td>
<td>1</td>
</tr>
<tr>
<td>Chaplain:</td>
<td></td>
</tr>
<tr>
<td>Former Pro Tempore, Senator Brent Hill</td>
<td>1</td>
</tr>
<tr>
<td>Committee Assignments</td>
<td>3</td>
</tr>
<tr>
<td>Leadership Roster: Majority and Minority</td>
<td>317</td>
</tr>
<tr>
<td>President Pro Tempore:</td>
<td></td>
</tr>
<tr>
<td><strong>WINDER, CHARLES</strong></td>
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<tr>
<td>Elected by the Senate</td>
<td>1</td>
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<tr>
<td>Oath of Office</td>
<td>1</td>
</tr>
<tr>
<td>Rules:</td>
<td></td>
</tr>
<tr>
<td>Adopted, First Regular Session of the Sixty-sixth Legislature</td>
<td>1</td>
</tr>
<tr>
<td>Seat Assignments</td>
<td>1</td>
</tr>
<tr>
<td>Secretary of the Senate:</td>
<td></td>
</tr>
<tr>
<td><strong>NOVAK, JENNIFER L.</strong></td>
<td></td>
</tr>
<tr>
<td>Elected by the Senate</td>
<td>1</td>
</tr>
<tr>
<td>Oath of Office</td>
<td>1</td>
</tr>
<tr>
<td>Senate Organized and Ready to Conduct Business:</td>
<td></td>
</tr>
<tr>
<td>Committee to Notify the Governor</td>
<td>4</td>
</tr>
<tr>
<td>Governor Notified</td>
<td>4</td>
</tr>
<tr>
<td>Committee to Notify the House of Representatives</td>
<td>4</td>
</tr>
<tr>
<td>House Notified</td>
<td>4</td>
</tr>
</tbody>
</table>

*Sine Die* Adjournment of Organizational Session | 4
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>MCGEACHIN, JANICE</td>
<td>Idaho Falls</td>
</tr>
<tr>
<td>WINDER, CHUCK</td>
<td>Boise</td>
</tr>
<tr>
<td>ANTHON, KELLY ARTHUR</td>
<td>Burley</td>
</tr>
<tr>
<td>LEE, ABBY</td>
<td>Fruitland</td>
</tr>
<tr>
<td>HARRIS, MARK</td>
<td>Soda Springs</td>
</tr>
<tr>
<td>STENNETT, MICHELLE</td>
<td>Ketchum</td>
</tr>
<tr>
<td>BURGOYNE, GRANT</td>
<td>Boise</td>
</tr>
<tr>
<td>WARD-ENGFELKING, JANIE</td>
<td>Boise</td>
</tr>
<tr>
<td>NOVAK, JENNIFER</td>
<td>Boise</td>
</tr>
<tr>
<td>THOMAS, ALEXANDER</td>
<td>Boise</td>
</tr>
<tr>
<td>ROURK, JACOB</td>
<td>Boise</td>
</tr>
<tr>
<td>ORZECK, KURT</td>
<td>Boise</td>
</tr>
<tr>
<td>JONES, MARY SUE</td>
<td>Boise</td>
</tr>
<tr>
<td>LEWERS, CATHERINE</td>
<td>Boise</td>
</tr>
<tr>
<td>MCDONALD, SARAH JANE</td>
<td>Boise</td>
</tr>
<tr>
<td>CSUTORAS, JERRY</td>
<td>Boise</td>
</tr>
<tr>
<td>ARMSTRONG, DOUG</td>
<td>Boise</td>
</tr>
<tr>
<td>JONES, LARRY</td>
<td>Boise</td>
</tr>
</tbody>
</table>

*Note: The position details are based on roles typically held by individuals in legislative settings. The address reflects the location associated with their role.*
SECTION II - Continued

SENATE COMMITTEE ASSIGNMENTS
2021 LEGISLATURE

Agricultural Affairs (8)
Burtenshaw, Chairman
Bayer, Vice Chairman

Judiciary and Rules (9)
Lakey, Chairman
Ricks, Vice Chairman

Patrick
Den Hartog
Johnson
Zito
Ricks

Commerce and Human Resources (9)
Patrick, Chairman
Souza, Vice Chairman

Local Government and Taxation (8)
Rice, Chairman
Grow, Vice Chairman

Martin
Lakey
Guthrie
Agenbroad
Riggs

Ward-Engelking
Burgoyne
Vick
Lakey
Souza
Bayer
Ricks

Education (9)
Thayn, Chairman
Crabtree, Vice Chairman

Resources and Environment (8)
Vick, Chairman
Grow, Vice Chairman

Den Hartog
Woodward
Lent
Johnson
Cook

Ward-Engelking
Bair
Heider
Patrick
Guthrie
Burtenshaw

Finance (10)
Agenbroad, Chairman
Bair, Chairman
Crabtree, Vice Chairman

State Affairs (9)
Lodge, Chairman
Guthrie, Vice Chairman

Grow
Woodward
Lent
Riggs
Cook

Ward-Engelking
Nye
Anthon
Harris
Lee
Heider

Health and Welfare (9)
Martin, Chairman
Riggs, Vice Chairman

Transportation (9)
Den Hartog, Chairman
Woodward, Vice Chairman

Winder
Anthon
Harris
Lee
Heider

Stennett
Rabe

Nelson
Lee
Thayn
Zito

Stennett
Rabe

Stennett
Burgoyne

Winder
Lodge
Rice
Vick
Crabtree

Nelson
Wintrow
### SECTION III

#### 2021 SENATE ATTACHE INDEX

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARMSTRONG, DOUG</td>
<td>Chaplain</td>
</tr>
<tr>
<td>BENNETT, GAYE</td>
<td>Assistant to the Majority Caucus Chairman</td>
</tr>
<tr>
<td>BROCKMAN, CHARLOTTE</td>
<td></td>
</tr>
<tr>
<td>BUDELL, JUANITA</td>
<td>Resources and Environment Committee Secretary</td>
</tr>
<tr>
<td>CARLISLE, EMILY</td>
<td>Transportation Committee Secretary</td>
</tr>
<tr>
<td>CORNWALL, CAROL</td>
<td>Majority Staff Assistant</td>
</tr>
<tr>
<td>CRAIG, TUCKER</td>
<td>Majority Staff Assistant</td>
</tr>
<tr>
<td>CSUTORAS, JERRY</td>
<td>Assistant Sergeant-at-Arms</td>
</tr>
<tr>
<td>CURTRIGHT, MADELEINE</td>
<td>Minority Staff Assistant</td>
</tr>
<tr>
<td>GRIFFIN, JAXON</td>
<td></td>
</tr>
<tr>
<td>HAMILTON, MACHELE</td>
<td>Local Government and Taxation Committee Secretary</td>
</tr>
<tr>
<td>HARRIS, JAYLEE</td>
<td>Page</td>
</tr>
<tr>
<td>HEATON, PRISCILLA</td>
<td>Assistant to the Asst. Maj. Leader</td>
</tr>
<tr>
<td>JACKSON, BRIGGS</td>
<td>Minority Staff Assistant</td>
</tr>
<tr>
<td>JACKSON-HEIM, JEANNE</td>
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</tr>
<tr>
<td>JONES, LARRY</td>
<td>Doorkeeper</td>
</tr>
<tr>
<td>JONES, MARY S.</td>
<td>**Administrative Assistant to the President Pro Tempore</td>
</tr>
<tr>
<td>JONES, OLIVIA</td>
<td>Page</td>
</tr>
<tr>
<td>KAMBEITZ, LINDA</td>
<td>Commerce and Human Resources Committee Secretary</td>
</tr>
<tr>
<td>KEDDINGTON, CURTIS</td>
<td>Page</td>
</tr>
<tr>
<td>KUHN, GRACE</td>
<td></td>
</tr>
<tr>
<td>LEWERS, CATHERINE</td>
<td>**Minority Chief of Staff</td>
</tr>
<tr>
<td>LINCE, FLORENCE</td>
<td>Education Committee Secretary</td>
</tr>
<tr>
<td>LIND, SOPHIA</td>
<td>Page</td>
</tr>
<tr>
<td>LUEKENGA, ELLA</td>
<td></td>
</tr>
<tr>
<td>MCDONALD, SARAH JANE</td>
<td>Sergeant-at-Arms</td>
</tr>
<tr>
<td>MCNEIL, DENISE</td>
<td>Finance Committee Secretary</td>
</tr>
<tr>
<td>MELENDEZ, JULISSA</td>
<td>Page</td>
</tr>
<tr>
<td>MELTON, TWYLA</td>
<td>State Affairs Committee Secretary</td>
</tr>
<tr>
<td>MILLER, ERIN</td>
<td>Majority Staff Assistant</td>
</tr>
<tr>
<td>MILLER, JACOB</td>
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</tr>
<tr>
<td>MOYER, PEGGY</td>
<td>Assistant to the Majority Leader</td>
</tr>
<tr>
<td>NELSON, JOSH</td>
<td>Page</td>
</tr>
<tr>
<td>NOVAK, JENNIFER</td>
<td>**Secretary of the Senate</td>
</tr>
<tr>
<td>Name</td>
<td>Position</td>
</tr>
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<td>--------------------------</td>
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<td>ORZECK, KURT</td>
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<td>PANTERA, HEIDI</td>
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<tr>
<td>PENNINGTON, SHARON</td>
<td>Judiciary and Rules Committee Secretary</td>
</tr>
<tr>
<td>PFEIFFER, HANA</td>
<td>Page</td>
</tr>
<tr>
<td>RIELEMA, COLTON</td>
<td></td>
</tr>
<tr>
<td>ROURK, JACOB</td>
<td>Journal Clerk</td>
</tr>
<tr>
<td>STEPHENSON, HANNAH</td>
<td>Page</td>
</tr>
<tr>
<td>THOMAS, ALEXANDER</td>
<td>Secretary to the Secretary of the Senate</td>
</tr>
<tr>
<td>TIPPETS, TYLER</td>
<td>*Page</td>
</tr>
<tr>
<td>TURLEY, SHELLEY</td>
<td>Majority Staff Assistant</td>
</tr>
<tr>
<td>WISDOM, RELLIE</td>
<td>Agricultural Affairs Committee Secretary</td>
</tr>
</tbody>
</table>

* Attache sworn in January 13, 2021
** Attache sworn in February 24, 2021
Permanent Full-Time Employees
SECTION IV

TOPICAL INDEX
[ALPHABETICALLY ARRANGED]

This Topical Index alphabetically lists subject matter for ALL Senate bills, and ONLY those House bills introduced in the Senate. Nonlegislative subject matter is included and referred to by page number only.

Since the Senate Journal only covers the actions of House bills transmitted to the Senate, this topical index does not refer to every House bill introduced in the House. Separate indices in this volume list, in numerical order, all House bills, memorials, resolutions, and proclamations received by the Senate and show action taken by the Senate thereon. If a particular subject matter does not appear in this index, refer to the House Journal Alphabetic Index. Session law numbers for legislation passing both Senate and House, and becoming law, are included for all Senate bills within the Numerical Index Section V.

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
</table>

- A -

ABORTION
Abortion, informed consent, Down syndrome information ........................................ H 302 189 232
Fetal Heartbeat Preborn Child Protection Act, new .............................................. H 366 245 255
Fetal Heartbeat Preborn Child Protection Act, new .............................................. S 1085 75 -
Fetal Heartbeat Preborn Child Protection Act, new .............................................. S 1183 172 204
No Public Funds for Abortion Act, new .................................................................. H 220 133/258 264

ACCOUNTS
Bond accounts, unexpended balances transfer, repeal ............................................ H 138 110 214
Disaster emergency account, use, disaster emergencies ........................................ S 1031 33 -
Disaster emergency account, use, disaster emergencies ........................................ S 1134 110 141
Legislative account, funds transfer, increase ......................................................... S 1033 33 66
Water management account, water projects, use/report .......................................... H 267 146 208

ACTING SENATORS
Jeff Siddoway
February 15 - 26, 2021 .......................................................................................... 86
Juli Van Orden
February 16 - 24, 2021 .......................................................................................... 95
Flynn Vix
February 25 - 26, 2021 .......................................................................................... 117
Rick Hogabaum
April 24 - May 1, 2021 ......................................................................................... 260
Rebecca Funk
April 26 - May 12, 2021 ...................................................................................... 260
Joni Burtschaw
April 26 - April 30 .................................................................................................. 261
Tom Lamar
May 3 - May 7, 2021 ............................................................................................ 270
Zach Reider
May 3 - May 4, 2021 ............................................................................................ 270
Brady Fuller
May 5, 2021 .......................................................................................................... 285
Carol Guthrie
November 17, 2021 .............................................................................................. 311

ACTS
Annuity Consumer Protections Act, add................................................................. H 079 99 152
Anti-Boycott Against Israel Act, add ................................................................. S 1086 75 131
Coronavirus Limited Immunity Act, extend sunset date ........................................ H 149 129 184
Federal American Rescue Plan Act of 2021, add .............................................. S 1204 233 245
<table>
<thead>
<tr>
<th>ACTS (Continued)</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fetal Heartbeat Preborn Child Protection Act, add</td>
<td>H 366</td>
<td>245</td>
<td>255</td>
</tr>
<tr>
<td>Fetal Heartbeat Preborn Child Protection Act, add</td>
<td>S 1085</td>
<td>75</td>
<td>-</td>
</tr>
<tr>
<td>Fetal Heartbeat Preborn Child Protection Act, add</td>
<td>S 1183</td>
<td>172</td>
<td>204</td>
</tr>
<tr>
<td>Idaho Collection Agency Act, miscellaneous revisions</td>
<td>S 1014</td>
<td>24/99</td>
<td>111</td>
</tr>
<tr>
<td>Idaho Literacy Achievement and Accountability Act, add</td>
<td>S 1006</td>
<td>21</td>
<td>37</td>
</tr>
<tr>
<td>Idaho Parental Rights Act, add</td>
<td>H 246</td>
<td>140/221</td>
<td>234</td>
</tr>
<tr>
<td>Idaho Patient Act, medical debts, time extension</td>
<td>H 042</td>
<td>53</td>
<td>106</td>
</tr>
<tr>
<td>Idaho Pharmacy Act, miscellaneous revisions</td>
<td>H 040</td>
<td>58</td>
<td>151</td>
</tr>
<tr>
<td>Idaho Telehealth Access Act, rename, virtual care</td>
<td>S 1126</td>
<td>90</td>
<td>132</td>
</tr>
<tr>
<td>Idaho Veterinary Practice Act, miscellaneous revisions</td>
<td>H 064</td>
<td>110</td>
<td>154</td>
</tr>
<tr>
<td>Idaho Wrongful Conviction Act, add</td>
<td>S 1027</td>
<td>33</td>
<td>56</td>
</tr>
<tr>
<td>Idaho Wrongful Conviction Act, damages, calculation</td>
<td>S 1200</td>
<td>211/263</td>
<td>235/275</td>
</tr>
<tr>
<td>Industrial Hemp Research and Development Act, add</td>
<td>H 126</td>
<td>158</td>
<td>214</td>
</tr>
<tr>
<td>Insured Homeowner Protection Act, add</td>
<td>S 1057</td>
<td>62/186</td>
<td>195</td>
</tr>
<tr>
<td>Juvenile Corrections Act, definitions, amend</td>
<td>H 028</td>
<td>47</td>
<td>123</td>
</tr>
<tr>
<td>Juvenile Corrections Act, habitual status offender</td>
<td>H 026</td>
<td>47</td>
<td>123</td>
</tr>
<tr>
<td>Medical Consumer Protection Act, add</td>
<td>H 140</td>
<td>113</td>
<td>-</td>
</tr>
<tr>
<td>No Public Funds for Abortion Act, add</td>
<td>H 220</td>
<td>133/258</td>
<td>264</td>
</tr>
<tr>
<td>Protecting Critical Thinking in Higher Ed Act, add</td>
<td>H 364</td>
<td>245</td>
<td>-</td>
</tr>
<tr>
<td>Respiratory Care Practice Act, repeal/replace</td>
<td>S 1016</td>
<td>24</td>
<td>76</td>
</tr>
<tr>
<td>State Appellate Public Defender Act, add</td>
<td>S 1035</td>
<td>36</td>
<td>106</td>
</tr>
<tr>
<td>Uniform Electronic Wills Act, add</td>
<td>S 1077</td>
<td>71</td>
<td>-</td>
</tr>
</tbody>
</table>

**ADJOURNMENT, SINE DIE**

Organizational Session:
Friday, December 4, 2020, at 11:36 a.m. 4

First Regular Session:
Wednesday, November 17, at 3:46 p.m. 312

**ADMINISTRATION DEPARTMENT**

<table>
<thead>
<tr>
<th>Appropriation</th>
<th>S 1155</th>
<th>129</th>
<th>149</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriation, Capitol Commission</td>
<td>S 1157</td>
<td>129</td>
<td>150</td>
</tr>
<tr>
<td>Appropriation, Public Works Division</td>
<td>S 1172</td>
<td>148</td>
<td>175</td>
</tr>
<tr>
<td>Appropriation, Public Works Division, add'l</td>
<td>H 225</td>
<td>125</td>
<td>163</td>
</tr>
<tr>
<td>Appropriation, Public Works Division, add'l</td>
<td>H 397</td>
<td>287</td>
<td>-</td>
</tr>
<tr>
<td>Appropriation, Public Works Division, add'l, Carnegie Library</td>
<td>H 408</td>
<td>302</td>
<td>302</td>
</tr>
<tr>
<td>Appropriation, bond payments program</td>
<td>S 1156</td>
<td>129</td>
<td>149</td>
</tr>
<tr>
<td>Appropriation, plant industries program</td>
<td>H 365</td>
<td>245</td>
<td>249</td>
</tr>
</tbody>
</table>

**ADMINISTRATIVE PROCEDURE ACT**

See also RULES

Administrative rules, fee, approval/rejection | SCR 108 | 284 | 292 |
Administrative rules, temporary, approve/exception | SCR 109 | 284 | 292 |

**ADOPTION**

Adoptee, birth certificate, parents/medical information | H 059 | 146 | - |

**ADVERTISING**

Controlled substances, schedule I, advertise, prohibit | S 1218 | 286 | 291 |

**AGING, COMMISSION ON**

<table>
<thead>
<tr>
<th>Appropriation</th>
<th>S 1151</th>
<th>125</th>
<th>146</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriation, add'l</td>
<td>H 123</td>
<td>99</td>
<td>152</td>
</tr>
<tr>
<td>Appropriation, add'l</td>
<td>H 399</td>
<td>287</td>
<td>294</td>
</tr>
</tbody>
</table>

**AGRICULTURE**

Agricultural best management practices fund, establish | S 1079 | 71/100 | 119 |
Dairy farms, nutrient management plans, amend | H 051 | 110 | 170 |
Department, appropriation | H 306 | 167 | 184 |
Department, appropriation, animal industries program | H 134 | 99 | 152 |
Department, appropriation, pest control deficiency fund | S 1023 | 27 | 45 |
Department, rulemaking, requirements, amend | H 167 | 123 | 185 |
Idaho Food Quality Assurance Institute, repeal | H 050 | 66 | 151 |
Idaho OnePlan, conservation planning system, remove | S 1122 | 89 | 126 |
Industrial Hemp Research and Development Act, new | H 126 | 158 | 214 |
Land actively devoted to agriculture, definition, amend | H 252 | 158/213 | 231 |
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>AGRICULTURE (Continued)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marquee Ricks, American Farm Bureau Discussion Meet</td>
<td>SP 101</td>
<td>136 173</td>
</tr>
<tr>
<td>Phosphoric acid facilities, phosphogypsum stacks</td>
<td>H 239</td>
<td>146 216</td>
</tr>
<tr>
<td>Reindeer, domestic purposes north of Salmon River</td>
<td>H 166</td>
<td>130 223</td>
</tr>
<tr>
<td>Soil and water conservation com/districts, rename</td>
<td>S 1122</td>
<td>89 126</td>
</tr>
<tr>
<td>University of Idaho, appropriation, agricultural research/extension</td>
<td>S 1147</td>
<td>122 142</td>
</tr>
<tr>
<td>Wheat Commission, finance construction, new office building</td>
<td>SCR 106</td>
<td>78 100</td>
</tr>
<tr>
<td>AIRPLANES AND AIRCRAFT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Idaho air travel enhancement program, establish</td>
<td>S 1103</td>
<td>84 143</td>
</tr>
<tr>
<td>AIRPORTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Idaho air travel enhancement program, establish</td>
<td>S 1103</td>
<td>84 143</td>
</tr>
<tr>
<td>ALCOHOLIC BEVERAGES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>See LIQUOR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AMBULANCES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ambulance districts, intergovernmental agreements</td>
<td>H 110</td>
<td>118 187</td>
</tr>
<tr>
<td>ANIMALS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>See also WILDLIFE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trapping, wild fur-bearing animals, bait</td>
<td>H 091</td>
<td>99 180</td>
</tr>
<tr>
<td>APPEALS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>See also STATE APPELLATE PUBLIC DEFENDER</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tax Appeals Board, hearings, matter of public importance</td>
<td>H 119</td>
<td>103 -</td>
</tr>
<tr>
<td>Tax Appeals Board, hearings, taxpayer representation</td>
<td>H 277</td>
<td>158 215</td>
</tr>
<tr>
<td>APPOINTMENTS, SENATE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>See COMMITTEES, Lincoln Day</td>
<td></td>
<td></td>
</tr>
<tr>
<td>See GUBERNATORIAL APPOINTMENTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>See COMMITTEES, Standing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>APPROPRIATIONS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration Department</td>
<td>S 1155</td>
<td>129 149</td>
</tr>
<tr>
<td>Administration Department, Capitol Commission</td>
<td>S 1157</td>
<td>129 150</td>
</tr>
<tr>
<td>Administration Department, Public Works Division</td>
<td>S 1172</td>
<td>148 175</td>
</tr>
<tr>
<td>Administration Department, Public Works Division, add'l</td>
<td>H 225</td>
<td>125 163</td>
</tr>
<tr>
<td>Administration Department, Public Works Division, add'l</td>
<td>H 397</td>
<td>287 -</td>
</tr>
<tr>
<td>Administration Department, Public Works Division, add'l, Carnegie</td>
<td>H 408</td>
<td>302 302</td>
</tr>
<tr>
<td>Administration Department, bond payments program</td>
<td>S 1156</td>
<td>129 149</td>
</tr>
<tr>
<td>Administration Department, plant industries program</td>
<td>H 365</td>
<td>245 249</td>
</tr>
<tr>
<td>Aging Commission</td>
<td>S 1151</td>
<td>125 146</td>
</tr>
<tr>
<td>Aging Commission, add'l</td>
<td>H 123</td>
<td>99 152</td>
</tr>
<tr>
<td>Aging Commission, add'l</td>
<td>H 399</td>
<td>287 294</td>
</tr>
<tr>
<td>Agriculture Department</td>
<td>H 306</td>
<td>167 184</td>
</tr>
<tr>
<td>Agriculture Department, animal industries program</td>
<td>H 134</td>
<td>99 152</td>
</tr>
<tr>
<td>Appropriations, funds, not cognizable</td>
<td>H 402</td>
<td>287 -</td>
</tr>
<tr>
<td>Arts Commission</td>
<td>H 270</td>
<td>149 168</td>
</tr>
<tr>
<td>Attorney General</td>
<td>S 1206</td>
<td>244 253</td>
</tr>
<tr>
<td>Blind/Visually Impaired Commission</td>
<td>H 282</td>
<td>158 183</td>
</tr>
<tr>
<td>Blind/Visually Impaired Commission, add'l</td>
<td>H 109</td>
<td>87 151</td>
</tr>
<tr>
<td>Catastrophic health care program</td>
<td>H 284</td>
<td>267 271</td>
</tr>
<tr>
<td>Catastrophic health care program, add'l</td>
<td>H 345</td>
<td>265 275</td>
</tr>
<tr>
<td>Catastrophic health care program, add'l</td>
<td>S 1081</td>
<td>71 96</td>
</tr>
<tr>
<td>Commerce Department</td>
<td>S 1195</td>
<td>203 231</td>
</tr>
<tr>
<td>Commerce Department, add'l</td>
<td>S 1199</td>
<td>211 234</td>
</tr>
<tr>
<td>Controller, State</td>
<td>H 338</td>
<td>234 238</td>
</tr>
<tr>
<td>Controller, State, add'l</td>
<td>H 367</td>
<td>249 257</td>
</tr>
<tr>
<td>Controller, State, add'l</td>
<td>S 1208</td>
<td>245 253</td>
</tr>
<tr>
<td>Controller, State, add'l</td>
<td>S 1219</td>
<td>298 300</td>
</tr>
<tr>
<td>Correction Department</td>
<td>H 262</td>
<td>146 168</td>
</tr>
<tr>
<td>Department of Environmental Quality</td>
<td>S 1188</td>
<td>183 204</td>
</tr>
<tr>
<td>Department of Environmental Quality, add'l</td>
<td>S 1071</td>
<td>70 87</td>
</tr>
<tr>
<td>Education Board/University of Idaho, colleges/universities</td>
<td>H 387</td>
<td>279 282</td>
</tr>
<tr>
<td>Education Board/University of Idaho, colleges/universities</td>
<td>S 1179</td>
<td>166 190</td>
</tr>
<tr>
<td>Education Board/University of Idaho, health education programs</td>
<td>S 1175</td>
<td>153 176</td>
</tr>
<tr>
<td>Appropriations (Continued)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education Board/University of Idaho, special programs</td>
<td>S 1187 177 195</td>
<td></td>
</tr>
<tr>
<td>Education Board, Career Technical Education Division</td>
<td>S 1154 125 143</td>
<td></td>
</tr>
<tr>
<td>Education Board, Idaho Public Television</td>
<td>H 283 158 184</td>
<td></td>
</tr>
<tr>
<td>Education Board, Office of</td>
<td>S 1202 228 238</td>
<td></td>
</tr>
<tr>
<td>Education Board, Office of, IT and Data Management Program</td>
<td>S 1080 22 37</td>
<td></td>
</tr>
<tr>
<td>Education Board, Office of, administration program</td>
<td>S 1091 80 97</td>
<td></td>
</tr>
<tr>
<td>Education Board, Public Charter School Commission</td>
<td>S 1192 198 218</td>
<td></td>
</tr>
<tr>
<td>Education Board, Vocational Rehabilitation Division</td>
<td>S 1152 125 143</td>
<td></td>
</tr>
<tr>
<td>Education Board, community colleges</td>
<td>H 318 183 198</td>
<td></td>
</tr>
<tr>
<td>Education Board, early childhood education</td>
<td>S 1193 203 229</td>
<td></td>
</tr>
<tr>
<td>Education Department</td>
<td>H 372 267 272</td>
<td></td>
</tr>
<tr>
<td>Education Department, advanced opportunities programs</td>
<td>S 1213 270 281</td>
<td></td>
</tr>
<tr>
<td>Endowment Fund Investment Board</td>
<td>H 324 183 205</td>
<td></td>
</tr>
<tr>
<td>Federal overreach legal defense fund</td>
<td>S 1221 - -</td>
<td></td>
</tr>
<tr>
<td>Finance Department</td>
<td>S 1158 129 150</td>
<td></td>
</tr>
<tr>
<td>Fish and Game Department</td>
<td>H 313 173 191</td>
<td></td>
</tr>
<tr>
<td>General fund, reduce appropriations by five percent</td>
<td>H 207 118 155</td>
<td></td>
</tr>
<tr>
<td>General fund, transfer to water management fund</td>
<td>S 1121 89 106</td>
<td></td>
</tr>
<tr>
<td>Governor, Executive Office of</td>
<td>H 341 200 219</td>
<td></td>
</tr>
<tr>
<td>Governor, Executive Office of, emergency program</td>
<td>H 176 105 119</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, Drug Policy</td>
<td>S 1189 187 204</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, Drug Policy, add'l</td>
<td>S 1216 280 289</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, Energy and Mineral Resources</td>
<td>S 1142 118 141</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, Energy and Mineral Resources, add'l</td>
<td>H 117 92 151</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, Financial Management Division</td>
<td>S 1194 203 229</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, Financial Management Division, add'l</td>
<td>H 370 267 272</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, Human Resources Division</td>
<td>S 1164 139 163</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, Info Tech Services Office</td>
<td>S 1177 154 176</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, Military Division</td>
<td>S 1138 113 140</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, Military Division, add'l</td>
<td>H 384 267 274</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, STEM Action Center</td>
<td>S 1148 122 142</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, Species Conservation Office</td>
<td>S 1146 122 141</td>
<td></td>
</tr>
<tr>
<td>Governor, Office of, State Liquor Division</td>
<td>H 303 167 184</td>
<td></td>
</tr>
<tr>
<td>Hazardous substance emergency response fund</td>
<td>H 011 37 71</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Department, Medicaid Division</td>
<td>S 1185 177 195</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Department, Medicaid Division, add'l</td>
<td>H 216 123 140</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Department, Medicaid Division, add'l</td>
<td>H 382 267 273</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Department, Public Health Services Division</td>
<td>S 1173 148 176</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Department, State Hospital South</td>
<td>S 1080 71 96</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Department, Welfare Division</td>
<td>H 369 287 293</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Division, Welfare Division</td>
<td>S 1163 139 163</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Division, Welfare Division, add'l</td>
<td>H 200 110 154</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Division, Welfare Division, add'l</td>
<td>H 395 287 293</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Division, Welfare Division, add'l</td>
<td>H 400 287 294</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Division, child welfare, foster and assistance</td>
<td>H 325 183 205</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Department, child welfare, foster and assistance, add'l</td>
<td>H 374 259 274</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Department, independent councils</td>
<td>S 1181 166 190</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Department, mental health, psychiatric, substance abuse</td>
<td>S 1165 139 163</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Department, physical health services program</td>
<td>S 1210 247 257</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Department, public health services and welfare, add'l</td>
<td>S 1212 262 275</td>
<td></td>
</tr>
<tr>
<td>Health and Welfare Department, substance abuse treatment and prevention</td>
<td>H 083 71 150</td>
<td></td>
</tr>
<tr>
<td>Hispanic Affairs Commission</td>
<td>H 224 125 163</td>
<td></td>
</tr>
<tr>
<td>Idaho State Historical Society</td>
<td>S 1180 166 190</td>
<td></td>
</tr>
<tr>
<td>Idaho State Lottery</td>
<td>H 304 167 184</td>
<td></td>
</tr>
<tr>
<td>Idaho State Police</td>
<td>H 337 200 219</td>
<td></td>
</tr>
<tr>
<td>Idaho State Police, add'l</td>
<td>H 205 118 154</td>
<td></td>
</tr>
<tr>
<td>Idaho State Police, add'l</td>
<td>H 371 252 257</td>
<td></td>
</tr>
<tr>
<td>Industrial Commission</td>
<td>H 312 173 191</td>
<td></td>
</tr>
<tr>
<td>Innocence Fund</td>
<td>S 1203 230 239</td>
<td></td>
</tr>
<tr>
<td>APPROPRIATIONS (Continued)</td>
<td>Bill Number</td>
<td>Intro. Page</td>
</tr>
<tr>
<td>----------------------------</td>
<td>-------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Insurance Department</td>
<td>S 1153</td>
<td>125</td>
</tr>
<tr>
<td>Juvenile Corrections Department</td>
<td>H 228</td>
<td>129</td>
</tr>
<tr>
<td>Labor Department</td>
<td>S 1196</td>
<td>203</td>
</tr>
<tr>
<td>Labor Department, add'l</td>
<td>S 1144</td>
<td>118</td>
</tr>
<tr>
<td>Lands Department</td>
<td>S 1160</td>
<td>132</td>
</tr>
<tr>
<td>Legislative Services Office</td>
<td>H 340</td>
<td>200</td>
</tr>
<tr>
<td>Legislative Services Office, add'l</td>
<td>H 018</td>
<td>39</td>
</tr>
<tr>
<td>Legislative Services Office, add'l</td>
<td>S 1207</td>
<td>245</td>
</tr>
<tr>
<td>Legislative legal defense fund, cash transfer</td>
<td>S 1022</td>
<td>27</td>
</tr>
<tr>
<td>Legislature, add'l</td>
<td>S 1207</td>
<td>245</td>
</tr>
<tr>
<td>Libraries Commission</td>
<td>S 1162</td>
<td>139</td>
</tr>
<tr>
<td>Libraries Commission, add'l</td>
<td>S 1034</td>
<td>35</td>
</tr>
<tr>
<td>Lieutenant Governor</td>
<td>H 333</td>
<td>194</td>
</tr>
<tr>
<td>Lieutenant Governor</td>
<td>H 383</td>
<td>267</td>
</tr>
<tr>
<td>Lieutenant Governor</td>
<td>S 1174</td>
<td>149</td>
</tr>
<tr>
<td>Pardons and Parole Commission</td>
<td>H 261</td>
<td>140</td>
</tr>
<tr>
<td>Parks and Recreation Department</td>
<td>S 1034</td>
<td>35</td>
</tr>
<tr>
<td>Parks and Recreation Department, add'l</td>
<td>H 333</td>
<td>194</td>
</tr>
<tr>
<td>Parks and Recreation Department, add'l</td>
<td>H 383</td>
<td>267</td>
</tr>
<tr>
<td>Pest control deficiency fund</td>
<td>H 383</td>
<td>27</td>
</tr>
<tr>
<td>Public Defense Commission</td>
<td>H 269</td>
<td>149</td>
</tr>
<tr>
<td>Public Employee Retirement System of Idaho</td>
<td>H 334</td>
<td>194</td>
</tr>
<tr>
<td>Public Health Districts</td>
<td>H 396</td>
<td>287</td>
</tr>
<tr>
<td>Public Utilities Commission</td>
<td>S 1141</td>
<td>118</td>
</tr>
<tr>
<td>Public schools support, administrators division</td>
<td>H 353</td>
<td>267</td>
</tr>
<tr>
<td>Public schools support, central services division</td>
<td>H 358</td>
<td>267</td>
</tr>
<tr>
<td>Public schools support, children's programs</td>
<td>H 356</td>
<td>267</td>
</tr>
<tr>
<td>Public schools support, children's programs, add'l</td>
<td>H 388</td>
<td>279</td>
</tr>
<tr>
<td>Public schools support, children's programs, add'l</td>
<td>H 398</td>
<td>287</td>
</tr>
<tr>
<td>Public schools support, deaf/blind services</td>
<td>H 359</td>
<td>218</td>
</tr>
<tr>
<td>Public schools support, facilities division</td>
<td>H 357</td>
<td>218</td>
</tr>
<tr>
<td>Public schools support, operations division</td>
<td>H 355</td>
<td>279</td>
</tr>
<tr>
<td>Public schools support, operations division, correction</td>
<td>H 386</td>
<td>279</td>
</tr>
<tr>
<td>Public schools support, teachers division</td>
<td>H 385</td>
<td>279</td>
</tr>
<tr>
<td>Secretary of State</td>
<td>S 1184</td>
<td>177</td>
</tr>
<tr>
<td>Self-Governing Agencies, Occupational Licenses Division</td>
<td>H 346</td>
<td>218</td>
</tr>
<tr>
<td>Self-Governing Agencies, Regulatory Boards</td>
<td>H 305</td>
<td>167</td>
</tr>
<tr>
<td>Soil and Water Conservation Commission</td>
<td>S 1145</td>
<td>118</td>
</tr>
<tr>
<td>State Appellate Public Defender</td>
<td>H 230</td>
<td>129</td>
</tr>
<tr>
<td>State Independent Living Council</td>
<td>S 1159</td>
<td>131</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>H 272</td>
<td>149</td>
</tr>
<tr>
<td>Supreme Court, add'l</td>
<td>H 343</td>
<td>218</td>
</tr>
<tr>
<td>Supreme Court, add'l</td>
<td>S 1191</td>
<td>189</td>
</tr>
<tr>
<td>Tax Appeals Board</td>
<td>S 1197</td>
<td>203</td>
</tr>
<tr>
<td>Tax Commission</td>
<td>S 1198</td>
<td>203</td>
</tr>
<tr>
<td>Tax Commission, reduce</td>
<td>H 206</td>
<td>118</td>
</tr>
<tr>
<td>Transportation Department</td>
<td>H 326</td>
<td>183</td>
</tr>
<tr>
<td>Transportation Department, add'l</td>
<td>H 308</td>
<td>167</td>
</tr>
<tr>
<td>Transportation Department, add'l</td>
<td>H 401</td>
<td>287</td>
</tr>
<tr>
<td>Transportation Department, add'l</td>
<td>S 1094</td>
<td>80</td>
</tr>
<tr>
<td>Treasurer, State</td>
<td>S 1186</td>
<td>177</td>
</tr>
<tr>
<td>Treasurer, State, add'l</td>
<td>H 114</td>
<td>87</td>
</tr>
<tr>
<td>University of Idaho, agricultural research/extension</td>
<td>S 1147</td>
<td>122</td>
</tr>
<tr>
<td>Various funds, year-end cash transfers</td>
<td>S 1214</td>
<td>279</td>
</tr>
<tr>
<td>Veterans Services Division</td>
<td>S 1140</td>
<td>118</td>
</tr>
<tr>
<td>Water Resources Department</td>
<td>S 1190</td>
<td>187</td>
</tr>
<tr>
<td>Water Resources Department, correction</td>
<td>S 1215</td>
<td>280</td>
</tr>
</tbody>
</table>
APPROPRIATIONS (Continued)
   Wolf Depredation Control Board.................................................. S 1176 154 176
   Workforce Development Council................................................... H 263 146 168
ARCHITECTURE AND ARCHITECTS
   Government, professional service contracts, requirements................. S 1042 39/99 111
ARMED FORCES
   See MILITARY AND MILITIA
ARTS
   Commission, appropriation.............................................................. H 270 149 168
ASSESSMENTS AND ASSESSORS
   Assessors, county, new construction roll, requirements..................... H 389 280 289
   Property tax, assessments, appeals, market value................................ H 211 125 -
   Property tax, assessments, due date/widow's exemption....................... H 015 44 150
ASSIGNMENTS
   See COMMITTEES, Conference
   See COMMITTEES, Ethics
   See COMMITTEES, Standing; Special
ASSISTED LIVING AND NURSING HOMES
   Long-term care facilities, elections, absentee ballots........................ S 1167 145 -
ATTACHES
   Election and Oath of Office (Attaches and First Group Pages)
      List of, January 13, 2021............................................................. 14
   Election and Oath of Office (Second Group Pages)
      List of, February 24, 2021........................................................... 113
ATTORNEY GENERAL
   Appropriation...................................................................................... S 1206 244 253
   Lands Department, legal counsel, not attorney general.......................... H 118 158 -
   Lands Department, legal counsel, not attorney general.......................... S 1090 80 -
   State government, legal counsel, attorney general optional.................... H 101 118 -
ATTORNEYS
   Lands Department, legal counsel, not attorney general.......................... H 118 158 -
   Lands Department, legal counsel, not attorney general.......................... S 1090 80 -
   Public Defense Commission, appropriation.......................................... H 269 149 168
   State Appellate Public Defender Act, new.......................................... S 1035 36 106
   State government, legal counsel, attorney general optional.................... H 101 118 -
   Third judicial district, add district judge.......................................... H 027 52 151
AUCTIONS AND AUCTIONEERS
   Unclaimed property, police possession, auction timeline..................... S 1119 88 126
AUDITS AND AUDITORS
   Elections, postelection audit of selected ballots.............................. H 349 218 -
   Health districts, who shall audit.................................................. H 316 183/258 263
AUTOMOBILES
   See MOTOR VEHICLES
AWARDS
   See HONORS AND AWARDS

- B -

BALLOTS
   See ELECTIONS
BANKS AND FINANCIAL INSTITUTIONS
   Banks, board membership, meetings, real estate, fees.......................... S 1049 55 96
   Financial institutions, garnishments, amend...................................... S 1131 99 126
BEER
   See LIQUOR
BEVERAGES
   Beer, alcohol by volume, tax, distribution........................................ H 232 167 219
   Retail wine establishment, define, minors on premises.......................... S 1171 146 176
   Wine, excise tax revenue, distribution............................................ H 232 167 219
S 1119  88  126
S 1050  55  -
S 1098  83  127
H 282  158  183
H 109  87  151
S 1072  70  106
S 1128  90  -
S 1095  83  107
S 1058  63  110
H 350  245  -
H 119  103  -
H 277  158  215
S 1044  47  76
S 1156  129  149
H 138  110  214
H 066  58/212  231
H 143  129  219
H 203  140  206
S 1086  75  131
H 021  53  -
S 1130  99  126
H 103  129  214
H 291  183  -
BUSINESS (Continued)

Employer discrimination, unvaccinated persons, prohibit ........................................ H 140 113 -
Employer discrimination, unvaccinated persons, prohibit ........................................ S 1223 - -
Employer, COVID-19 immunization requirement, exemption ...................................... S 1225 - -
Employer, COVID-19 immunization requirement, exemptions .................................. S 1224 - -
Excess business losses, taxable income, adjustments .............................................. H 170 110 169
Income tax, rate, corporations, amend ......................................................................... SJM 105 - -
Income tax, rate, corporations, amend ......................................................................... H 332 194 -

BUSINESS ENTITIES

Affected business entities, state/local tax treatment ...................................................... H 317 167 222

- C -

CAMPAIGNS AND CANDIDATES

Ballot initiatives/referendums, signatures, districts ...................................................... S 1110 84 125
Ballot initiatives/referendums, signatures, in-state ..................................................... S 1150 122/298 146/300
Campaign finance laws, amend ............................................................................. S 1066 63 -
Campaign finance laws, foreign contributions, penalties ....................................... H 245 160 224
Campaign finance laws, legislature, campaign accounts ...................................... H 243 158 216
Candidency, withdrawal, deadline ........................................................................... S 1061 63/248 131
Candidate/political committee, expenditure disclosures ......................................... H 104 110 206
Candidates, independent, president/vice, declarations ......................................... H 231 158 215
Candidates, independent, write-in, form ................................................................ S 1062 63 97
Election laws, miscellaneous revisions ................................................................... S 1067 63 101
State government, employees, state/federal elected office .................................. S 1059 63 -

CAPITOL

Capitol Commission, appropriation ........................................................................ S 1157 129 150
Capitol building, dedication, centennial, recognize ............................................... HCR 10 146 173

CATTLE

See LIVESTOCK

CEREMONY, FLAG

Presentation of State Flag, January 11, 2021:
Idaho State Police Honor Guard ............................................................................... 5
Pledge of Allegiance:
Sarah Jane McDonald, Sergeant-at-Arms .................................................................. 5
Retrieve State Flag, November 17, 2021, Sine Die .................................................. 312

CERTIFICATE OF ELECTION

Senators, December 3, 2021 ...................................................................................... 1

CERTIFICATES OF APPOINTMENT

Substitute Senator Appointments:
Certificate and Letter of Appointment (Effective February 15, 2021)
Acting Senator Jeff Siddoway .................................................................................. 86
Certificate and Letter of Appointment (Effective February 17, 2021)
Acting Senator Julie Van Orden ................................................................................ 95
Certificate and Letter of Appointment (Effective February 25, 2021)
Acting Senator Flynn Vick ....................................................................................... 117
Certificate and Letter of Appointment (Effective April 24, 2021)
Acting Senator Rick Hogaboam ................................................................................ 260
Certificate and Letter of Appointment (Effective April 26, 2021)
Acting Senator Rebecca Funk .................................................................................... 260
Certificate and Letter of Appointment (Effective April 26, 2021)
Acting Senator Joni Burtenshaw ................................................................................ 261
Certificate and Letter of Appointment (Effective May 3, 2021)
Acting Senator Tom Lamar ....................................................................................... 270
Certificate and Letter of Appointment (Effective May 3, 2021)
Acting Senator Zach Reider ...................................................................................... 270
Certificate and Letter of Appointment (Effective May 5, 2021)
Acting Senator Brady Fuller ...................................................................................... 285
CERTIFICATES OF APPOINTMENT (Continued)
Certificate and Letter of Appointment (Effective November 17, 2021)
Acting Senator Carol Guthrie .............................................. 311

CHAPLAIN
Senate Chaplain:
  Doug Armstrong, Eagle Nazarene Church, Eagle .................... 5
Acting Chaplain:
  Former Senator Brent Hill
  December 3, 2020 ................................................................ 1
  Senator Abby Lee
  December 4, 2020 ................................................................ 3
  Senator Lee Heider
  March 17, 2021 .................................................................. 189
  Senator Steve Vick
  April 21, 2021 .................................................................. 251
  Senator Michelle Stennett
  May 3, 2021 ....................................................................... 269

CHARITIES
  Charitable trusts and private foundations, data reporting ........ H 041 103  -

CHILD PROTECTIVE ACT
  Child, serious behavioral health conditions, custody ............ H 233 140  206

CHILD SUPPORT
  Child support, delinquent, self-employed, lien/audit .............. H 193 129  -
  Driver’s licenses, restricted, family law suspension ............... H 096 103  170

CHILDREN
  Businesses, owned by a minor, permits/licenses/fees ............. H 021 53  -
  Businesses, owned by a minor, sales tax exemption ............... H 021 53  -
  Child support, delinquent, self-employed, lien/audit .......... H 193 129  -
  Child, serious behavioral health conditions, custody .......... H 233 140  206
  Guardians, temporary, minors, six months, one extension ... S 1133 103/134 147
  Insurance Department, infants/children, prescription formula HCR 06 103  122
  Jon Evans, Boys and Girls Clubs of America Hall of Fame ...... SP 102 229  238
  Parent/child, temporary delegation of parental rights ......... H 191 146/196 205
  Qualified residential treatment program, children ............... H 336 194  235

CHURCHES
  See RELIGION AND CHURCHES

CITIES
  Cities, annual appropriation ordinance, reporting ............... H 348 249  276
  Cities, broadband infrastructure, develop......................... S 1149 122  -
  Cities/mayors, health/quarantine laws, jurisdiction ............. H 074 85  140
  Cities/mayors, health/quarantine laws, jurisdiction .......... H 234 158  -
  City councils, election districts, requirements, amend...... H 319 300  -
  City councils, election districts, requirements, amend...... S 1111 88/244 125
  City elections, move to even-numbered years .................. H 319 300  -
  City elections, move to even-numbered years ................. S 1111 88/244 125
  Development impact fee advisory committee, membership ...... H 124 118  191
  Elections, administration, private money, prohibition ....... S 1168 146/186 197
  Highway/urban renewal districts, project funding .......... S 1107 84/196 205
  Local government, accounting/budgeting, procedure/reporting H 073 92  160
  Urban renewal boards, unelected, eminent domain .......... S 1044 47  76

CIVIL ACTIONS
  Coronavirus Limited Immunity Act, extend sunset date ........ H 149 129  184
  Idaho Wrongful Conviction Act, damages, calculation ......... S 1200 211/263 235/275
  Idaho Wrongful Conviction Act, new ............................... S 1027 33  56
  Mechanics and materialmen, claim of lien, attorney fees ..... H 275 173  -

CLERICAL CORRECTION
  S 1016, Senator Winrow
    Typographical Correction to the Bill ............................. 76
  S 1020, Senator Harris
    Typographical Correction to the Bill ............................. 81
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCR 106</td>
<td>78</td>
<td>100</td>
</tr>
<tr>
<td>H 390</td>
<td>280</td>
<td>289</td>
</tr>
<tr>
<td>H 214</td>
<td>123</td>
<td>191</td>
</tr>
<tr>
<td>H 212</td>
<td>158</td>
<td>183</td>
</tr>
<tr>
<td>H 191</td>
<td>151</td>
<td>150</td>
</tr>
<tr>
<td>H 195</td>
<td>203</td>
<td>231</td>
</tr>
<tr>
<td>H 119</td>
<td>211</td>
<td>234</td>
</tr>
<tr>
<td>S 1199</td>
<td></td>
<td></td>
</tr>
<tr>
<td>S 1117</td>
<td>88</td>
<td></td>
</tr>
<tr>
<td>S 1147</td>
<td>259</td>
<td>263</td>
</tr>
<tr>
<td>S 114</td>
<td>55/100</td>
<td>111</td>
</tr>
<tr>
<td>S 1053</td>
<td></td>
<td></td>
</tr>
<tr>
<td>H 407</td>
<td>301</td>
<td>302</td>
</tr>
<tr>
<td>H 394</td>
<td>287</td>
<td>294</td>
</tr>
<tr>
<td>H 376</td>
<td>259</td>
<td></td>
</tr>
<tr>
<td>H 058</td>
<td>64</td>
<td>85</td>
</tr>
<tr>
<td>H 143</td>
<td>129</td>
<td>219</td>
</tr>
<tr>
<td>S 1179</td>
<td>166</td>
<td>190</td>
</tr>
<tr>
<td>S 1187</td>
<td>177</td>
<td>195</td>
</tr>
<tr>
<td>S 1175</td>
<td>153</td>
<td>176</td>
</tr>
<tr>
<td>H 412</td>
<td></td>
<td></td>
</tr>
<tr>
<td>H 023</td>
<td>64</td>
<td>152</td>
</tr>
<tr>
<td>H 364</td>
<td>245</td>
<td></td>
</tr>
<tr>
<td>H 318</td>
<td>183</td>
<td>198</td>
</tr>
<tr>
<td>H 387</td>
<td>279</td>
<td>282</td>
</tr>
<tr>
<td>S 117</td>
<td></td>
<td></td>
</tr>
<tr>
<td>S 141</td>
<td>130</td>
<td>168</td>
</tr>
<tr>
<td>S 140</td>
<td></td>
<td></td>
</tr>
<tr>
<td>H 299</td>
<td>167</td>
<td>259</td>
</tr>
<tr>
<td>H 068</td>
<td>85</td>
<td>119</td>
</tr>
<tr>
<td>H 151</td>
<td>125</td>
<td>146</td>
</tr>
<tr>
<td>S 1151</td>
<td></td>
<td></td>
</tr>
<tr>
<td>H 123</td>
<td>99</td>
<td>152</td>
</tr>
<tr>
<td>H 399</td>
<td>287</td>
<td>294</td>
</tr>
<tr>
<td>H 270</td>
<td>149</td>
<td>168</td>
</tr>
<tr>
<td>H 282</td>
<td>158</td>
<td>183</td>
</tr>
<tr>
<td>H 109</td>
<td>87</td>
<td>151</td>
</tr>
<tr>
<td>S 1157</td>
<td>129</td>
<td>150</td>
</tr>
<tr>
<td>H 095</td>
<td>87</td>
<td>170</td>
</tr>
<tr>
<td>H 222</td>
<td>146</td>
<td>214</td>
</tr>
<tr>
<td>H 224</td>
<td>125</td>
<td>163</td>
</tr>
<tr>
<td>H 312</td>
<td>173</td>
<td>191</td>
</tr>
<tr>
<td>H 269</td>
<td>149</td>
<td>168</td>
</tr>
<tr>
<td>S 1141</td>
<td>118</td>
<td>143</td>
</tr>
<tr>
<td>S 1145</td>
<td>118</td>
<td>141</td>
</tr>
<tr>
<td>S 1122</td>
<td>89</td>
<td>126</td>
</tr>
<tr>
<td>H 214</td>
<td>123</td>
<td>191</td>
</tr>
<tr>
<td>H 390</td>
<td>280</td>
<td>289</td>
</tr>
</tbody>
</table>

**CODES**

- 2021 legislation, change effective dates
- 2021 legislation, change effective dates
- 2021 legislation, change effective dates
- 2021 legislation, change effective dates
- Idaho Code codifier's corrections
- Internal Revenue Code, update reference
- International Building Code, mass timber, adopt

**COLLECTIONS AND COLLECTION AGENCIES**

See DEBTORS AND CREDITORS

**COLLEGES AND UNIVERSITIES**

- Colleges, authority to close, prevent spread of disease
- Colleges, influencing students to vote, prohibit
- Colleges, interagency contracts, competitive bid
- Education Board/University of Idaho, appropriation, health ed programs
- Education Board/University of Idaho, appropriation, special programs
- Education Board/University of Idaho, appropriation, universities
- Education Board/University of Idaho, appropriation, universities
- Education Board, appropriation, community colleges
- Immunization status, immunity passport, discrimination
- Land exchange, Center for Higher Education, repeal
- Protecting Critical Thinking in Higher Ed Act, new
- Quality educator loan assistance program, establish
- Schools/colleges, education, nondiscrimination
- University of Idaho, appropriation, agricultural research/extension

**COMMERCE**

- Anti-Boycott Against Israel Act, new
- Department, Idaho broadband advisory board, create
- Department, appropriation
- Department, appropriation, add'l

**COMMERCIAL TRANSACTIONS**

- Regulated/payday lenders, licensing/remedies

**COMMISSIONS**

- Aging Commission, appropriation
- Aging Commission, appropriation, add'l
- Arts Commission, appropriation
- Blind/Visually Impaired Commission, appropriation
- Blind/Visually Impaired Commission, appropriation, add'l
- Capitol Commission, appropriation
- District magistrates commission, members, terms
- Education Board, commission for education excellence, establish
- Hispanic Affairs Commission, appropriation
- Industrial Commission, appropriation
- Public Defense Commission, appropriation
- Public Utilities Commission, appropriation
- Public charter school commission, performance/members/director
- Racing, pari-mutuel betting, administration costs
- Soil and Water Conservation Commission, appropriation
- Soil and water conservation commission, rename
- Tax Commission, chairman, assigning responsibilities, consent
- Tax Commission, chairman/staff actions, review
- Wheat Commission, finance construction, new office building

**CLERICAL CORRECTION (Continued)**

**H 260**, Senator Bair
- Typographical Correction to the Bill

**H 222**, Senator Lent
- Typographical Correction to the Bill
COMMITTEES

ARPA funds, broadband/sewer, legislative study committee .................................................. HCR 20 229 -
ARPA funds, expenditure, legislative study committee .............................................................. HCR 19 229 288
ARPA funds, water projects, legislative study committee ............................................................ HCR 18 229 -
Committee on Federalism, sunset clause, repeal ................................................................. H 279 158 216
Development impact fee advisory committee, membership ................................................. H 124 118 191
Driver authorization cards, legislative study committee ......................................................... SCR 107 199 210
Federalism Committee, PILT program, legislative study committee ............................... HCR 08 140 210
Natural resource issues, legislative study committee .............................................................. HCR 07 103 157
Occupational and professional licensure review committee ................................................. S 1084 75 107
Property tax system in Idaho, legislative study committee .................................................. HCR 15 194 225
Session Laws, joint printing committee, meetings .............................................................. S 1076 70 106
Uniform accounting and transparency committee, establish .............................................. H 073 92 160

COMMITTEES, SENATE
See also SENATE INDEX, STANDING COMMITTEE ASSIGNMENTS
Senator, Standing Committee Assignments: December 4, 2020 .............................................. 3
Special Committees:
Lincoln Day Service, February 12, 2021
Senators Rabe and Riggs, Co-chairs ........................................................................ 83
Idaho Day Service, March 4, 2021
Senators Cook and Winrow, Co-chairs ........................................................................ 139

COMMITTEES, STANDING, ASSIGNMENTS, REVISIONS
Standing Committee Assignments ............................................................................................. 11

COMMUNICATIONS
See TELECOMMUNICATIONS

COMPUTERS
See ELECTRONIC TECHNOLOGY

CONDEMNATION
See EMINENT DOMAIN

CONFLICT OF INTEREST
Pursuant to Senate Rule 39(H):
Gubernatorial appointment of Kristine Raper, Senator Burgoyne ........................................ 57
S 1041, President Pro Temore Winder, Senators Anthon, Den Hartog, Lakey, and Nye ....... 77
S 1045, Senators Den Hartog and Johnson ........................................................................ 93
S 1121, Senator Lee and Acting Senator Van Orden ............................................................ 106
H 176, Senator Rabe .......................................................................................................... 119
S 1137, Senators Anthon, Lakey, Lee, Nye, Rabe, and Rice .............................................. 140
S 1138, Senator Rice .......................................................................................................... 140
S 1152, Senator Vick .......................................................................................................... 143
S 1153, Senator Grow ......................................................................................................... 143
H 73, Senators Anthon, Lakey, and Nye .......................................................................... 160
H 272, Senators Lee and Nye ........................................................................................... 168
H 303, Senator Agenbroad ............................................................................................... 184
S 1179, Senators Anthon and Burgoyne .......................................................................... 190
S 1185, Senator Agenbroad ............................................................................................... 195
S 1108, Senators Lakey, Nye, and Rabe ......................................................................... 195
S 1191, Senators Lee and Nye ........................................................................................... 204
H 324, President Pro Temore Winder .............................................................................. 205
S 1211, Senator Burens haw .............................................................................................. 254
H 316, Senators Harris, Lee, and Lodge ........................................................................... 263
H 389, Senator Anthon ....................................................................................................... 289

CONGRESS, UNITED STATES
Chinese govt/comunist party, COVID-19, sanction .......................................................... HJM 01 130 210
Federal actions, nonrecognition ......................................................................................... H 322 245 -

CONSERVATION
Soil and Water Conservation Commission, appropriation ................................................ S 1145 118 141
Species Conservation Office, appropriation ...................................................................... S 1146 122 141

CONSERVATORS
See GUARDIANS AND CONSERVATORS
### CONSTITUTIONAL AMENDMENTS

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>HJR 01</td>
<td>33</td>
<td></td>
</tr>
<tr>
<td>SJR 102</td>
<td>121</td>
<td>135</td>
</tr>
<tr>
<td>HJR 101</td>
<td>56</td>
<td></td>
</tr>
<tr>
<td>SJM 102</td>
<td>78</td>
<td>86</td>
</tr>
</tbody>
</table>

### CONSTRUCTION

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government, professional service contracts, requirements</td>
<td>S 1042</td>
<td>39/99</td>
<td>111</td>
</tr>
<tr>
<td>International Building Code, mass timber, adopt</td>
<td>H 143</td>
<td>129</td>
<td>219</td>
</tr>
<tr>
<td>New construction roll, assessors, county, requirements</td>
<td>H 389</td>
<td>280</td>
<td>289</td>
</tr>
</tbody>
</table>

### CONTRACEPTIVES

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health benefit plans, contraception, coverage</td>
<td>S 1050</td>
<td>55</td>
</tr>
<tr>
<td>Health benefit plans, contraception, coverage</td>
<td>S 1098</td>
<td>83</td>
</tr>
</tbody>
</table>

### CONTRACTORS

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electrical contractors, apprentice, supervise/training</td>
<td>S 1161</td>
<td>137</td>
</tr>
<tr>
<td>Road contractors, sales/use tax rebate, government agencies</td>
<td>H 112</td>
<td>123</td>
</tr>
</tbody>
</table>

### CONTRACTS

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Boycott Against Israel Act, new</td>
<td>S 1086</td>
<td>75</td>
<td>131</td>
</tr>
<tr>
<td>Dental plans, insurance contract with dentists, terms</td>
<td>S 1124</td>
<td>89/114</td>
<td>130</td>
</tr>
<tr>
<td>G.L. Bill of Rights, males, contracting, repeal</td>
<td>H 048</td>
<td>66</td>
<td>191</td>
</tr>
<tr>
<td>Government, professional service contracts, requirements</td>
<td>S 1042</td>
<td>39/99</td>
<td>111</td>
</tr>
<tr>
<td>Interagency contracts, colleges, competitive bid</td>
<td>H 141</td>
<td>130</td>
<td>168</td>
</tr>
</tbody>
</table>

### CONTROLLED SUBSTANCES

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Controlled substances, schedule I, advertise, prohibit</td>
<td>S 1218</td>
<td>286</td>
<td>291</td>
</tr>
<tr>
<td>DOPL, prescriptions database</td>
<td>H 039</td>
<td>58</td>
<td>151</td>
</tr>
<tr>
<td>Industrial Hemp Research and Development Act, new</td>
<td>H 126</td>
<td>158</td>
<td>214</td>
</tr>
<tr>
<td>Psychoactive drugs, unlawful, exceptions</td>
<td>SJR 101</td>
<td>19</td>
<td>56</td>
</tr>
<tr>
<td>Schedules, amend</td>
<td>S 1017</td>
<td>25</td>
<td>66</td>
</tr>
<tr>
<td>State-directed opioid settlement fund, establish</td>
<td>H 315</td>
<td>183</td>
<td>235</td>
</tr>
<tr>
<td>Telehealth, prescription drug orders</td>
<td>H 038</td>
<td>58</td>
<td>151</td>
</tr>
</tbody>
</table>

### CONTROLLER, STATE

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriation</td>
<td>H 338</td>
<td>234</td>
<td>238</td>
</tr>
<tr>
<td>Appropriation, add'l</td>
<td>H 367</td>
<td>249</td>
<td>257</td>
</tr>
<tr>
<td>Appropriation, add'l</td>
<td>S 1208</td>
<td>245</td>
<td>253</td>
</tr>
<tr>
<td>Appropriation, add'l</td>
<td>S 1219</td>
<td>298</td>
<td>300</td>
</tr>
<tr>
<td>Criminal justice data system, data oversight council</td>
<td>H 094</td>
<td>103</td>
<td>170</td>
</tr>
<tr>
<td>Local government, accounting/budgeting, procedure/reporting</td>
<td>H 073</td>
<td>92</td>
<td>160</td>
</tr>
<tr>
<td>State budget terminology, make uniform/consistent</td>
<td>H 260</td>
<td>189</td>
<td>205</td>
</tr>
<tr>
<td>Various funds, year-end cash transfers</td>
<td>S 1214</td>
<td>279</td>
<td>288</td>
</tr>
</tbody>
</table>

### CORPORATIONS

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affected business entities, state/local tax treatment</td>
<td>H 317</td>
<td>167</td>
<td>222</td>
</tr>
<tr>
<td>Corporations, nonprofit, meetings, remote</td>
<td>H 103</td>
<td>129</td>
<td>214</td>
</tr>
<tr>
<td>Income tax, rate, corporations, amend</td>
<td>H 332</td>
<td>194</td>
<td></td>
</tr>
<tr>
<td>Income tax, rate, corporations, amend</td>
<td>H 380</td>
<td>259</td>
<td>274</td>
</tr>
</tbody>
</table>

### CORRECTIONS

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Correction Department, appropriation</td>
<td>H 262</td>
<td>146</td>
<td>168</td>
</tr>
<tr>
<td>Correction Department, community reentry centers</td>
<td>H 240</td>
<td>167</td>
<td></td>
</tr>
<tr>
<td>Pardons and parole commission, new chapter</td>
<td>H 150</td>
<td>129</td>
<td>219</td>
</tr>
</tbody>
</table>

### CORRECTIONS, TYPOGRAPHICAL

See TYPOGRAPHICAL CORRECTION

### COUNCILS

<table>
<thead>
<tr>
<th>Description</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>City councils, election districts, requirements, amend</td>
<td>H 319</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>City councils, election districts, requirements, amend</td>
<td>S 1111</td>
<td>88/244</td>
<td>125</td>
</tr>
<tr>
<td>City elections, move to even-numbered years</td>
<td>H 319</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>City elections, move to even-numbered years</td>
<td>S 1111</td>
<td>88/244</td>
<td>125</td>
</tr>
<tr>
<td>Criminal justice data system, data oversight council</td>
<td>H 094</td>
<td>103</td>
<td>170</td>
</tr>
<tr>
<td>Schools, improvement plans, advisory council</td>
<td>H 222</td>
<td>146</td>
<td>214</td>
</tr>
<tr>
<td>State Independent Living Council, appropriation</td>
<td>S 1159</td>
<td>131</td>
<td>150</td>
</tr>
<tr>
<td>Workforce Development Council, appropriation</td>
<td>H 263</td>
<td>146</td>
<td>168</td>
</tr>
<tr>
<td>BILL</td>
<td>Intro. Page</td>
<td>Vote Page</td>
<td></td>
</tr>
<tr>
<td>-------------------------</td>
<td>-------------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td>Ada County Highway District, 50th anniversary</td>
<td>SP 103</td>
<td>246 261</td>
<td></td>
</tr>
<tr>
<td>Assessors, county, new construction roll, requirements</td>
<td>H 389</td>
<td>280 289</td>
<td></td>
</tr>
<tr>
<td>Bond/levy elections, disclosures, remedy for violations</td>
<td>H 066</td>
<td>58/212 231</td>
<td></td>
</tr>
<tr>
<td>Counties, records, absentee ballot affidavit envelopes</td>
<td>H 290</td>
<td>194 235</td>
<td></td>
</tr>
<tr>
<td>County aid eligibility, health districts</td>
<td>H 316</td>
<td>183/258 263</td>
<td></td>
</tr>
<tr>
<td>County com’r review, public health districts, orders</td>
<td>S 1060</td>
<td>63 96</td>
<td></td>
</tr>
<tr>
<td>County recorders, death certificates, other instruments</td>
<td>S 1078</td>
<td>71 107</td>
<td></td>
</tr>
<tr>
<td>Development impact fee advisory committee, membership</td>
<td>H 124</td>
<td>118 191</td>
<td></td>
</tr>
<tr>
<td>Election laws, signature verification, directives</td>
<td>H 290</td>
<td>194 235</td>
<td></td>
</tr>
<tr>
<td>Elections, administration, private moneys, prohibit</td>
<td>S 1168</td>
<td>146/186 197</td>
<td></td>
</tr>
<tr>
<td>Elections, ballots, absentee, issuance/counting</td>
<td>S 1070</td>
<td>66 101</td>
<td></td>
</tr>
<tr>
<td>Local government, accounting/budgeting, procedure/reporting</td>
<td>H 073</td>
<td>92 160</td>
<td></td>
</tr>
<tr>
<td>Political subdivisions, election by zones, exception</td>
<td>H 136</td>
<td>123 171</td>
<td></td>
</tr>
<tr>
<td>Property tax, notices, bond/levy elections</td>
<td>S 1105</td>
<td>84 141</td>
<td></td>
</tr>
<tr>
<td>Public highways, outside city limits, sidewalks, width</td>
<td>H 131</td>
<td>130 215</td>
<td></td>
</tr>
<tr>
<td>Streets/rights-of-way, county/highway district vacating</td>
<td>S 1101</td>
<td>83 120</td>
<td></td>
</tr>
<tr>
<td>District magistrates commission, members, terms</td>
<td>H 095</td>
<td>87 170</td>
<td></td>
</tr>
<tr>
<td>Hearings, temporary guardians, developmental disability</td>
<td>S 1036</td>
<td>36 76</td>
<td></td>
</tr>
<tr>
<td>Judges and justices, compensation, increase</td>
<td>S 1137</td>
<td>110 140</td>
<td></td>
</tr>
<tr>
<td>Mental health commitments, hearings, continuances</td>
<td>S 1037</td>
<td>36 76</td>
<td></td>
</tr>
<tr>
<td>Supreme Court, appropriation</td>
<td>H 272</td>
<td>149 168</td>
<td></td>
</tr>
<tr>
<td>Supreme Court, appropriation, add'l</td>
<td>H 343</td>
<td>218 231</td>
<td></td>
</tr>
<tr>
<td>Supreme Court, appropriation, add'l</td>
<td>S 1191</td>
<td>189 204</td>
<td></td>
</tr>
<tr>
<td>Third judicial district, add district judge</td>
<td>H 027</td>
<td>52 151</td>
<td></td>
</tr>
<tr>
<td>United States Supreme Court, nine justices</td>
<td>SJM 102</td>
<td>78 86</td>
<td></td>
</tr>
</tbody>
</table>

**CREDIT AND CREDITORs**

See DEBTORS AND CREDITORS

**CRIMINAL OFFENSES AND PROCEDURES**

Ballot collection, prohibited, felony, exceptions | H 223 | 123 - |
Chinese govt/comunist party, COVID-19, sanction | HJM 01 | 130 210 |
Commercial burglary, definition, amend | S 1130 | 99 126 |
Controlled substances, schedule I, advertise, prohibit | S 1218 | 286 291 |
Criminal justice data system, data oversight council | H 094 | 103 170 |
DUI, fail testing, charges dismissed, restore license | H 148 | 129 - |
DUI, refuse/fail testing, ignition interlock device | H 241 | 140 222 |
Idaho Wrongful Conviction Act, damages, calculation | S 1200 | 211/263 235/275 |
Idaho Wrongful Conviction Act, new | S 1027 | 33 56 |
Land, private, recreation access agreements, penalties | H 187 | 129 216 |
Rape, age 16 or 17, victim relationship to perpetrator | S 1089 | 80/114 130 |
Rape, of spouse, exceptions, repeal statute | S 1089 | 80/114 130 |
Traffic-control signals, red light, $270 fine | S 1099 | 83 - |

**CROPS**

See AGRICULTURE

- D -

**DAMS**

Columbia-Snake River System, dams, oppose removal | SJM 103 | 135 158 |

**DAYS**

See HOLIDAYS AND DAYS

**DEBTORS AND CREDITORS**

Financial institutions, garnishments, amend | S 1131 | 99 126 |
Idaho Collection Agency Act, miscellaneous revisions | S 1014 | 24/99 111 |
Idaho Patient Act, medical debts, time extension | H 042 | 53 106 |
Real property, deed of trust, promissory note, enforce | S 1097 | 83 - |
Regulated/payday lenders, licensing/remedies | S 1013 | 24 67 |
### DENTISTRY AND DENTISTS
- Dental plans, insurance contract with dentists, terms
- Dentists, miscellaneous amendments

### DENTURISTS
See PROFESSIONS

### DEVELOPMENT
- Development impact fee advisory committee, membership
- Development impact fees, fire stations and apparatus

### DISABLED
- Blind/Visually Impaired Commission, appropriation
- Developmental disability, temporary guardians, hearings
- Disabled veterans, homeowners, tax reduction
- Disabled veterans, property/occupancy tax reduction
- PERI, police/firefighter, catastrophic injury benefit
- State Independent Living Council, appropriation

### DISASTERS
- Disaster emergencies, Idaho Parental Rights Act, new
- Disaster emergencies, business bill of rights
- Disaster emergencies, consumer protection, prices
- Disaster emergencies, definitions, amend
- Disaster emergencies, expenses/payments, arising out of
- Disaster emergencies, governor powers
- Disaster emergencies, governor powers, alter Idaho Code
- Disaster emergencies, governor/government agency powers
- Disaster emergencies, governor/legislature powers
- Disaster emergency account, use, disaster emergencies
- Disaster emergency account, use, disaster emergencies
- Disaster emergency, from March 13, 2020, terminate
- Isolation order, from December 30, 2020, null/void
- Isolation order, from December 30, 2020, null/void
- State of extreme emergencies, repeal/replace
- State of extreme peril, governor/legislature powers
- State of extreme peril, governor/legislature powers
- State of extreme peril, governor/legislature powers

### DISCLOSURE, CONFLICTS OF INTEREST
See also CONFLICT OF INTEREST

### DISCRIMINATION
- Anti-Boycott Against Israel Act, new
- Discrimination, gender identity/sexual orientation
- Employer discrimination, unvaccinated persons, prohibit
- Employer discrimination, unvaccinated persons, prohibit
- Immunization status, immunity passport, discrimination
- Schools/colleges, education, nondiscrimination

### DISEASES
- COVID-19, governor, stay healthy guidelines, null/void
- COVID-19, related federal funding, use
- Chinese govt/comunist party, COVID-19, sanction
- Colleges, authority to close, prevent spread of disease
- Coronavirus Limited Immunity Act, extend sunset date
- Mask mandates, prohibit
- Schools, adults/minors, mask requirement, exemption
- Schools, authority to close, prevent spread of disease

### DISTRICTS
See also SCHOOLS AND SCHOOL DISTRICTS
- Ada County Highway District, 50th anniversary
- Ambulance districts, intergovernmental agreements
- Bond/levy elections, disclosures, remedy for violations
- City councils, election districts, requirements, amend
DISTRICTS (Continued)

City councils, election districts, requirements, amend.................................................. S 1111 88/244 125
Elections, administration, private moneys, prohibit.................................................... S 1168 146/186 197
Flood control districts, noncontiguous land, annexation................................................ H 185 140 207
Health, county aid, funding, audits, director powers...................................................... H 316 183/258 263
Health, orders, review/violations....................................................................................... S 1060 63 96
Highway/urban renewal districts, project funding............................................................ S 1107 84/196 205
Irrigation districts, board, filling vacancies....................................................................... S 1072 70 106
Local government, accounting/budgeting, procedure/reporting........................................ H 073 92 160
Recreation districts, transfer property to other government.............................................. H 155 149 215
Soil and water conservation districts, rename................................................................ S 1122 89 126
Streets/rights-of-way, county/highway district vacating.................................................... S 1101 83 120
Taxes districts, budget requests, limitation...................................................................... H 389 280 289
Taxes districts, budget requests, limitation...................................................................... S 1021 27 -
Taxes districts, budget requests, limitation...................................................................... S 1048 54 -
Taxes districts, budget requests, limitation...................................................................... S 1108 84/114/186 195
Taxes districts, budget requests, limitation...................................................................... S 1170 146 -
Third judicial district, add district judge......................................................................... H 027 52 151

DIVORCE

See DOMESTIC RELATIONS

DNA

See SCIENCE AND TECHNOLOGY

DOCTORS

See PHYSICIANS AND SURGEONS

DOGS

See ANIMALS

DOMESTIC RELATIONS

Child support, delinquent, self-employed, lien/audit......................................................... H 193 129 -
Disaster emergencies, Idaho Parental Rights Act, new..................................................... H 246 140/221 234
Driver's licenses, restricted, family law suspension.......................................................... H 096 103 170
Guardians, temporary, minors, six months, one extension.............................................. S 1133 103/134 147
Parent/child, temporary delegation of parental rights....................................................... H 191 146/196 205

DRINKS

See BEVERAGES

DRIVERS

DUI, fail testing, charges dismissed, restore license.......................................................... H 148 129 -
DUI, refuse/fail testing, ignition interlock device............................................................. H 241 140 222
Distracted driving, hands-free navigation system............................................................. H 005 50 130
Driver authorization cards, legislative study committee.................................................. SCR 107 199 210
Driver's license fees, increase.......................................................................................... H 161 167/213 232
Driver's licenses, restricted, family law suspension.......................................................... H 096 103 170
Driving authorization card, new...................................................................................... S 1132 103 -
Railroad crossings, vehicle stop, on-track equipment...................................................... S 1104 84 111
Traffic-control signals, red light, $270 fine..................................................................... S 1099 83 -
Vehicle insurance, underinsured motor vehicle coverage.............................................. S 1118 88 -
Vehicle insurance, underinsured motor vehicle coverage.............................................. S 1129 99 -
Vehicle registration, fee, reduce, military member......................................................... H 157 118 -

EDUCATION

Advanced opportunities program, eligible costs............................................................... H 250 167 223
Advanced opportunities program, nonpublic students..................................................... S 1045 47 93
Board/University of Idaho, appropriation, colleges and universities............................. H 387 279 282
Board/University of Idaho, appropriation, colleges and universities............................. S 1179 166 190
Board/University of Idaho, appropriation, health education programs.......................... S 1175 153 176
Board/University of Idaho, appropriation, special programs......................................... S 1187 177 195
Board, Rule Docket 08-0201-2101, reject........................................................................ SCR 109 284 292
<table>
<thead>
<tr>
<th>EDUCATION (Continued)</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board, appropriation, Career Technical Education Division</td>
<td>S 1154</td>
<td>125</td>
<td>143</td>
</tr>
<tr>
<td>Board, appropriation, Idaho Public Television</td>
<td>H 283</td>
<td>158</td>
<td>184</td>
</tr>
<tr>
<td>Board, appropriation, Office of …</td>
<td>S 1202</td>
<td>228</td>
<td>238</td>
</tr>
<tr>
<td>Board, appropriation, Office of; IT and Data Management Program</td>
<td>S 1008</td>
<td>22</td>
<td>37</td>
</tr>
<tr>
<td>Board, appropriation, Office of; administration program</td>
<td>S 1091</td>
<td>80</td>
<td>97</td>
</tr>
<tr>
<td>Board, appropriation, Public Charter School Commission</td>
<td>S 1192</td>
<td>198</td>
<td>218</td>
</tr>
<tr>
<td>Board, appropriation, Vocational Rehabilitation Division</td>
<td>S 1152</td>
<td>125</td>
<td>143</td>
</tr>
<tr>
<td>Board, appropriation, community colleges</td>
<td>H 318</td>
<td>183</td>
<td>198</td>
</tr>
<tr>
<td>Board, appropriation, early childhood education</td>
<td>S 1193</td>
<td>203</td>
<td>229</td>
</tr>
<tr>
<td>Board, report to legislature, teachers/schools, strategy</td>
<td>H 222</td>
<td>146</td>
<td>214</td>
</tr>
<tr>
<td>Board, rules governing administration, reject</td>
<td>SCR 105</td>
<td>73</td>
<td>86</td>
</tr>
<tr>
<td>Board, school safety and security program</td>
<td>H 173</td>
<td>133</td>
<td>187</td>
</tr>
<tr>
<td>Board, state commission for education excellence, establish</td>
<td>H 222</td>
<td>146</td>
<td>214</td>
</tr>
<tr>
<td>Colleges, authority to close, prevent spread of disease</td>
<td>H 068</td>
<td>85</td>
<td>119</td>
</tr>
<tr>
<td>Criminal justice data system, data oversight council</td>
<td>H 094</td>
<td>103</td>
<td>170</td>
</tr>
<tr>
<td>Department, appropriation</td>
<td>H 372</td>
<td>267</td>
<td>272</td>
</tr>
<tr>
<td>Department, appropriation, advanced opportunities programs</td>
<td>S 1213</td>
<td>270</td>
<td>281</td>
</tr>
<tr>
<td>Governor, Office of, STEM Action Center, appropriation</td>
<td>S 1148</td>
<td>122</td>
<td>142</td>
</tr>
<tr>
<td>Idaho Literacy Achievement and Accountability Act, new</td>
<td>S 1006</td>
<td>21</td>
<td>37</td>
</tr>
<tr>
<td>Idaho promise mentor program, workforce development</td>
<td>S 1109</td>
<td>84</td>
<td>120</td>
</tr>
<tr>
<td>Immunization status, immunity passport, discrimination</td>
<td>H 412</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Kindergarten jump-start program, establish</td>
<td>S 1075</td>
<td>70</td>
<td>114</td>
</tr>
<tr>
<td>Land exchange, Center for Higher Education, repeal</td>
<td>H 023</td>
<td>64</td>
<td>152</td>
</tr>
<tr>
<td>Local salary schedule, definition, amend</td>
<td>H 280</td>
<td>160</td>
<td>223</td>
</tr>
<tr>
<td>Protecting Critical Thinking in Higher Ed Act, new</td>
<td>H 364</td>
<td>245</td>
<td>-</td>
</tr>
<tr>
<td>Public charter school commission, performance/members/director</td>
<td>S 1115</td>
<td>88</td>
<td>126</td>
</tr>
<tr>
<td>Public charter schools, funding, computation</td>
<td>H 022</td>
<td>47/134</td>
<td>147</td>
</tr>
<tr>
<td>Public schools support, appropriation, administrators division</td>
<td>H 353</td>
<td>267</td>
<td>271</td>
</tr>
<tr>
<td>Public schools support, appropriation, central services division</td>
<td>H 358</td>
<td>267</td>
<td>272</td>
</tr>
<tr>
<td>Public schools support, appropriation, children's prog, add'l</td>
<td>H 388</td>
<td>279</td>
<td>282</td>
</tr>
<tr>
<td>Public schools support, appropriation, children's prog, add'l</td>
<td>H 398</td>
<td>287</td>
<td>293</td>
</tr>
<tr>
<td>Public schools support, appropriation, children's programs</td>
<td>H 356</td>
<td>267</td>
<td>272</td>
</tr>
<tr>
<td>Public schools support, appropriation, deaf/blind services</td>
<td>H 359</td>
<td>218</td>
<td>231</td>
</tr>
<tr>
<td>Public schools support, appropriation, facilities division</td>
<td>H 357</td>
<td>218</td>
<td>234</td>
</tr>
<tr>
<td>Public schools support, appropriation, operations division</td>
<td>H 355</td>
<td>279</td>
<td>281</td>
</tr>
<tr>
<td>Public schools support, appropriation, operations division, correct</td>
<td>H 386</td>
<td>279</td>
<td>282</td>
</tr>
<tr>
<td>Public schools support, appropriation, teachers division</td>
<td>H 385</td>
<td>279</td>
<td>281</td>
</tr>
<tr>
<td>Quality educator loan assistance program, establish</td>
<td>S 1117</td>
<td>88</td>
<td>-</td>
</tr>
<tr>
<td>School districts, teacher unions, negotiations</td>
<td>H 174</td>
<td>158</td>
<td>-</td>
</tr>
<tr>
<td>Schools, adults/minors, mask requirement, exemption</td>
<td>H 429</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Schools, authority to close, prevent spread of disease</td>
<td>H 067</td>
<td>85</td>
<td>119</td>
</tr>
<tr>
<td>Schools, clubs and organizations, requirements</td>
<td>H 329</td>
<td>218</td>
<td>-</td>
</tr>
<tr>
<td>Schools, improvement plans, advisory council</td>
<td>H 222</td>
<td>146</td>
<td>214</td>
</tr>
<tr>
<td>Schools, innovation classrooms, establish</td>
<td>S 1046</td>
<td>47/114/134</td>
<td>147</td>
</tr>
<tr>
<td>Schools, no in-person instruction, expenses, reimburse</td>
<td>H 293</td>
<td>167</td>
<td>-</td>
</tr>
<tr>
<td>Schools, students, elementary, flexible schedules</td>
<td>S 1052</td>
<td>55</td>
<td>-</td>
</tr>
<tr>
<td>Schools, students, extended learning opportunities</td>
<td>H 172</td>
<td>133</td>
<td>187</td>
</tr>
<tr>
<td>Schools, students, in-person instruction option</td>
<td>H 175</td>
<td>133</td>
<td>206</td>
</tr>
<tr>
<td>Schools, teacher contracts, certification program</td>
<td>H 111</td>
<td>123</td>
<td>180</td>
</tr>
<tr>
<td>Schools, teachers, endorsement and salary schedule</td>
<td>S 1007</td>
<td>22</td>
<td>37</td>
</tr>
<tr>
<td>Schools, workforce readiness diploma, establish</td>
<td>S 1039</td>
<td>37/230</td>
<td>67/245</td>
</tr>
<tr>
<td>Schools/colleges, education, nondiscrimination</td>
<td>H 377</td>
<td>259</td>
<td>263</td>
</tr>
<tr>
<td>Sex education, human sexuality instruction</td>
<td>H 249</td>
<td>149</td>
<td>-</td>
</tr>
<tr>
<td>Strong students grant/scholarship programs, establish</td>
<td>H 294</td>
<td>160/197</td>
<td>205</td>
</tr>
<tr>
<td>Students, K-3 technology-based program, establish</td>
<td>S 1114</td>
<td>88</td>
<td>-</td>
</tr>
<tr>
<td>Teachers, certification, alternative, LEA-specific</td>
<td>H 221</td>
<td>146</td>
<td>-</td>
</tr>
<tr>
<td>Teachers, out-of-state and private school, endorses</td>
<td>H 280</td>
<td>160</td>
<td>223</td>
</tr>
<tr>
<td>University of Idaho, appropriation, agricultural research/extension</td>
<td>S 1147</td>
<td>122</td>
<td>142</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Intro. Page</td>
<td>Vote Page</td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>-------------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td>ELECTION, ATTACHES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See ATTACHES, ELECTION OF; INDEX SECTION II</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ELECTION, CERTIFICATE OF</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See also SUBSTITUTE SENATORS; ACTING SENATORS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ELECTION, SENATE OFFICERS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chuck Winder, President Pro Tempore</td>
<td>H 290</td>
<td>194</td>
<td>235</td>
</tr>
<tr>
<td>Jennifer Novak, Secretary of the Senate</td>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>ELECTIONS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Absentee ballot affidavit envelopes, counties, records</td>
<td>H 290</td>
<td>194</td>
<td>235</td>
</tr>
<tr>
<td>Ballot collection, prohibited, felony, exceptions</td>
<td>H 223</td>
<td>123</td>
<td>-</td>
</tr>
<tr>
<td>Ballot initiatives/referendums, signatures, districts</td>
<td>S 1110</td>
<td>84</td>
<td>125</td>
</tr>
<tr>
<td>Ballot initiatives/referendums, signatures, in-state</td>
<td>S 1150</td>
<td>122/298</td>
<td>146/300</td>
</tr>
<tr>
<td>Ballots, absentee, issuance</td>
<td>S 1064</td>
<td>63</td>
<td>131</td>
</tr>
<tr>
<td>Ballots, absentee, issues/remedy, county clerk</td>
<td>S 1069</td>
<td>64</td>
<td>101</td>
</tr>
<tr>
<td>Ballots, absentee, long-term care facilities, assist</td>
<td>S 1167</td>
<td>145</td>
<td>-</td>
</tr>
<tr>
<td>Bond/levy elections, disclosures, remedy for violations</td>
<td>H 066</td>
<td>58/212</td>
<td>231</td>
</tr>
<tr>
<td>Campaign finance laws, amend</td>
<td>S 1066</td>
<td>63</td>
<td>-</td>
</tr>
<tr>
<td>Campaign finance laws, foreign contributions, penalties</td>
<td>H 245</td>
<td>160</td>
<td>224</td>
</tr>
<tr>
<td>Campaign finance laws, legislature, campaign accounts</td>
<td>H 243</td>
<td>158</td>
<td>216</td>
</tr>
<tr>
<td>Candidate/political committee, expenditure disclosures</td>
<td>H 104</td>
<td>110</td>
<td>206</td>
</tr>
<tr>
<td>Candidates, independent, president/vice, declarations</td>
<td>H 231</td>
<td>158</td>
<td>215</td>
</tr>
<tr>
<td>Candidates, independent, write-in, form</td>
<td>S 1062</td>
<td>63</td>
<td>97</td>
</tr>
<tr>
<td>City councils, election districts, requirements, amend</td>
<td>H 319</td>
<td>300</td>
<td>-</td>
</tr>
<tr>
<td>City councils, election districts, requirements, amend</td>
<td>S 1111</td>
<td>88/244</td>
<td>125</td>
</tr>
<tr>
<td>City elections, move to even-numbered years</td>
<td>H 319</td>
<td>300</td>
<td>-</td>
</tr>
<tr>
<td>City elections, move to even-numbered years</td>
<td>S 1111</td>
<td>88/244</td>
<td>125</td>
</tr>
<tr>
<td>Election dates, March, May, November, remove August</td>
<td>H 106</td>
<td>92</td>
<td>-</td>
</tr>
<tr>
<td>Election laws, miscellaneous revisions</td>
<td>S 1067</td>
<td>63</td>
<td>101</td>
</tr>
<tr>
<td>Election laws, signature verification, directives</td>
<td>H 290</td>
<td>194</td>
<td>235</td>
</tr>
<tr>
<td>Elections, administration, private moneys, prohibit</td>
<td>S 1168</td>
<td>146/186</td>
<td>197</td>
</tr>
<tr>
<td>Elections, ballots, absentee, issuance/counting</td>
<td>S 1070</td>
<td>66</td>
<td>101</td>
</tr>
<tr>
<td>Elections, postelection audit of selected ballots</td>
<td>H 349</td>
<td>218</td>
<td>-</td>
</tr>
<tr>
<td>Elections, processes, deadlines, amend</td>
<td>S 1061</td>
<td>63/248</td>
<td>131</td>
</tr>
<tr>
<td>Political subdivisions, election by zones, exception</td>
<td>H 136</td>
<td>123</td>
<td>171</td>
</tr>
<tr>
<td>Precinct committeemen, qualifications, amend</td>
<td>H 198</td>
<td>158</td>
<td>215</td>
</tr>
<tr>
<td>Schools, trustees, recall, election, vacancy</td>
<td>H 350</td>
<td>245</td>
<td>-</td>
</tr>
<tr>
<td>State government, employees, state/federal elected office</td>
<td>S 1059</td>
<td>63</td>
<td>-</td>
</tr>
<tr>
<td>Voter registration, election day, procedures</td>
<td>S 1166</td>
<td>145</td>
<td>-</td>
</tr>
<tr>
<td>Voter registration, election day, requirements/audit</td>
<td>H 344</td>
<td>234</td>
<td>-</td>
</tr>
<tr>
<td>Voting, colleges influencing students, prohibit</td>
<td>H 299</td>
<td>167</td>
<td>259</td>
</tr>
<tr>
<td>ELECTRICITY AND ELECTRICIANS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electrical contractors, apprentice, supervise/training</td>
<td>S 1161</td>
<td>137</td>
<td>-</td>
</tr>
<tr>
<td>Electrical contractors, fire alarm communication device</td>
<td>H 292</td>
<td>183</td>
<td>223</td>
</tr>
<tr>
<td>Fire department employees, smoke or carbon monoxide detectors</td>
<td>H 292</td>
<td>183</td>
<td>223</td>
</tr>
<tr>
<td>ELECTRONIC TECHNOLOGY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cities, broadband infrastructure, develop</td>
<td>S 1149</td>
<td>122</td>
<td>-</td>
</tr>
<tr>
<td>Idaho broadband advisory board, create</td>
<td>H 127</td>
<td>130</td>
<td>176</td>
</tr>
<tr>
<td>ELK (DOMESTIC CERVIDAE)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See WILDLIFE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EMERGENCIES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disaster emergencies, Idaho Parental Rights Act, new</td>
<td>H 246</td>
<td>140/221</td>
<td>234</td>
</tr>
<tr>
<td>Disaster emergencies, business bill of rights</td>
<td>H 291</td>
<td>183</td>
<td>-</td>
</tr>
<tr>
<td>Disaster emergencies, consumer protection, prices</td>
<td>S 1041</td>
<td>39</td>
<td>77</td>
</tr>
<tr>
<td>Disaster emergencies, definitions, amend</td>
<td>H 259</td>
<td>140</td>
<td>-</td>
</tr>
<tr>
<td>Disaster emergencies, definitions, amend</td>
<td>S 1001</td>
<td>14</td>
<td>-</td>
</tr>
<tr>
<td>Disaster emergencies, expenses/payments, arising out of</td>
<td>S 1002</td>
<td>14</td>
<td>-</td>
</tr>
<tr>
<td>Disaster emergencies, governor powers</td>
<td>H 393</td>
<td>280</td>
<td>291</td>
</tr>
<tr>
<td>Disaster emergencies, governor powers, alter Idaho Code</td>
<td>H 392</td>
<td>280</td>
<td>290</td>
</tr>
<tr>
<td>Disaster emergencies, governor/government agency powers</td>
<td>H 391</td>
<td>280</td>
<td>290</td>
</tr>
<tr>
<td>Disaster emergencies, governor/legislature, powers</td>
<td>H 135</td>
<td>96/221</td>
<td>226</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Intro. Page</td>
<td>Vote Page</td>
<td></td>
</tr>
<tr>
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<td>-----------</td>
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</tr>
<tr>
<td>EMERGENCIES (Continued)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disaster emergency account, use, disaster emergencies</td>
<td>S 1031</td>
<td>33</td>
<td>-</td>
</tr>
<tr>
<td>Disaster emergency account, use, disaster emergencies</td>
<td>S 1134</td>
<td>110</td>
<td>141</td>
</tr>
<tr>
<td>Disaster emergency, from March 13, 2020, terminate</td>
<td>SCR 101</td>
<td>12</td>
<td>-</td>
</tr>
<tr>
<td>Isolation order, from December 30, 2020, null/void</td>
<td>HCR 02</td>
<td>37</td>
<td>-</td>
</tr>
<tr>
<td>Isolation order, from December 30, 2020, null/void</td>
<td>SCR 103</td>
<td>46</td>
<td>-</td>
</tr>
<tr>
<td>State of extreme emergencies, repeal/replace</td>
<td>S 1217</td>
<td>286</td>
<td>291</td>
</tr>
<tr>
<td>State of extreme peril, governor/legislature powers</td>
<td>S 1003</td>
<td>14</td>
<td>-</td>
</tr>
<tr>
<td>State of extreme peril, governor/legislature powers</td>
<td>S 1054</td>
<td>56</td>
<td>-</td>
</tr>
<tr>
<td>State of extreme peril, governor/legislature powers</td>
<td>S 1136</td>
<td>110/161/218</td>
<td>173/243</td>
</tr>
</tbody>
</table>

EMERGENCY FUND, LETTER FROM GOVERNOR
January 13, 2021............

EMERGENCY MEDICAL TECHNICIANS
See EMERGENCIES

EMINENT DOMAIN
Eminent domain, urban renewal boards, unelected

EMPLOYERS AND EMPLOYEES
See also LABOR
Employee, COVID-19 vaccination status disclosure
Employer discrimination, unvaccinated persons, prohibit
Employer discrimination, unvaccinated persons, prohibit
Employer, COVID-19 immunization requirement, exemption
Employer, COVID-19 immunization requirement, exemptions
Federal vaccine mandate, oppose
Federal vaccine mandates, authorize lawsuit, legal fund
Idaho promise mentor program, workforce development
Immunization status, immunity passport, discrimination
Labor Department, unemployment laws, amend
Labor Department, wage claims, decisions/appeals, electronic
Medical treatment, religious exemption, liability
Minimum wage, increase
School bus drivers, retired, reemployment, Public Employee Retirement System of Idaho
State employees, annual salary survey, report
State employees, sick leave, donate to other employees
State government, employees, state/federal elected office
Unemployment, benefit formula, amend
Worker's compensation, vaccine-related injuries

EMPLOYMENT SECURITY LAW
Unemployment, benefit formula, amend

ENDOWMENT FUNDS AND LANDS
Endowment Fund Investment Board, appropriation

ENERGY
Appropriation, Governor, Office of, Energy and Mineral
Appropriation, Governor, Office of, Energy and Mineral, add'l

ENGINEERS AND SURVEYORS
Engineers and Land Surveyors Board, plane coordinate system
Government, professional service contracts, requirements
STEM Action Center, appropriation

ENVIRONMENT
Agricultural best management practices fund, establish
Department of Environmental Quality, appropriation
Department of Environmental Quality, appropriation, add'l
Phosphoric acid facilities, phosphogypsum stacks
Vehicle emissions tests, county opt out
Water quality innovation and pollutant trading

EQUAL RIGHTS
Immunization status, immunity passport, discrimination
Schools/colleges, education, nondiscrimination

ESCROW
See REAL ESTATE
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1077</td>
<td>71</td>
<td>-</td>
</tr>
<tr>
<td>H 224</td>
<td>125</td>
<td>163</td>
</tr>
<tr>
<td>S 1063</td>
<td>63</td>
<td>107</td>
</tr>
</tbody>
</table>

- F -

FARMS AND FARMING
See AGRICULTURE

FEDERAL LAWS AND RELATIONS
Committee on Federalism, sunset clause, repeal ........................................... H 279 158 216
Federal actions, nonrecognition........................................................................... H 322 245 -
Federal vaccine mandate, oppose ........................................................................ SIM 105 - -
Federal vaccine mandates, authorize lawsuit, legal fund ................................... SCR 113 - -
Firearms, federal laws prohibiting, state enforcement ....................................... S 1205 238 250
G.I. Bill of Rights, males, contracting, repeal .................................................. H 048 66 191
Immunization status, immunity passport, discrimination ...................................... H 412 - -
United States Supreme Court, nine justices ....................................................... SJM 102 78 86

FEES
Development impact fee advisory committee, membership ................................ H 124 118 191
Development impact fees, fire stations and apparatus ......................................... H 156 149 215
Driver's license fees, increase ............................................................................ H 161 167/213 232
State parks, fees, nonresidents ........................................................................... H 093 99 169

FERTILIZER
Phosphoric acid facilities, phosphogypsum stacks ............................................. H 239 146 216

FINANCE
Annuity Consumer Protections Act, new ............................................................ H 079 99 152
Banks, board membership, meetings, real estate, fees ........................................ S 1049 55 96
Department, appropriation .................................................................................. S 1158 129 150
Idaho Collection Agency Act, miscellaneous revisions ....................................... S 1014 24/99 111
Local government, accounting/budgeting, procedure/reporting ......................... H 073 92 160
Regulated/payday lenders, licensing/remedies ..................................................... S 1013 24 67

FINANCIAL INSTITUTIONS
See BANKS AND FINANCIAL INSTITUTIONS

FINANCIAL MANAGEMENT, DIVISION OF
Appropriation ....................................................................................................... S 1194 203 229
Appropriation, add'l ............................................................................................ H 370 267 272
Appropriations, funds, not cognizable ................................................................ H 402 287 -
Twenty-seventh payroll fund, state employees, create ....................................... S 1004 20 37

FINES
Fish and Game laws, violations, fines, public shooting range fund ....................... H 286 177 224
Traffic-control signals, red light, $270 fine ......................................................... S 1099 83 -

FIRE AND FIREFIGHTERS
Development impact fees, fire stations and apparatus ........................................ H 156 149 215
Fire department employees, smoke or carbon monoxide detectors .................... H 292 183 223
PERSI, police/firefighter, catastrophic injury benefit .......................................... S 1096 83 120
State fire marshal and deputies, Public Employee Retirement System of Idaho, firefighter S 1009 23 67
Taxing districts, budget requests, limitation ....................................................... S 1108 84/114/186 195
Taxing districts, budget requests, limitation ....................................................... S 1170 146 -

FIREARMS
See WEAPONS

FISH AND GAME
Commission, meetings, notice, publish online ................................................... S 1019 27 -
Department, appropriation .................................................................................. H 313 173 191
Fish and Game laws, violations, fines, public shooting range fund ....................... H 286 177 224
Hunting, game tags, sage/sharp-tailed grouse, swan ......................................... H 235 129 216
FISH AND GAME (Continued)
Land, private, recreation access agreements, penalties................................. H 187 129 216
Reindeer, domestic purposes north of Salmon River..................................... H 166 130 223
Trapping, wild fur-bearing animals, bait....................................................... H 091 99 180
Wolf Depredation Control Board, appropriation........................................... S 1176 154 176
Wolves, hunting/trapping, season/tags......................................................... S 1211 249 254

FLAG CEREMONY
Presentation of State Flag, January 11, 2021:
Idaho State Police Honor Guard.......................................................................... 5
Pledge of Allegiance:
Sarah Jane McDonald, Sergeant-at-Arms ....................................................... 5

FLOODS
Flood control districts, contiguous land, annexation ....................................... H 185 140 207
Ririe Reservoir, flood control rule curves......................................................... SCR 104 68 100

FLOOR CORRECTIONS, TYPOGRAPHICAL
S 1016, Senator Wintrow: Typographical Correction to the Bill ......................... 76
S 1020, Senator Harris: Typographical Correction to the Bill ......................... 81
H 260, Senator Bair: Typographical Correction............................................... 205
H 222, Senator Lent: Typographical Correction............................................... 214

FOOD
Disaster emergencies, consumer protection, prices ......................................... S 1041 39 77
Idaho Food Quality Assurance Institute, repeal ............................................... H 050 66 151

FOSTER HOMES
Qualified residential treatment program, children........................................... H 336 194 235

FUELS
Disaster emergencies, consumer protection, prices ......................................... S 1041 39 77

Funds
2021 Idaho tax rebate fund, create............................................................... H 380 259 274
Agricultural best management practices fund, establish................................ S 1079 71/100 119
American rescue plan cost recovery fund, create.......................................... S 1204 233 245
American rescue plan fund, create............................................................... S 1204 233 245
Appropriations, funds, not cognizable........................................................... H 402 287 2
COVID-19, related federal funding, use........................................................ S 1222 - -
Endowment Fund Investment Board, appropriation........................................ H 324 183 205
Federal American Rescue Plan Act of 2021, new......................................... S 1204 233 245
Federal COVID-19 Relief Fund, create......................................................... S 1034 35 58
Federal overreach legal defense fund, create................................................. S 1221 - -
Fish and Game laws, violations, fines, public shooting range fund..................... H 286 177 224
General fund, reduce appropriations by five percent ...................................... H 207 118 155
Hazardous substance emergency response fund, appropriation....................... H 011 37 71
Idaho air travel enhancement program fund, establish................................ S 1103 84 143
Idaho broadband fund, create........................................................................ H 127 130 176
Legislative legal defense fund, cash transfer.................................................... S 1022 27 44
Pest control deficiency fund, appropriation.................................................... S 1023 27 45
Public health trust fund, transfer to general fund........................................... H 207 118 155
State insurance fund, manager, duties........................................................... S 1082 75 119
State-directed opioid settlement fund, establish.............................................. H 315 183 235
Suicide and mental health crisis access fund, establish................................... S 1126 89 -
Tax relief fund, transfer to general fund........................................................ H 332 194 -
Tax relief fund, transfer to general fund........................................................ H 380 259 274
Twenty-seventh payroll fund, state employees, create................................... S 1004 20 37
Various funds, year-end cash transfers.......................................................... S 1214 279 288

FUNERALS
State funeral, last surviving medal of honor recipient................................... SJM 101 65 86

- G -

GAMBLING
Pari-mutuel betting, administration costs..................................................... S 1178 160 190
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1131</td>
<td>99</td>
<td>126</td>
</tr>
<tr>
<td>SCR 108</td>
<td>284</td>
<td>292</td>
</tr>
<tr>
<td>SCR 109</td>
<td>284</td>
<td>292</td>
</tr>
<tr>
<td>H 402</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>H 391</td>
<td>280</td>
<td>290</td>
</tr>
<tr>
<td>H 112</td>
<td>123</td>
<td>-</td>
</tr>
<tr>
<td>S 1042</td>
<td>39/99</td>
<td>111</td>
</tr>
<tr>
<td>H 412</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>H 141</td>
<td>130</td>
<td>168</td>
</tr>
<tr>
<td>H 073</td>
<td>92</td>
<td>160</td>
</tr>
<tr>
<td>H 339</td>
<td>245</td>
<td>-</td>
</tr>
<tr>
<td>H 334</td>
<td>194</td>
<td>206</td>
</tr>
<tr>
<td>H 169</td>
<td>158</td>
<td>-</td>
</tr>
<tr>
<td>H 260</td>
<td>189</td>
<td>205</td>
</tr>
<tr>
<td>S 1051</td>
<td>55</td>
<td>107</td>
</tr>
<tr>
<td>H 139</td>
<td>113</td>
<td>214</td>
</tr>
<tr>
<td>S 1059</td>
<td>63</td>
<td>-</td>
</tr>
<tr>
<td>H 101</td>
<td>118</td>
<td>-</td>
</tr>
<tr>
<td>S 1064</td>
<td>20</td>
<td>37</td>
</tr>
<tr>
<td>H 214</td>
<td>217</td>
<td></td>
</tr>
<tr>
<td>S 1110</td>
<td>241</td>
<td></td>
</tr>
<tr>
<td>S 1136aa, aaH</td>
<td>242</td>
<td></td>
</tr>
<tr>
<td>H 135aaS, April 21, 2021</td>
<td>258</td>
<td></td>
</tr>
<tr>
<td>S 1217, May 10, 2021</td>
<td>297</td>
<td></td>
</tr>
<tr>
<td>S 1150, May 18, 2021</td>
<td>305</td>
<td></td>
</tr>
<tr>
<td>HCR 05</td>
<td>80</td>
<td>-</td>
</tr>
<tr>
<td>H 246</td>
<td>140/221</td>
<td>234</td>
</tr>
<tr>
<td>S 1041</td>
<td>39</td>
<td>77</td>
</tr>
<tr>
<td>H 259</td>
<td>140</td>
<td>-</td>
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<tr>
<td>S 1001</td>
<td>14</td>
<td>-</td>
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<td>S 1002</td>
<td>14</td>
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<tr>
<td>H 393</td>
<td>280</td>
<td>291</td>
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<tr>
<td>H 391</td>
<td>280</td>
<td>290</td>
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<tr>
<td>H 135</td>
<td>96/221</td>
<td>226</td>
</tr>
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<td>S 1031</td>
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<td>H 341</td>
<td>200</td>
<td>219</td>
</tr>
<tr>
<td>H 176</td>
<td>105</td>
<td>119</td>
</tr>
<tr>
<td>HCR 02</td>
<td>37</td>
<td>-</td>
</tr>
<tr>
<td>SCR 103</td>
<td>46</td>
<td>-</td>
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<tr>
<td>S 1189</td>
<td>187</td>
<td>204</td>
</tr>
<tr>
<td>S 1216</td>
<td>280</td>
<td>289</td>
</tr>
<tr>
<td>S 1142</td>
<td>118</td>
<td>141</td>
</tr>
<tr>
<td>H 117</td>
<td>92</td>
<td>151</td>
</tr>
<tr>
<td>S 1194</td>
<td>203</td>
<td>229</td>
</tr>
<tr>
<td>H 370</td>
<td>267</td>
<td>272</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Intro. Page</td>
<td>Vote Page</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------</td>
<td>-----------</td>
</tr>
<tr>
<td>S 1164</td>
<td>139</td>
<td>163</td>
</tr>
<tr>
<td>S 1177</td>
<td>154</td>
<td>176</td>
</tr>
<tr>
<td>S 1138</td>
<td>113</td>
<td>140</td>
</tr>
<tr>
<td>H 384</td>
<td>267</td>
<td>274</td>
</tr>
<tr>
<td>S 1148</td>
<td>122</td>
<td>142</td>
</tr>
<tr>
<td>S 1146</td>
<td>122</td>
<td>141</td>
</tr>
<tr>
<td>H 303</td>
<td>167</td>
<td>184</td>
</tr>
<tr>
<td>S 1217</td>
<td>286</td>
<td>291</td>
</tr>
<tr>
<td>S 1003</td>
<td>14</td>
<td>-</td>
</tr>
<tr>
<td>S 1054</td>
<td>56</td>
<td>-</td>
</tr>
<tr>
<td>S 1136</td>
<td>110/161/218</td>
<td>173/243</td>
</tr>
</tbody>
</table>

GRANTS

- Of State
- Of State
- Of State
- Phosphoric

State

State

State

See Insurance

Isolation

Medical

T

Unvaccinated

988

(Continued)

appropriation,

temporary

Minors,

contraception,

December

December

Minors,

contraception,

null/void

(Continued)

Disease

Disease

fice

Of

Of

Of

Of

Of

Of

State Liquor Division

State of extreme emergencies, repeal/replace

State of extreme peril, governor/legislature powers

State of extreme peril, governor/legislature powers

State of extreme peril, governor/legislature powers

- H -

GRASS

Strong students grant/scholarship programs, establish

GUARDIANS AND CONSERVATORS

Guardians, temporary, minors, six months, one extension

Temporary guardians, developmental disability, hearings

GUNS

See WEAPONS

HANDICAPPED

See DISABLED

HEALTH

COVID-19, related federal funding, use

Colleges, authority to close, prevent spread of disease

Districts, county aid, funding, audits, director powers

Employer, COVID-19 immunization requirement, exemption

Employer, COVID-19 immunization requirement, exemptions

Federal vaccine mandate, oppose

Health benefit plans, contraception, coverage

Health/territorial laws, cities/mayors, jurisdiction

Health/quarantine laws, cities/mayors, jurisdiction

Idaho Virtual Care Access Act, amend

Immunization status, immunity passport, discrimination

Insurance Department, infants/children, prescription formula

Isolation order, from December 30, 2020, null/void

Isolation order, from December 30, 2020, null/void

Mask mandates, prohibit

Medical treatment, religious exemption, liability

Medicare supplement policies, standards, amend

Mental health commitments, hearings, continuances

Naturapathic doctors, licensing/scope of practice

Public health districts, orders, review/violations

Schools, adults/minors, mask requirement, exemption

Schools, authority to close, prevent spread of disease

Schools, employees, state employee health insurance

Sex education, human sexuality instruction

Suicide, 988 hotline centers, crisis care, fees, fund

Suicide, 988 universal crisis phone number, recognize

Telehealth, prescription drug orders

Telehealth, technologies sufficient to diagnose

Unvaccinated persons, employer discrimination, prohibit

Unvaccinated persons, employer discrimination, prohibit

S 1222      | -           | -         |

S 1126      | 90          | 132       |

H 412       | -           | -         |

HCR 06      | 103         | 122       |

HCR 02      | 37          | -         |

SCR 103     | 46          | -         |

H 339       | 245         | -         |

H 414       | -           | -         |

S 1143      | 118/162     | 176       |

S 1037      | 36          | 76        |

S 1128      | 90          | -         |

S 1060      | 63          | 96        |

H 429       | -           | -         |

H 067       | 85          | 119       |

H 248       | 146         | -         |

H 249       | 149         | -         |

S 1125      | 89          | -         |

HCR 11      | 158         | 210       |

H 038       | 58          | 151       |

S 1127      | 90          | -         |

H 140       | 113         | -         |

S 1223      | -           | -         |
### SENATE INDEX

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
</table>

**HEALTH AND WELFARE DEPARTMENT**

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 302</td>
<td>189</td>
<td>232</td>
</tr>
<tr>
<td>S 1185</td>
<td>177</td>
<td>195</td>
</tr>
<tr>
<td>H 216</td>
<td>123</td>
<td>140</td>
</tr>
<tr>
<td>H 382</td>
<td>267</td>
<td>273</td>
</tr>
<tr>
<td>S 1173</td>
<td>148</td>
<td>176</td>
</tr>
<tr>
<td>S 1080</td>
<td>71</td>
<td>96</td>
</tr>
<tr>
<td>H 369</td>
<td>287</td>
<td>293</td>
</tr>
<tr>
<td>S 1163</td>
<td>139</td>
<td>163</td>
</tr>
<tr>
<td>H 200</td>
<td>110</td>
<td>154</td>
</tr>
<tr>
<td>H 395</td>
<td>287</td>
<td>293</td>
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<td>H 400</td>
<td>287</td>
<td>294</td>
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<tr>
<td>S 1181</td>
<td>166</td>
<td>190</td>
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<td>247</td>
<td>257</td>
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<td>S 1212</td>
<td>262</td>
<td>275</td>
</tr>
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<td>71</td>
<td>150</td>
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<tr>
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<td>80</td>
<td>-</td>
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<tr>
<td>H 233</td>
<td>140</td>
<td>206</td>
</tr>
<tr>
<td>S 1036</td>
<td>36</td>
<td>76</td>
</tr>
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<td>S 1139</td>
<td>118</td>
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<td>37</td>
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<tr>
<td>S 1092</td>
<td>80/134</td>
<td>147</td>
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<td>36</td>
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<td>S 1038</td>
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<td>H 336</td>
<td>194</td>
<td>235</td>
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<td>S 1038</td>
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<td>S 1038</td>
<td>36</td>
<td>76</td>
</tr>
</tbody>
</table>

**COVID-19, governor, stay healthy guidelines, null/void**

**Child, serious behavioral health conditions, custody**

**Developmental disability, temporary guardians, hearings**

**Director, powers, amend, definitions, amend**

**Idaho Health Insurance Access Card Act, repeal**

**Idaho Tuberculosis Hospital, repeal**

**Isolation order, from December 30, 2020, null/void**

**Isolation order, from December 30, 2020**

**Medicaid, reimbursement, new in-state hospitals**

**Mental health commitments, hearings, continuances**

**Public assistance law, definitions, remove**

**Qualified residential treatment program, children**

**Small business health insurance pilot program, repeal**

**Suicide, 988 hotline centers, crisis care, fees, fund**

**Weight control pilot project, repeal**

**HEARING AIDS**

See also SPEECH AND HEARING SERVICES

**HEARING IMPAIRED**

Closed captioning, television monitors, public venues

**HIGHWAYS**

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>SP 103</td>
<td>246</td>
<td>261</td>
</tr>
<tr>
<td>H 162</td>
<td>149</td>
<td>222</td>
</tr>
<tr>
<td>S 1107</td>
<td>84/196</td>
<td>205</td>
</tr>
<tr>
<td>S 1100</td>
<td>83</td>
<td>120</td>
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<tr>
<td>H 160</td>
<td>123</td>
<td>223</td>
</tr>
<tr>
<td>H 381</td>
<td>267</td>
<td>275</td>
</tr>
<tr>
<td>H 086</td>
<td>118</td>
<td>207</td>
</tr>
<tr>
<td>H 129</td>
<td>130</td>
<td>207</td>
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<tr>
<td>H 132</td>
<td>130</td>
<td>207</td>
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<tr>
<td>H 131</td>
<td>130</td>
<td>215</td>
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<tr>
<td>H 112</td>
<td>123</td>
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<td>H 160</td>
<td>123</td>
<td>223</td>
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<td>S 1101</td>
<td>83</td>
<td>120</td>
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<td>S 1113</td>
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<td>S 1169</td>
<td>146</td>
<td>-</td>
</tr>
<tr>
<td>S 1106</td>
<td>84</td>
<td>-</td>
</tr>
</tbody>
</table>

**POW/MLA Memorial Highway, U.S. Highway 26**

**Public highways, outside city limits, sidewalks, width**

**Road contractors, sales/use tax rebate, government agencies**

**Special route designations by local authorities, amend**

**Streets/rights-of-way, county/highway district vacating**

**Transportation Department, ports/checking stations, vehicles**

**Transportation Department, ports/checking stations, vehicles**

**Transportation systems, state/local, plans/ordinances**

**HISTORICAL SOCIETY**

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1180</td>
<td>166</td>
<td>190</td>
</tr>
<tr>
<td>S 1018</td>
<td>25</td>
<td>71</td>
</tr>
<tr>
<td>S 1018</td>
<td>25</td>
<td>71</td>
</tr>
</tbody>
</table>

**Idaho State Historical Society, appropriation**

**Old penitentiary site, lease, proceeds, amend**

**State historic preservation officer, appointment**

**State historical society use of property, repeal**
HISTORY
Historic monuments/memorials/figure/event, protect.......................................................... H 090 76 -

HOLIDAYS AND DAYS
Idaho Women's Day, March 14 ............................................................................................... HCR 13 177 218

HOMES AND HOUSING
Insured Homeowner Protection Act, new ................................................................................. S 1057 62/186 195
Landlord/tenant, fees, authority/notice .................................................................................. S 1088 80/114 130
Landlord/tenant, security deposits, third-party manager....................................................... H 152 140 219
Manufactured homes, new, sales tax, exemption..................................................................... H 032 58 150
Property tax deferral, interest rate, funding................................................................................ H 309 183 223
Property/occupancy tax reduction, disabled veterans.............................................................. H 120 110 169
Real property, deed of trust, promissory note, enforce......................................................... S 1097 83 -

HONORS AND AWARDS
Ada County Highway District, 50th anniversary..................................................................... SP 103 246 261
Bobby Chambers Memorial Highway, Vietnam war hero ......................................................... H 162 149 222
Eric Milstead, Legislative Services Office, honor .................................................................... HCR 17 229 261
Jon Evans, Boys and Girls Clubs of America Hall of Fame.................................................... SP 102 229 238
Marquee Ricks, American Farm Bureau Discussion Meet...................................................... SP 101 136 173
State funeral, last surviving medal of honor recipient.............................................................. SJM 101 65 86

HORSE RACING
See RACING

HOSPITALS
Hospital boards, duties, members, vacancies, amend............................................................... H 115 103 154
Hospitals, buildings, unexpended funds transfer, repeal.......................................................... H 138 110 214
Idaho Tuberculosis Hospital, repeal ........................................................................................ H 035 58 147
Medicaid, reimbursement, new in-state hospitals ................................................................... S 1092 80/134 147
Mental health commitments, hearings, continuances .............................................................. S 1037 36 76

HOUSE OF REPRESENTATIVES
See also LEGISLATURE
Legislature, recess, until May 12, 2021 .................................................................................. SCR 111 287 288

HUMAN RESOURCES DIVISION
Appropriation ............................................................................................................................ S 1164 139 163
State employees, annual salary survey, report ........................................................................ S 1051 55 107
State employees, sick leave, donate to other employees .......................................................... H 139 113 214

HUMAN RIGHTS
Immunization status, immunity passport, discrimination ...................................................... H 412 - -

HUNTING
See FISH AND GAME

- I -

IDAHO CODE
See CODES

IDENTITY AND NAMES
Historic monuments/memorials/figure/event, protect............................................................. H 090 76 -

IMMIGRATION AND IMMIGRANTS
Driver authorization cards, legislative study committee .......................................................... SCR 107 199 210

IMMUNITY
See LIABILITY

IMMUNIZATION
Employee, COVID-19 vaccination status disclosure ............................................................... H 419 - -
Employee, COVID-19 immunization requirement, exemptions ............................................... S 1225 - -
Employer, COVID-19 immunization requirement, exemptions ............................................. S 1224 - -
Federal vaccine mandate, oppose ............................................................................................ SJM 105 - -
Federal vaccine mandates, authorize lawsuit, legal fund ....................................................... SCR 113 - -
Immunization status, immunity passport, discrimination ..................................................... H 412 - -
Immunizations, forced, against state policy ............................................................................ HCR 14 183 -
Immunizations, students, exemptions, notice to parents ....................................................... H 298 177 234
Unvaccinated persons, employer discrimination, prohibit .................................................... H 140 113 -
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1223</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>H 417</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

**INCOME TAX**
See TAX AND TAXATION, INCOME

**INDIGENTS**
See PUBLIC ASSISTANCE

**INDUSTRIAL COMMISSION**
Appropriation.................................................. H 312 173 191

**INFORMATION SYSTEMS**
Criminal justice data system, data oversight council.................. H 094 103 170

**INFRASTRUCTURE**
Cities, broadband infrastructure, develop.......................... S 1149 122 -

**INITIATIVES AND REFERENDUMS**
Ballot initiatives/referendums, signatures, districts .................. S 1110 84 125
Ballot initiatives/referendums, signatures, in-state .................. S 1150 122/298 146/300
City elections, move to even-numbered years ......................... H 319 300 -

**INSPECTIONS AND INSPECTORS**
Transportation Department, ports/checking stations, vehicles .......... S 1113 88 -
Transportation Department, ports/checking stations, vehicles .......... S 1169 146 -
Vehicle emissions tests, county opt out ................................ H 154 125 -

**INSURANCE**
Annuity Consumer Protections Act, new................................... H 079 99 152
Credit for reinsurance, reciprocal jurisdiction ......................... H 080 103 169
Dental plans, insurance contract with dentists, terms ................. S 1124 89/114 130
Department, appropriation............................................. S 1153 125 143
Department, infants/children, prescription formula .................... HCR 06 103 122
Health benefit plans, contraception, coverage ........................ S 1050 55 -
Health benefit plans, contraception, coverage ........................ S 1098 83 127
Insurance companies, board of directors, maximum number ............. H 081 103 207
Insurance laws, amend/repeal.......................................... H 078 84 152
Insured Homeowner Protection Act, new ................................ S 1057 62/186 195
Medicare supplement policies, standards, amend ......................... S 1143 118/162 176
Schools, employees, state employee health insurance .................. H 248 146 -
State insurance fund, manager, duties ................................ S 1082 75 119
Vehicle insurance, underinsured motor vehicle coverage .............. S 1118 88 -
Vehicle insurance, underinsured motor vehicle coverage .............. S 1129 99 -

**INTERNAL REVENUE**
Internal Revenue Code, update reference ............................. H 058 64 85

**INTERNATIONAL RELATIONS**
Anti-Boycott Against Israel Act, new .................................. S 1086 75 131
Chinese govt/communist party, COVID-19, sanction ....................... HJM 01 130 210

**INTERNET**
See ELECTRONIC TECHNOLOGY

**INVESTMENTS**
Annuity Consumer Protections Act, new .................................. H 079 99 152
State Treasurer, investment of idle moneys, gold/silver ................. H 007 85 -

- J -

**JUDGES**
District magistrates commission, members, terms ....................... H 095 87 170
Judges, compensation, increase ....................................... S 1137 110 140
Third judicial district, add district judge ........................... H 027 52 151

**JUDICIARY, STATE OF**
Chief Justice Richard Bevan, January 28, 2021 ........................ 40

**JUSTICES**
Justices, compensation, increase ...................................... S 1137 110 140
United States Supreme Court, nine justices .......................... SJM 102 78 86
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 228</td>
<td>129</td>
<td>167</td>
</tr>
<tr>
<td>H 028</td>
<td>47</td>
<td>123</td>
</tr>
<tr>
<td>H 026</td>
<td>47</td>
<td>123</td>
</tr>
</tbody>
</table>

**LABOR**

See also **EMPLOYERS AND EMPLOYEES**

- Department, appropriation .................................................. S 1196 203 231
- Department, appropriation, add'l ........................................ S 1144 118 143
- Department, unemployment laws, amend .................................... H 142 118 214
- Department, wage claims, decisions/appeals, electronic ........... H 075 107 168
- Idaho promise mentor program, workforce development ............ S 1109 80 129
- Minimum wage, increases ................................................... S 1028 33 -
- School districts, teacher unions, negotiations .................... H 174 158 -
- Unemployment, benefit formula, amend .................................. S 1182 166 -

**LAKEs**

- Waterfront resorts, liquor license, requirements ....................... H 258 211 276
- Waterfront resorts, liquor license, requirements ..................... S 1047 50 97

**LANDLORDS AND TENANTS**

- Landlord/tenant, fees, authority/notice .................................. S 1088 80/114 130
- Landlord/tenant, security deposits, third-party manager ........... H 152 140 219

**LANDS**

- Department, appropriation .................................................. S 1160 132 150
- Department, legal counsel, not attorney general ...................... H 118 158 -
- Department, legal counsel, not attorney general ...................... S 1090 80 -
- Department, snowmobiles, certificate fees, use ...................... H 229 129/213 232
- Engineers and Land Surveyors Board, plane coordinate system ...... S 1011 23 80
- Idaho Board of Scaling Practices, compensation ....................... H 024 64 152
- Land actively devoted to agriculture, definition, amend .......... H 252 158/213 231
- Land exchange, Center for Higher Education, repeal ............... H 023 64 152
- Land, noncontiguous, annexation, flood control district .......... H 185 140 207
- Land, private, recreation access agreements, penalties .......... H 187 129 216
- Land, recreational purposes, limitation of liability .............. S 1020 27 81

**LANDSCAPE ARCHITECTS**

- Government, professional service contracts, requirements ........ S 1042 39/99 111

**LAVA HOT SPRINGS**

- Lava hot springs foundation, continuous appropriation ............ S 1123 89 149

**LAW ENFORCEMENT**

- Peace officers, collective bargaining rights ......................... S 1120 89 -
- PERSI, police/firefighter, catastrophic injury benefit ............ S 1096 83 120
- Traffic-control signals, red light, $270 fine ....................... S 1099 83 -
- Unclaimed property, police possession, auction timeline .......... S 1119 88 126

**LAWYERS**

See also **ATTORNEYS**

**LEASES**

See also **LANDLORDS AND TENANTS**

- Landlord/tenant, fees, authority/notice .................................. S 1088 80/114 130
- Landlord/tenant, security deposits, third-party manager .......... H 152 140 219

**LEGISLATIVE COUNCIL**

- Audits of health districts, remove restrictions ...................... H 316 183/258 263
- Eric Milstead, Legislative Services Office, honor .................. HCR 17 229 261
- Legislative Services Office, appropriation ........................ S 1207 245 253
- Legislative Services Office, appropriation, add'l .................. S 1027 245 253
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 376</td>
<td>259</td>
<td>-</td>
</tr>
<tr>
<td>H 394</td>
<td>287</td>
<td>294</td>
</tr>
<tr>
<td>H 407</td>
<td>301</td>
<td>302</td>
</tr>
<tr>
<td>S 1220</td>
<td>298</td>
<td>-</td>
</tr>
<tr>
<td>HCR 20</td>
<td>229</td>
<td>-</td>
</tr>
<tr>
<td>HCR 19</td>
<td>229</td>
<td>288</td>
</tr>
<tr>
<td>HCR 18</td>
<td>229</td>
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</tr>
<tr>
<td>S 1207</td>
<td>245</td>
<td>253</td>
</tr>
<tr>
<td>H 402</td>
<td>287</td>
<td>-</td>
</tr>
<tr>
<td>H 243</td>
<td>158</td>
<td>216</td>
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<td>158</td>
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<td>H 391</td>
<td>280</td>
<td>290</td>
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<td>H 135</td>
<td>96/221</td>
<td>226</td>
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<td>12</td>
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<td>199</td>
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<td>229</td>
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<td>140</td>
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<td>37</td>
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<td>S 1032</td>
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<td>64</td>
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<tr>
<td>S 1112</td>
<td>88/179</td>
<td>190</td>
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<td>SJR 102</td>
<td>121</td>
<td>135</td>
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<td>287</td>
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<td>103</td>
<td>157</td>
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<td>194</td>
<td>225</td>
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<td>S 1076</td>
<td>70</td>
<td>106</td>
</tr>
<tr>
<td>S 1217</td>
<td>286</td>
<td>291</td>
</tr>
<tr>
<td>S 1003</td>
<td>14</td>
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<tr>
<td>S 1054</td>
<td>56</td>
<td>-</td>
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<tr>
<td>S 1136</td>
<td>110/161/218</td>
<td>173/243</td>
</tr>
<tr>
<td>H 066</td>
<td>58/212</td>
<td>231</td>
</tr>
<tr>
<td>H 149</td>
<td>129</td>
<td>184</td>
</tr>
<tr>
<td>S 1020</td>
<td>27</td>
<td>81</td>
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<tr>
<td>H 414</td>
<td>-</td>
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<td>S 1162</td>
<td>139</td>
<td>163</td>
</tr>
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<td>H 373</td>
<td>267</td>
<td>273</td>
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<tr>
<td>S 1058</td>
<td>63</td>
<td>110</td>
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<td>H 165</td>
<td>123</td>
<td>215</td>
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<td>H 085</td>
<td>105</td>
<td>206</td>
</tr>
<tr>
<td>H 148</td>
<td>129</td>
<td>-</td>
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<tr>
<td>H 161</td>
<td>167/213</td>
<td>232</td>
</tr>
<tr>
<td>H 096</td>
<td>103</td>
<td>170</td>
</tr>
<tr>
<td>H 235</td>
<td>129</td>
<td>216</td>
</tr>
<tr>
<td>S 1014</td>
<td>24/99</td>
<td>111</td>
</tr>
</tbody>
</table>
### LICENSES (Continued)
- Liquor license, waterfront resorts, requirements ........................................... H 258 211 276
- Liquor license, waterfront resorts, requirements ........................................... S 1047 50 97
- Naturopathic doctors, licensing/scope of practice ........................................... S 1128 90 -
- Occupational licensing, apprenticeship programs ........................................... H 178 133 219
- Occupational licensing, military members, endorsement .................................. S 1083 75 107
- Real estate license law, agency office policy, remove ..................................... H 102 129/180 191
- Real estate license law, business opportunity, define ..................................... H 102 129/180 191
- Regulated/payday lenders, licensing/remedies .................................................. S 1013 24 67
- State Liquor Division, permits and licenses, term, 12 months ......................... H 070 85 206

### LIENS
- Mechanics and materialmen, claim of lien, attorney fees ................................ H 275 173 -
- Real property, deed of trust, promissory note, enforce ................................... S 1097 83 -

### LIEUTENANT GOVERNOR
- Appropriation ........................................................................................................ H 383 267 273
- Appropriation ........................................................................................................ S 1174 149 -
- Appropriation ........................................................................................................ S 1201 226 238

### LIQUOR
- Beer, alcohol by volume, tax, distribution ......................................................... H 232 167 219
- Liquor license, waterfront resorts, requirements ............................................... H 258 211 276
- Liquor license, waterfront resorts, requirements ............................................... S 1047 50 97
- Retail wine establishment, define, minors on premises ...................................... S 1171 146 176
- State Liquor Division, appropriation ................................................................. H 303 167 184
- State Liquor Division, permits and licenses, term, 12 months ......................... H 070 85 206
- Wine, excise tax revenue, distribution ............................................................... H 232 167 219

### LITERACY
- Idaho Literacy Achievement and Accountability Act, new .............................. S 1006 21 37

### LITIGATION
- State-directed opioid settlement fund, establish ................................................. H 315 183 235

### LIVESTOCK
- Dairy farms, nutrient management plans, amend .............................................. H 051 110 170

### LOANS
- Idaho Collection Agency Act, miscellaneous revisions ........................................ S 1014 24/99 111
- Property tax deferral, interest rate, funding ....................................................... H 309 183 223
- Quality educator loan assistance program, establish ........................................ S 1117 88 -
- Regulated/payday lenders, licensing/remedies .................................................... S 1013 24 67

### LOGGING AND LUMBER
- Idaho Board of Scaling Practices, compensation ............................................. H 024 64 152

### LOTTERY, STATE
- Appropriation ........................................................................................................ H 304 167 184

### MAGISTRATES
- See JUDGES

### MAJORITY LEADERSHIP
- Election of .......................................................................................................... 317

### MANUFACTURED HOMES
- See HOMES AND HOUSING

### MANUFACTURING AND MANUFACTURERS
- Manufactured homes, new, sales tax, exemption .............................................. H 032 58 150

### MARIJUANA
- Industrial Hemp Research and Development Act, new .................................... H 126 158 214

### MARRIAGE
- See DOMESTIC RELATIONS

### MASKS
- Mask mandates, prohibit ................................................................................... H 339 245 -
- Schools, adults/minors, mask requirement, exemption ....................................... H 429 - -

### MATERIALMEN
- Mechanics and materialmen, claim of lien, attorney fees ................................ H 275 173 -

- **M** -
<table>
<thead>
<tr>
<th>MECHANICS</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mechanics and materialmen, claim of lien, attorney fees</td>
<td>H 275</td>
<td>173</td>
<td>-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MEDALS</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>See HONORS AND AWARDS</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MEDICAL</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ambulance districts, intergovernmental agreements</td>
<td>H 110</td>
<td>118</td>
<td>187</td>
</tr>
<tr>
<td>COVID-19, related federal funding, use</td>
<td>S 1222</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Education Board/University of Idaho, appropriation, health programs</td>
<td>S 1175</td>
<td>153</td>
<td>176</td>
</tr>
<tr>
<td>Employer, COVID-19 immunization requirement, exemption</td>
<td>S 1225</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Employer, COVID-19 immunization requirement, exemptions</td>
<td>S 1224</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Federal vaccine mandate, oppose</td>
<td>SJM 105</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Hospital boards, duties, members, vacancies, amend</td>
<td>H 115</td>
<td>103</td>
<td>154</td>
</tr>
<tr>
<td>Idaho Patient Act, medical debts, time extension</td>
<td>H 042</td>
<td>53</td>
<td>106</td>
</tr>
<tr>
<td>Idaho Virtual Care Access Act, amend</td>
<td>S 1126</td>
<td>90</td>
<td>132</td>
</tr>
<tr>
<td>Immunization status, immunity passport, discrimination</td>
<td>H 412</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Insurance Department, infants/children, prescription formula</td>
<td>HCR 06</td>
<td>103</td>
<td>122</td>
</tr>
<tr>
<td>Mask mandates, prohibit</td>
<td>H 339</td>
<td>245</td>
<td>-</td>
</tr>
<tr>
<td>Medical Consumer Protection Act, new</td>
<td>H 140</td>
<td>113</td>
<td>-</td>
</tr>
<tr>
<td>Medical treatment, religious exemption, liability</td>
<td>H 414</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Naturopathic doctors, licensing/scope of practice</td>
<td>S 1128</td>
<td>90</td>
<td>-</td>
</tr>
<tr>
<td>Physician assistants, practice, amend</td>
<td>S 1093</td>
<td>80</td>
<td>107</td>
</tr>
<tr>
<td>Respiratory Care Practice Act, repeal/replace</td>
<td>S 1016</td>
<td>24</td>
<td>76</td>
</tr>
<tr>
<td>Schools, adults/minors, mask requirement, exemption</td>
<td>H 429</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Suicide, 988 hotline centers, crisis care, fees, fund</td>
<td>S 1125</td>
<td>89</td>
<td>-</td>
</tr>
<tr>
<td>Suicide, 988 universal crisis phone number, recognize</td>
<td>HCR 11</td>
<td>158</td>
<td>210</td>
</tr>
<tr>
<td>Telehealth, technologies sufficient to diagnose</td>
<td>S 1127</td>
<td>90</td>
<td>-</td>
</tr>
<tr>
<td>Unvaccinated persons, employer discrimination, prohibit</td>
<td>H 140</td>
<td>113</td>
<td>-</td>
</tr>
<tr>
<td>Unvaccinated persons, employer discrimination, prohibit</td>
<td>S 1223</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MEDICAL ASSISTANCE</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>See PUBLIC ASSISTANCE</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MEDICINE</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Naturopathic doctors, licensing/scope of practice</td>
<td>S 1128</td>
<td>90</td>
<td>-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MEETINGS, PUBLIC</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fish and Game Commission, meetings, notice, publish online</td>
<td>S 1019</td>
<td>27</td>
<td>-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MEMORIALS</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bobby Chambers Memorial Highway, Vietnam war hero</td>
<td>H 162</td>
<td>149</td>
<td>222</td>
</tr>
<tr>
<td>Chinese govt/communist party, COVID-19, sanction</td>
<td>HM 01</td>
<td>130</td>
<td>210</td>
</tr>
<tr>
<td>Columbia-Snake River System, dams, oppose removal</td>
<td>SJM 103</td>
<td>135</td>
<td>158</td>
</tr>
<tr>
<td>Federal vaccine mandate, oppose</td>
<td>SJM 105</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Historic monuments/memorials/figure/event, protect</td>
<td>H 090</td>
<td>76</td>
<td>-</td>
</tr>
<tr>
<td>POW/MIA Memorial Highway, U.S. Highway 26</td>
<td>H 132</td>
<td>130</td>
<td>207</td>
</tr>
<tr>
<td>State funeral, last surviving medal of honor recipient</td>
<td>SJM 101</td>
<td>65</td>
<td>86</td>
</tr>
<tr>
<td>Tenth Amendment of the U.S. Constitution, committee</td>
<td>SJM 104</td>
<td>165</td>
<td>183</td>
</tr>
<tr>
<td>United States Supreme Court, nine justices</td>
<td>SJM 102</td>
<td>78</td>
<td>86</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MENTAL HEALTH</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child, serious behavioral health conditions, custody</td>
<td>H 233</td>
<td>140</td>
<td>206</td>
</tr>
<tr>
<td>Mental health commitments, hearings, continuances</td>
<td>S 1037</td>
<td>36</td>
<td>76</td>
</tr>
<tr>
<td>Suicide, 988 hotline centers, crisis care, fees, fund</td>
<td>S 1125</td>
<td>89</td>
<td>-</td>
</tr>
<tr>
<td>Suicide, 988 universal crisis phone number, recognize</td>
<td>HCR 11</td>
<td>158</td>
<td>210</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MILITARY AND MILITIA</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bobby Chambers Memorial Highway, Vietnam war hero</td>
<td>H 162</td>
<td>149</td>
<td>222</td>
</tr>
<tr>
<td>G.I. Bill of Rights, males, contracting, repeal</td>
<td>H 048</td>
<td>66</td>
<td>191</td>
</tr>
<tr>
<td>Hazardous substance emergency response fund, appropriation</td>
<td>H 011</td>
<td>37</td>
<td>71</td>
</tr>
<tr>
<td>Idaho National Guard, Orchard training area, security</td>
<td>H 046</td>
<td>66</td>
<td>170</td>
</tr>
<tr>
<td>License plates, special, American Legion and VFW, new</td>
<td>S 1040</td>
<td>39</td>
<td>-</td>
</tr>
<tr>
<td>License plates, special, purple heart, no limit</td>
<td>H 085</td>
<td>105</td>
<td>206</td>
</tr>
<tr>
<td>Occupational licensing, military members, endorsement</td>
<td>S 1083</td>
<td>75</td>
<td>107</td>
</tr>
<tr>
<td>POW/MIA Memorial Highway, U.S. Highway 26</td>
<td>H 132</td>
<td>130</td>
<td>207</td>
</tr>
<tr>
<td>Servicemen's memorials, appropriations/tax, repeal</td>
<td>H 047</td>
<td>66</td>
<td>191</td>
</tr>
<tr>
<td>State funeral, last surviving medal of honor recipient</td>
<td>SJM 101</td>
<td>65</td>
<td>86</td>
</tr>
</tbody>
</table>
MILITARY AND MILITIA (Continued)

USS Idaho SSN-799, submarine, commissioning .............................................. HCR 03  56  110
Vehicle registration, fee, reduce, military member ........................................... H 157  118  -

MINERALS AND MINING

Appropriation, Governor, Office of, Energy and Mineral .................................. S 1142  118  141
Appropriation, Governor, Office of, Energy and Mineral, addl............................ H 117  92  151

MINORITY LEADERSHIP

Election of ........................................................................................................... 317

MOBILE HOMES

See HOMES AND HOUSING

MONUMENTS

Historic monuments/memorials/figure/event, protect .......................................... H 090  76  -

MORTGAGES

Real property, deed of trust, promissory note, enforce ........................................ S 1097  83  -

MOSQUITO ABATEMENT

See PESTS AND PESTICIDES

MOTOR CARRIERS

New special route designations, repeal sunset .................................................... H 160  123  223
New special route designations, repeal sunset .................................................... H 381  267  275
Special route designations by local authorities, amend ......................................... H 160  123  223
Transportation Department, ports/checking stations, vehicles ............................ S 1113  88  -
Transportation Department, ports/checking stations, vehicles ............................ S 1169  146  -

MOTOR FUELS

See FUELS

MOTOR VEHICLES

DUI, fail testing, charges dismissed, restore license ........................................... H 148  129  -
DUI, refuse/fail testing, ignition interlock device .............................................. H 241  140  222
Distracted driving, hands-free navigation system ................................................. H 005  50  130
Driver's license fees, increase................................................................................ H 161  167/213  232
Driving authorization card, new ........................................................................... S 1132  103  -
License plates, display, rear only .......................................................................... H 158  123  -
License plates, special, American Legion and VFW, new .................................... S 1040  39  -
License plates, special, custom vehicle, new ...................................................... H 165  123  215
License plates, special, purple heart, no limit ...................................................... H 085  105  206
Off-highway vehicles, operating on highways ..................................................... H 129  130  207
Sales/use tax, motor vehicles, nonresident businesses ........................................ H 210  123  214
Traffic-control signals, red light, $270 fine ....................................................... S 1099  83  -
Transportation Department, ports/checking stations, vehicles ......................... S 1113  88  -
Transportation Department, ports/checking stations, vehicles ......................... S 1169  146  -
Vehicle emissions tests, county opt out ............................................................... H 154  125  -
Vehicle insurance, underinsured motor vehicle coverage ................................ S 1118  88  -
Vehicle insurance, underinsured motor vehicle coverage ................................ S 1129  99  -
Vehicle registration, electronic vehicle credential ............................................. S 1102  84  126
Vehicle registration, fee, reduce, military member ............................................ H 157  118  -
Vehicle titles, duplicate, requirements, amend .................................................. H 128  110  168
Vehicles, perfection of title, evidence, ITD letter ................................................ H 049  80  152

- N -

NAMES

See IDENTITY AND NAMES

NATIONAL GUARD

See MILITARY AND MILITIA

NATURAL RESOURCES

See also ENVIRONMENT

Natural resource issues, legislative study committee ........................................... HCR 07  103  157

NATUROPATHS

Naturopathic doctors, licensing/scope of practice .............................................. S 1128  90  -
Naturopathic health care board, create ............................................................. S 1128  90  -
NOTARIES
Notaries, governor facsimile signature, remove ........................................... S 1065 63 108
Notaries, recording instruments, validity ....................................................... H 107 110/221 234
NOTICES
Fish and Game Commission, meetings, notice, publish online .......................... S 1019 27 -
Property tax, notices, bond/levy elections ..................................................... S 1105 84 141
Water right, change of ownership, notice ..................................................... H 184 140 207
NOVAK, JENNIFER
Election and Oath of Office, Secretary of the Senate ........................................ 1
NURSING AND NURSES
Nurses, licensing, disciplinary action ............................................................ H 037 58 151
NURSING HOMES
See ASSISTED LIVING AND NURSING HOMES

- O -

OATH OF OFFICE
Election and Oath of Office:
Chuck Winder, President Pro Tempore............................................................. 1
Jennifer Novak, Secretary of the Senate ......................................................... 1

OCCUPATIONAL AND PROFESSIONAL LICENSES
DOPL, organize newly established division ..................................................... S 1024 30 93
DOPL, organize newly established division ..................................................... S 1025 30 -
DOPL, organize newly established division ..................................................... S 1026 32 93
DOPL, organize newly established division ..................................................... S 1056 61 93
DOPL, prescriptions database ......................................................................... H 039 58 151
Occupational and professional licensure review committee .............................. S 1084 75 107
Occupational licensing, apprenticeship programs .......................................... H 178 133 219
Occupational licensing, military members, endorsement ................................ S 1083 75 107

OPEN MEETING LAW
See MEETINGS, PUBLIC

ORGANIZATIONAL SESSION
Thursday, December 3, 2020 ............................................................................ 1
Convened: 9 a.m., December 3, 2020 ............................................................. 1
Sine Die: 11:36 a.m., December 4, 2020 ......................................................... 4

- P -

PAGES OF THE SENATE
See ATTACHES; INDEX SECTION III
See OATH OF OFFICE
Sworn in, First Group: January 13, 2021 ....................................................... 14
Sworn in, Second Group: February 24, 2021 ................................................. 113

PARDONS AND PAROLE
Commission, appropriation ............................................................................. H 261 140 167
Commission, appropriation, add'l ................................................................. S 1034 35 58
Commission, new chapter, miscellaneous amendments .................................. H 150 129 219
Correction Department, community reentry centers .................................... H 240 167 -

PARENTS
Child support, delinquent, self-employed, lien/audit ....................................... H 193 129 -
Child, serious behavioral health conditions, custody .................................... H 233 140 206
Disaster emergencies, Idaho Parental Rights Act, new ................................ H 246 140/221 234
Driver's licenses, restricted, family law suspension ...................................... H 096 103 170
Parent/child, temporary delegation of parental rights .................................... H 191 146/196 205
Schools, no in-person instruction, expenses, reimburse ............................... H 293 167 -

PARKS AND RECREATION
Department, appropriation ............................................................................. H 333 194 205
Department, appropriation, add'l ................................................................... H 204 118 154
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1023</td>
<td>27</td>
<td>45</td>
</tr>
<tr>
<td>S 1017</td>
<td>25</td>
<td>66</td>
</tr>
<tr>
<td>H 040</td>
<td>58</td>
<td>151</td>
</tr>
<tr>
<td>H 208</td>
<td>123</td>
<td>170</td>
</tr>
<tr>
<td>SJR 101</td>
<td>19</td>
<td>56</td>
</tr>
<tr>
<td>S 1128</td>
<td>90</td>
<td>-</td>
</tr>
<tr>
<td>S 1093</td>
<td>80</td>
<td>107</td>
</tr>
<tr>
<td>H 239</td>
<td>146</td>
<td>216</td>
</tr>
<tr>
<td>S 1113</td>
<td>88</td>
<td>-</td>
</tr>
<tr>
<td>S 1169</td>
<td>146</td>
<td>-</td>
</tr>
<tr>
<td>H 007</td>
<td>85</td>
<td>-</td>
</tr>
<tr>
<td>S 1017</td>
<td>25</td>
<td>66</td>
</tr>
<tr>
<td>S 1041</td>
<td>39</td>
<td>77</td>
</tr>
<tr>
<td>H 038</td>
<td>58</td>
<td>151</td>
</tr>
<tr>
<td>S 1120</td>
<td>89</td>
<td>-</td>
</tr>
<tr>
<td>S 1096</td>
<td>83</td>
<td>120</td>
</tr>
<tr>
<td>S 1200</td>
<td>211/263</td>
<td>235/275</td>
</tr>
<tr>
<td>S 1027</td>
<td>33</td>
<td>56</td>
</tr>
<tr>
<td>H 150</td>
<td>129</td>
<td>219</td>
</tr>
<tr>
<td>S 1077</td>
<td>71</td>
<td>-</td>
</tr>
</tbody>
</table>

PARKS AND RECREATION (Continued)
- Department, appropriation, adj.'l.
- Department, snowmobiles, certificate fees, increase/use
- Department, state parks, repeal nine statutes
- Lava hot springs foundation, continuous appropriation
- Off-highway vehicles and snowmobiles, amend
- State parks, fees, nonresidents

PAY
- Twenty-seventh payroll fund, state employees, create

PERMANENT BUILDING FUND
- Bond accounts, unexpended balances transfer, repeal

PERMITS
- See LICENSES

PERSI
- See RETIREMENT

PESTS AND PESTICIDES
- Pest control deficiency fund, appropriation

PHARMACIES AND PHARMACISTS
- Controlled substances, schedules, amend
- Idaho Pharmacy Act, miscellaneous revisions
- Pharmacy, practice, prescribe, drugs, FDA labeling
- Psychoactive drugs, unlawful, exceptions

PHYSICIANS AND SURGEONS
- Naturopathic doctors, licensing/scope of practice
- Physician assistants, practice, amend

PLANTS
- Phosphoric acid facilities, phosphogypsum stacks

POLICE, IDAHO STATE
- See also LAW ENFORCEMENT
- Appropriation
- Appropriation, adj.'l.
- Peace officers, collective bargaining rights
- PERSI, police/firefighter, catastrophic injury benefit

POLITICAL PARTIES
- Precinct committeemen, qualifications, amend

PORT DISTRICTS
- See DISTRICTS

PORTS
- Transportation Department, ports/checking stations, vehicles
- Transportation Department, ports/checking stations, vehicles

POWER
- See ENERGY

PRECIOUS METALS
- State Treasurer, investment of idle moneys, gold/silver

PRESCRIPTIONS
- Controlled substances, schedules, amend
- Disaster emergencies, consumer protection, prices
- Telehealth, prescription drug orders

PRESIDENT PRO TEMPORE
- Senator Chuck Winder, Elected December 3, 2021

PRISONS AND PRISONERS
- Correction Department, community reentry centers
- Idaho Wrongful Conviction Act, damages, calculation
- Idaho Wrongful Conviction Act, new
- Pardons and parole commission, new chapter

PROBATE
- See also ESTATES
- Uniform Electronic Wills Act, new
PROCLAMATIONS
Ada County Highway District, 50th anniversary................................. SP 103 246 261
Jon Evans, Boys and Girls Clubs of America Hall of Fame.................... SP 102 229 238
Marquee Ricks, American Farm Bureau Discussion Meet........................ SP 101 136 173

PROFESSIONAL TECHNICAL EDUCATION
Career Technical Education Division, appropriation.............................. S 1154 125 143

PROFESSIONS
Naturopathic doctors, licensing/scope of practice ................................ S 1128 90 -
Occupational licensing, apprenticeship programs.................................... H 178 133 219

PROPERTY
See also REAL ESTATE
Unclaimed property, police possession, auction timeline........................ S 1119 88 126

PROPERTY TAX
See TAX AND TAXATION, PROPERTY

PROSECUTING ATTORNEYS
See ATTORNEYS

PUBLIC ASSISTANCE
County aid eligibility, funds to health districts.................................... H 316 183/258 263
Medicaid, reimbursement, new in-state hospitals.................................. S 1092 80/134 147

PUBLIC BROADCASTING
Idaho Public Television, appropriation.................................................. H 283 158 184

PUBLIC EMPLOYEE RETIREMENT SYSTEM
See RETIREMENT

PUBLIC RECORDS
See RECORDS

PUBLIC UTILITIES
See UTILITIES

PUBLIC WORKS
Division, appropriation................................................................. S 1172 148 175
Division, appropriation, add'l.......................................................... H 225 125 163
Division, appropriation, add'l.......................................................... H 397 287 -
Division, appropriation, add'l, Carnegie Library .................................. H 408 302 302

- R -

RACING
Pari-mutuel betting, administration costs............................................ S 1178 160 190

RADIO
See TELECOMMUNICATIONS

RAILROADS
Railroad crossings, vehicle stop, on-track equipment............................ S 1104 84 111

RANGE
Fish and Game laws, violations, fines, public shooting range fund.............. H 286 177 224
Sport shooting ranges, define terms.................................................. S 1055 56 93

REAL ESTATE
See also PROPERTY
Insured Homeowner Protection Act, new............................................ S 1057 62/186 195
Real estate license law, agency office policy, remove............................. H 102 129/180 191
Real estate license law, business opportunity, define............................. H 102 129/180 191

REAL PROPERTY
Engineers and Land Surveyors Board, plane coordinate system................. S 1011 23 80
Land actively devoted to agriculture, definition, amend........................ H 252 158/213 231
Land, noncontiguous, annexation, flood control district...................... H 185 140 207
Land, private, recreation access agreements, penalties........................ H 187 129 216
Land, recreational purposes, limitation of liability............................ S 1020 27 81
Landlord/tenant, fees, authority/notice.......................................... S 1088 80/114 130
Landlord/tenant, security deposits, third-party manager...................... H 152 140 219
Notaries, recording instruments, validity......................................... H 107 110/221 234
Property tax, assessments, appeals, market value................................ H 211 125 -
REAL PROPERTY (Continued)

Property tax, assessments, due date/widow's exemption ............................................. H 015 44 150
Property tax, notices, bond/levy elections................................................................. S 1105 84 141
Property/occupancy tax reduction, disabled veterans ................................................ H 120 110 169
Real property, deed of trust, promissory note, enforce.............................................. S 1097 83 -
Water delivery facilities, adverse possession claims .................................................. S 1073 70 106

RECOGNITION

See HONORS AND AWARDS

RECORDERS

County recorders, death certificates, other instruments ............................................. S 1078 71 107
Notaries, recording instruments, validity .................................................................. H 107 110/221 234

RECORDS

Counties, records, absentee ballot affidavit envelopes ................................................ H 290 194 235
Secretary of State, records, board of examiner approval .............................................. S 1063 63 107
Sexual Offender Classification Board, former, records .............................................. H 029 47 144

RECREATION

Land, private, recreation access agreements, penalties ................................................. H 187 129 216
Land, recreational purposes, limitation of liability ..................................................... S 1020 27 81
Lava hot springs foundation, continuous appropriation ............................................ S 1123 89 149
Off-highway vehicles and snowmobiles, amend ......................................................... H 086 118 207
Recreation districts, transfer property to other government ......................................... H 155 149 215
Snowmobiles, certificate fees, increase/use ................................................................. H 229 129/213 232
State parks, fees, nonresidents ...................................................................................... H 093 99 169
Waterfront resorts, liquor license, requirements ....................................................... H 258 211 276
Waterfront resorts, liquor license, requirements ....................................................... S 1047 50 97

RECREATIONAL VEHICLES

Off-highway vehicles and snowmobiles, amend ......................................................... H 086 118 207
Off-highway vehicles, operating on highways ......................................................... H 129 130 207

REFERENDUMS

See INITIATIVES AND REFERENDUMS

REGULATORY TAKINGS

See EMINENT DOMAIN

RELIGION AND CHURCHES

Medical treatment, religious exemption, liability ....................................................... H 414 - -

REPORTS

Charitable trusts and private foundations, data reporting ..................................... H 041 103 -
Local government, accounting/budgeting, procedure/reporting ................................ H 073 92 160
State employees, annual salary survey, report ......................................................... S 1051 55 107

RESERVOIRS

Ririe Reservoir, flood control rule curves ................................................................. SCR 104 68 100

RESOLUTIONS, CONCURRENT

ARPA funds, broadband/sewer, legislative study committee ...................................... HCR 20 229 -
ARPA funds, expenditure, legislative study committee .............................................. HCR 19 229 288
ARPA funds, water projects, legislative study committee ........................................... HCR 18 229 -
Administrative rules, fee, approval/rejection ............................................................. SCR 108 284 292
Administrative rules, temporary, approve/exception ............................................. SCR 109 284 292
COVID-19, governor, stay healthy guidelines, null/void ....................................... HCR 05 80 -
Capitol building, dedication, centennial, recognize ................................................ HCR 10 146 173
Closed captioning, television monitors, public venues ............................................. SCR 102 43 70
Disaster emergency, from March 13, 2020, terminate .......................................... SCR 101 12 -
Driver authorization cards, legislative study committee ........................................... SCR 107 199 210
Education Board, Rule Docket 08-0201-2101, reject ............................................. SCR 109 284 292
Education Board, rules governing administration, reject ......................................... SCR 105 73 86
Eric Milstead, Legislative Services Office, honor ..................................................... HCR 17 229 261
Federal vaccine mandates, authorize lawsuit, legal fund ........................................ SCR 113 - -
Federalism Committee, PILT program, legislative study committee ....................... HCR 08 140 210
Idaho Women's Day, March 14 ................................................................................ HCR 13 177 218
Immunizations, forced, against state policy .............................................................. HCR 14 183 -
Insurance Department, infants/children, prescription formula ............................. HCR 06 103 122
Isolation order, from December 30, 2020, null/void ................................................. HCR 02 37 -
RESOLUTIONS, CONCURRENT (Continued)

Isolation order, from December 30, 2020, null/void........................................ SCR 103 46  -
Legislative session, recess, September 1, 2021 ............................................. HCR 23 301 -
Legislature, recess, until May 12, 2021 ....................................................... SCR 111 287 288
Legislature, temporary adjournment, expense allowance .......................... SCR 112 303 303
Lemhi River Basin, water users, resolve conflict .......................................... HCR 21 252 261
Natural resource issues, legislative study committee ..................................... HCR 07 103 157
Property tax system in Idaho, legislative study committee ......................... HCR 15 194 225
Public Defense Commission, certain rules, reject......................................... SCR 110 285 292
Ririe Reservoir, flood control rule curves.................................................... SCR 104 68 100
Suicide, 988 universal crisis phone number, recognize .............................. HCR 11 158 210
USS Idaho SSN-799, submarine, commissioning ......................................... HCR 03 56 110
Wheat Commission, finance construction, new office building .................. SCR 106 78 100

RESOLUTIONS, JOINT

Legislative sessions, extraordinary, by legislature ....................................... HJR 01 33  -
Legislative sessions, extraordinary, by legislature ....................................... SJR 102 121 135
Psychoactive drugs, unlawful, exceptions................................................... SJR 101 19 56

RESPIRATORY THERAPISTs

Respiratory Care Practice Act, repeal/replace............................................. S 1016 24 76

RESTAURANTS

See also FOOD

RETIREMENT

Public Employee Retirement System of Idaho, appropriation ...................... H 334 194 206
Public Employee Retirement System of Idaho, firefighter, state fire marshal and deputies... S 1009 23 67
PERSL, police/firefighter, catastrophic injury benefit ................................ S 1096 83 120
Public Employee Retirement System of Idaho, reemployment of school bus drivers...... H 203 140 206
Public Employee Retirement System of Idaho, retirement, compensation, honorarium .... S 1095 83 107

REVENUE AND TAXATION

See TAX AND TAXATION

RIVERS

Columbia-Snake River System, dams, oppose removal ................................ SJM 103 135 158
Lemhi River Basin, water users, resolve conflict .......................................... HCR 21 252 261
Reindeer, domestic purposes north of Salmon River ................................... H 166 130 223
Waterfront resorts, liquor license, requirements ........................................ H 258 211 276
Waterfront resorts, liquor license, requirements ........................................ S 1047 50 97

ROADS

See HIGHWAYS

RULES

Administrative rules, fee, approval/rejection ............................................. SCR 108 284 292
Administrative rules, temporary, approve/exception .................................. SCR 109 284 292
Agriculture Department, rulemaking, requirements, amend ....................... H 167 123 185
Education Board, Rule Docket 08-0201-2101, reject .................................. SCR 109 284 292
Education Board, rules governing administration, reject ........................ SCR 105 73 86
Public Defense Commission, certain rules, reject ................................... SCR 110 285 292

RULES, SENATE AND JOINT RULES SENATE/HOUSE

Pursuant to Senate Rule 3(B):

Seat Selection.................................................................................................................. 1

Pursuant to Senate Rule 9(F):

S 1016, Senator Wintrow: Typographical Correction to the Bill .................. 76
S 1020, Senator Harris: Typographical Correction to the Bill ...................... 81
H 216, Senator Bair: Typographical Correction to the Bill ......................... 205
H 222, Senator Lent: Typographical Correction to the Bill ......................... 214

Pursuant to Senate Rule 16(7):

H 135aaS, Senator Anthon: Postpone to a Certain Time ............................... 258
H 135aaS, Senator Anthon: Postpone to a Certain Time ............................... 262
H 135aaS, Senator Lee: Postpone to a Certain Time ....................................... 267

Pursuant to Senate Rule 39(H): Conflict of Interest

Gubernatorial reappointment of Kristine Raper, Senator Burgoyne .................. 57
S 1041, Pro Tempore Winder, Senators Anthon, Den Hartog, Lakey, and Nye ...... 77
RULES, SENATE AND JOINT RULES SENATE/HOUSE (Continued)
S 1045, Senators Den Hartog and Johnson.......................................................... 93
S 1121, Senator Lee and Acting Senator Van Orden................................................. 106
H 176, Senator Rabe.......................................................... 119
S 1137, Senators Anthon, Lakey, Lee, Nye, Rabe, and Rice................................. 140
S 1138, Senator Rice..................................................................... 140
S 1152, Senator Vick.......................................................... 143
S 1153, Senator Grow.......................................................... 143
H 73, Senators Anthon, Lakey, and Nye.............................................................. 160
H 272, Senators Lee and Nye............................................................................. 168
H 303, Senator Agenbroad.................................................................................. 184
S 1179, Senators Anthon and Burgoyne............................................................... 190
S 1185, Senator Agenbroad.................................................................................. 195
S 1108, Senators Lakey, Nye, and Rabe............................................................... 195
S 1191, Senators Lee and Nye............................................................................. 204
H 324, President Pro Tempore Winder................................................................... 205
S 1211, Senator Burtonshaw.................................................................................. 254
H 316, Senators Harris, Lee, and Lodge............................................................... 263
H 389, Senator Anthon......................................................................................... 289
Pursuant to Joint Rule 20: Petition to Waive
SJR 102, February 26, 2021 ............................................................................. 121
Pursuant to Mason's Manual of Legislative Procedure:
Section 204(3), Right to Adjourn ........................................................................... 304
Section 445(2), Motion to Adjourn Sine Die......................................................... 304
Section 783(2), Adjournment for More than a Specified Number of Days............. 304

- S -

SALARIES
See WAGES
SALES
Sales tax, distribution, marketplace facilitator, amend.............................................. H 332 194 -

SCHOLARSHIPS
Strong students grant/scholarship programs, establish............................................ H 294 160/197 205

SCHOOLS AND SCHOOL DISTRICTS
Advanced opportunities program, eligible costs...................................................... H 250 167 223
Advanced opportunities program, nonpublic students............................................ S 1045 47 93
Idaho Literacy Achievement and Accountability Act, new..................................... S 1006 21 37
Immunization status, immunity passport, discrimination........................................ H 412 - -
Immunizations, students, exemptions, notice to parents......................................... H 298 177 234
Kindergarten jump-start program, establish............................................................ S 1075 70 114
Local salary schedule, definition, amend............................................................... H 280 160 223
Public charter school commission, performance/members/director.......................... S 1115 88 126
Public charter schools, facilities funds.................................................................... H 264 158 222
Public charter schools, funding, computation....................................................... H 022 47/134 147
Quality educator loan assistance program, establish.............................................. S 1117 88 -
School districts, teacher unions, negotiations....................................................... H 174 158 -
Schools, adults/minors, mask requirement, exemption........................................... H 429 - -
Schools, authority to close, prevent spread of disease............................................ H 067 85 119
Schools, buildings, unexpended funds transfer, repeal......................................... H 138 110 214
Schools, bus drivers, retired, reemployment, PERSI............................................ H 203 140 206
Schools, clubs and organizations, requirements.................................................... H 329 218 -
Schools, employees, concealed weapons, school property................................... H 122 173 -
Schools, employees, concealed weapons, school property................................... S 1135 110 -
Schools, employees, state employee health insurance.......................................... H 248 146 -
Schools, improvement plans, advisory council.................................................... H 222 146 214
Schools, innovation classrooms, establish ............................................................. S 1046 47/114/134 147
### SCHOOLS AND SCHOOL DISTRICTS (Continued)

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 293</td>
<td>167</td>
<td>-</td>
</tr>
<tr>
<td>S 1052</td>
<td>55</td>
<td>-</td>
</tr>
<tr>
<td>S 1043</td>
<td>44/100</td>
<td>81/114</td>
</tr>
<tr>
<td>H 172</td>
<td>133</td>
<td>187</td>
</tr>
<tr>
<td>S 1116</td>
<td>88/114</td>
<td>130</td>
</tr>
<tr>
<td>H 175</td>
<td>133</td>
<td>206</td>
</tr>
<tr>
<td>H 111</td>
<td>123</td>
<td>180</td>
</tr>
<tr>
<td>S 1007</td>
<td>22</td>
<td>37</td>
</tr>
<tr>
<td>H 350</td>
<td>245</td>
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<tr>
<td>S 1039</td>
<td>37/230</td>
<td>67/245</td>
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<td>H 377</td>
<td>259</td>
<td>263</td>
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<td>H 249</td>
<td>149</td>
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<tr>
<td>H 294</td>
<td>160/197</td>
<td>205</td>
</tr>
<tr>
<td>H 221</td>
<td>146</td>
<td>-</td>
</tr>
<tr>
<td>H 280</td>
<td>160</td>
<td>223</td>
</tr>
</tbody>
</table>

### SCIENCE AND TECHNOLOGY

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1148</td>
<td>122</td>
<td>142</td>
</tr>
</tbody>
</table>

### SEAT ASSIGNMENTS

Organizational: December 3, 2020

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 290</td>
<td>194</td>
<td>235</td>
</tr>
<tr>
<td>S 1184</td>
<td>177</td>
<td>194</td>
</tr>
<tr>
<td>H 223</td>
<td>123</td>
<td>-</td>
</tr>
<tr>
<td>S 1110</td>
<td>84</td>
<td>125</td>
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<tr>
<td>S 1150</td>
<td>122/298</td>
<td>146/300</td>
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<td>S 1064</td>
<td>63</td>
<td>131</td>
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<td>S 1069</td>
<td>64</td>
<td>101</td>
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<tr>
<td>S 1167</td>
<td>145</td>
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</tr>
<tr>
<td>H 066</td>
<td>58/212</td>
<td>231</td>
</tr>
<tr>
<td>S 1066</td>
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<tr>
<td>H 245</td>
<td>160</td>
<td>224</td>
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<td>H 243</td>
<td>158</td>
<td>216</td>
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<td>H 104</td>
<td>110</td>
<td>206</td>
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<td>H 231</td>
<td>158</td>
<td>215</td>
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<tr>
<td>S 1062</td>
<td>63</td>
<td>97</td>
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<tr>
<td>S 1067</td>
<td>63</td>
<td>101</td>
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<tr>
<td>S 1168</td>
<td>146/186</td>
<td>197</td>
</tr>
<tr>
<td>S 1070</td>
<td>66</td>
<td>101</td>
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<tr>
<td>H 349</td>
<td>218</td>
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<tr>
<td>S 1061</td>
<td>63/248</td>
<td>131</td>
</tr>
<tr>
<td>S 1065</td>
<td>63</td>
<td>108</td>
</tr>
<tr>
<td>H 107</td>
<td>110/221</td>
<td>234</td>
</tr>
<tr>
<td>S 1063</td>
<td>63</td>
<td>107</td>
</tr>
<tr>
<td>S 1166</td>
<td>145</td>
<td>-</td>
</tr>
<tr>
<td>H 344</td>
<td>234</td>
<td>-</td>
</tr>
</tbody>
</table>

### SECRETARY OF THE SENATE

Jennifer Novak, Elected December 3, 2021

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 346</td>
<td>218</td>
<td>234</td>
</tr>
<tr>
<td>H 305</td>
<td>167</td>
<td>184</td>
</tr>
<tr>
<td>H 304</td>
<td>167</td>
<td>184</td>
</tr>
</tbody>
</table>

### SELF-GOVERNING AGENCIES

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 346</td>
<td>218</td>
<td>234</td>
</tr>
<tr>
<td>H 305</td>
<td>167</td>
<td>184</td>
</tr>
<tr>
<td>H 304</td>
<td>167</td>
<td>184</td>
</tr>
</tbody>
</table>

### SENATE

See also LEGISLATURE
See also SEAT ASSIGNMENTS, COMMITTEE ASSIGNMENTS
See also SENATE OFFICERS; SPECIAL COMMITTEES

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCR 111</td>
<td>287</td>
<td>288</td>
</tr>
</tbody>
</table>
SENATORS
Acting Senators:

Jeff Siddoway, February 15 - 26, 2021 ................................................................. 86
Julie Van Orden, February 16 - 24, 2021 ................................................................. 95
Flynn Vick, February 25 - 26, 2021 ................................................................. 117
Rick Hogaboam, April 24 - May 1, 2021 ................................................................. 260
Rebecca Funk, April 26 - May 12, 2021 ................................................................. 260
Joni Burtenshaw, April 26 - April 30, 2021 ............................................................... 261
Tom Lamar, May 3 - May 7, 2021 ................................................................. 270
Zach Reider, May 3 - May 4, 2021 ................................................................. 270
Brady Fuller, May 5, 2021 ....................................................................................... 285
Carol Guthrie, November 17, 2021 ................................................................. 311

SESSION LAWS
Session Laws, joint printing committee, meetings ........................................... S 1076 70 106

SEWERS
ARPA funds, broadband/sewer, legislative study committee .................................. HCR 20 229 -

SEX OFFENSES AND OFFENDERS
Rape, age 16 or 17, victim relationship to perpetrator ........................................ S 1089 80/114 130
Rape, of spouse, exceptions, repeal statute .......................................................... S 1089 80/114 130
Sexual Offender Classification Board, former, records ........................................ H 029 47 144

SHERIFFS
Peace officers, collective bargaining rights .......................................................... S 1120 89 -
PERSI, police/firefighter, catastrophic injury benefit ........................................ S 1096 83 120
Unclaimed property, police possession, auction timeline ........................................ S 1119 88 126

SIDEWALKS
Public highways, outside city limits, sidewalks, width ......................................... H 131 130 215

SILVER
See PRECIOUS METALS

SINE DIE ADJOURNMENT
Organizational Session, December 4, 2020 at 11:36 a.m. ..................................... 4
First Regular Session, November 17, 2021 at 3:46 p.m. ........................................ 312

SMOKING
Tobacco products, minimum age, 21 years ......................................................... S 1087 75 132
Tobacco products/electronic cigarettes, local ordinance ........................................ H 363 229 -

SNOWMOBILES
Snowmobiles and off-highway vehicles, amend .................................................. H 086 118 207
Snowmobiles, certificate fees, increase/use .......................................................... H 229 129/213 232

SOIL
Idaho OnePlan, conservation planning system, remove ........................................ S 1122 89 126
Phosphoric acid facilities, phosphogypsum stacks ............................................... H 239 146 216
Soil and Water Conservation Commission, appropriation ................................... S 1145 118 141
Soil and water conservation com/districts, rename ............................................. S 1122 89 126

SPEECH AND HEARING SERVICES
Closed captioning, television monitors, public venues ........................................ SCR 102 43 70

STANDING COMMITTEE, ASSIGNMENTS
Organizational Session, December 4, 2021 ......................................................... 3
Revised Standing Committee Assignments, January 12, 2021 ............................... 11

STATE AGENCIES
See GOVERNMENT

STATE APPELATE PUBLIC DEFENDER
Appropriation ........................................................................................................ H 230 129 167
State Appellate Public Defender Act, new ......................................................... S 1035 36 106

STATE OF THE JUDICIARY MESSAGE
Chief Justice Richard Bevan, January 28, 2021 .................................................... 40

STATE OF THE STATE AND BUDGET ADDRESS
Governor Brad Little, January 12, 2021 ................................................................. 6

STATE PUBLIC DEFENSE COMMISSION
Appropriation ........................................................................................................ H 269 149 168
Public Defense Commission, certain rules, reject .............................................. SCR 110 285 292
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 250</td>
<td>167</td>
<td>223</td>
</tr>
<tr>
<td>H 299</td>
<td>167</td>
<td>259</td>
</tr>
<tr>
<td>S 1006</td>
<td>21</td>
<td>37</td>
</tr>
<tr>
<td>S 1109</td>
<td>84</td>
<td>120</td>
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<tr>
<td>H 298</td>
<td>177</td>
<td>234</td>
</tr>
<tr>
<td>S 1075</td>
<td>70</td>
<td>114</td>
</tr>
<tr>
<td>S 1045</td>
<td>47</td>
<td>93</td>
</tr>
<tr>
<td>S 1117</td>
<td>88</td>
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</tr>
<tr>
<td>H 329</td>
<td>218</td>
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<td>S 1046</td>
<td>47/114/134</td>
<td>147</td>
</tr>
<tr>
<td>H 293</td>
<td>167</td>
<td>-</td>
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<tr>
<td>S 1052</td>
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<td>H 1043</td>
<td>44/100</td>
<td>81/114</td>
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<td>H 172</td>
<td>133</td>
<td>187</td>
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<td>S 1039</td>
<td>37/230</td>
<td>67/245</td>
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<td>H 377</td>
<td>259</td>
<td>263</td>
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<tr>
<td>H 249</td>
<td>149</td>
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<tr>
<td>H 294</td>
<td>160/197</td>
<td>205</td>
</tr>
<tr>
<td>S 1114</td>
<td>88</td>
<td>-</td>
</tr>
<tr>
<td>S 1116</td>
<td>88/114</td>
<td>130</td>
</tr>
<tr>
<td>HCR 20</td>
<td>229</td>
<td>-</td>
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<td>HCR 19</td>
<td>229</td>
<td>288</td>
</tr>
<tr>
<td>HCR 18</td>
<td>229</td>
<td>-</td>
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<tr>
<td>SCR 107</td>
<td>199</td>
<td>210</td>
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<tr>
<td>HCR 08</td>
<td>140</td>
<td>210</td>
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<tr>
<td>HCR 07</td>
<td>103</td>
<td>157</td>
</tr>
<tr>
<td>HCR 15</td>
<td>194</td>
<td>225</td>
</tr>
<tr>
<td>S 1189</td>
<td>187</td>
<td>204</td>
</tr>
<tr>
<td>S 1216</td>
<td>280</td>
<td>289</td>
</tr>
<tr>
<td>S 1125</td>
<td>89</td>
<td>-</td>
</tr>
<tr>
<td>HCR 11</td>
<td>158</td>
<td>210</td>
</tr>
<tr>
<td>S 1198</td>
<td>203</td>
<td>231</td>
</tr>
<tr>
<td>H 206</td>
<td>118</td>
<td>155</td>
</tr>
</tbody>
</table>

**STUDIES**
ARPA funds, broadband/sewer, legislative study committee ........................................ HCR 20 229 -
ARPA funds, expenditure, legislative study committee ........................................... HCR 19 229 288
ARPA funds, water projects, legislative study committee ..................................... HCR 18 229 -
Driver authorization cards, legislative study committee .................................... SCR 107 199 210
Federalism Committee, PILT program, legislative study committee ............................. HCR 08 140 210
Natural resource issues, legislative study committee ........................................... HCR 07 103 157
Property tax system in Idaho, legislative study committee ................................... HCR 15 194 225

**SUBSTANCE ABUSE**
Appropriation, Governor, Office of, Drug Policy .................................................. S 1189 187 204
Appropriation, Governor, Office of, Drug Policy, add'l ....................................... S 1216 280 289

**SUBSTITUTE SENATORS**
See also GOVERNORS APPOINTMENTS; SENATORS

**SUICIDE**
Suicide, 988 hotline centers, crisis care, fees, fund .............................................. S 1125 89 -
Suicide, 988 universal crisis phone number, recognize ........................................... HCR 11 158 210

**SUPERINTENDENT OF PUBLIC INSTRUCTION**
See also EDUCATION

**SUPREME COURT**
See also COURTS
See also COURTS, JUDICIARY
Chief Justice G. Richard Bevan
State of the Judiciary Message, January 28, 2021 .................................................. 40

**TAX AND TAXATION**
2021 Idaho tax rebate fund, create .............................................................................. H 380 259 274
Commission, appropriation ......................................................................................... S 1198 203 231
Commission, appropriation, reduce .......................................................................... H 206 118 155
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 214</td>
<td>123</td>
<td>191</td>
</tr>
<tr>
<td>H 390</td>
<td>280</td>
<td>289</td>
</tr>
<tr>
<td>H 058</td>
<td>64</td>
<td>85</td>
</tr>
<tr>
<td>S 1197</td>
<td>203</td>
<td>231</td>
</tr>
<tr>
<td>H 277</td>
<td>158</td>
<td>215</td>
</tr>
<tr>
<td>H 332</td>
<td>194</td>
<td>-</td>
</tr>
<tr>
<td>H 380</td>
<td>259</td>
<td>274</td>
</tr>
<tr>
<td>H 251</td>
<td>133</td>
<td>173</td>
</tr>
<tr>
<td>H 276</td>
<td>158</td>
<td>215</td>
</tr>
<tr>
<td>H 170</td>
<td>110</td>
<td>169</td>
</tr>
<tr>
<td>H 390</td>
<td>280</td>
<td>289</td>
</tr>
<tr>
<td>H 317</td>
<td>167</td>
<td>222</td>
</tr>
<tr>
<td>H 217</td>
<td>125</td>
<td>214</td>
</tr>
<tr>
<td>H 058</td>
<td>64</td>
<td>85</td>
</tr>
<tr>
<td>H 332</td>
<td>194</td>
<td>-</td>
</tr>
<tr>
<td>H 380</td>
<td>259</td>
<td>274</td>
</tr>
<tr>
<td>H 332</td>
<td>194</td>
<td>-</td>
</tr>
<tr>
<td>H 380</td>
<td>259</td>
<td>274</td>
</tr>
<tr>
<td>H 211</td>
<td>125</td>
<td>-</td>
</tr>
<tr>
<td>H 015</td>
<td>44</td>
<td>150</td>
</tr>
<tr>
<td>H 389</td>
<td>280</td>
<td>289</td>
</tr>
<tr>
<td>H 389</td>
<td>280</td>
<td>289</td>
</tr>
<tr>
<td>H 389</td>
<td>280</td>
<td>289</td>
</tr>
<tr>
<td>H 120</td>
<td>110</td>
<td>169</td>
</tr>
<tr>
<td>S 1021</td>
<td>27</td>
<td>-</td>
</tr>
<tr>
<td>S 1048</td>
<td>54</td>
<td>-</td>
</tr>
<tr>
<td>S 1108</td>
<td>84/114/186</td>
<td>195</td>
</tr>
<tr>
<td>S 1170</td>
<td>146</td>
<td>-</td>
</tr>
<tr>
<td>H 232</td>
<td>167</td>
<td>219</td>
</tr>
<tr>
<td>H 232</td>
<td>167</td>
<td>219</td>
</tr>
<tr>
<td>H 021</td>
<td>53</td>
<td>-</td>
</tr>
<tr>
<td>H 210</td>
<td>123</td>
<td>214</td>
</tr>
<tr>
<td>H 032</td>
<td>58</td>
<td>150</td>
</tr>
<tr>
<td>H 171</td>
<td>110/179</td>
<td>190</td>
</tr>
<tr>
<td>S 1029</td>
<td>33</td>
<td>-</td>
</tr>
<tr>
<td>H 112</td>
<td>123</td>
<td>-</td>
</tr>
<tr>
<td>H 332</td>
<td>194</td>
<td>-</td>
</tr>
<tr>
<td>S 1006</td>
<td>21</td>
<td>37</td>
</tr>
<tr>
<td>H 280</td>
<td>160</td>
<td>223</td>
</tr>
<tr>
<td>S 1117</td>
<td>88</td>
<td>-</td>
</tr>
<tr>
<td>H 122</td>
<td>173</td>
<td>-</td>
</tr>
<tr>
<td>S 1135</td>
<td>110</td>
<td>-</td>
</tr>
<tr>
<td>H 248</td>
<td>146</td>
<td>-</td>
</tr>
<tr>
<td>S 1046</td>
<td>47/114/134</td>
<td>147</td>
</tr>
<tr>
<td>H 175</td>
<td>133</td>
<td>206</td>
</tr>
<tr>
<td>H 111</td>
<td>123</td>
<td>180</td>
</tr>
<tr>
<td>S 1007</td>
<td>22</td>
<td>37</td>
</tr>
</tbody>
</table>

**TAX AND TAXATION, INCOME**

| Assumptions, 2020 federal relief money .................................................. | H 251 |
| Adjustments, excess business losses, twenty years ................................... | H 170 |
| Assumptions, bonus depreciation add-back .............................................. | H 276 |
| Adjustments, lessor or utility provider ................................................ | H 309 |
| Affecting business entities, state/local tax treatment ............................. | H 309 |
| Credit/deduction, expenditure, evidence, bank invoice ................................ | H 309 |
| Internal Revenue Code, update reference ............................................... | H 309 |
| Rates, individuals and corporations, amend ............................................. | H 309 |
| Rates, individuals and corporations, amend ............................................. | H 309 |
| Rebate, 2019 taxes ...................................................................................... | H 309 |
| Rebate, 2019 taxes ...................................................................................... | H 309 |

**TAX AND TAXATION, PROPERTY**

| Assessments, appeals, market value ......................................................... | H 211 |
| Assessments, due date/whidow's exemption ............................................... | H 015 |
| Assessments, due date/whidow's exemption ............................................... | H 015 |
| Assessors, county, new construction roll, requirements ............................. | H 309 |
| Exemptions, homeowners/personal property, increase ................................... | H 309 |
| Federalism Committee, PILT program, legislative study committee .................. | H 309 |
| Land actively devoted to agriculture, definition, amend ............................ | H 309 |
| Notices, bond/levy elections ........................................................................ | H 309 |
| Property tax deferral, interest rate, funding ............................................ | H 309 |
| Property tax system in Idaho, legislative study committee ............................ | H 309 |
| Reduction, circuit breaker, eligibility/benefits ......................................... | H 309 |
| Reduction, disabled veterans, increase .................................................... | H 309 |
| Reduction, transfer benefits, disabled veterans ......................................... | H 309 |
| Taxing districts, budget requests, limitation ............................................ | H 309 |
| Taxing districts, budget requests, limitation ............................................ | H 309 |
| Taxing districts, budget requests, limitation ............................................ | H 309 |
| Taxing districts, budget requests, limitation ............................................ | H 309 |
| Taxing districts, budget requests, limitation ............................................ | H 309 |
| Taxing districts, budget requests, limitation ............................................ | H 309 |

**TAX AND TAXATION, SALES AND USE**

| Distribution, beer, alcohol by volume ..................................................... | H 232 |
| Distribution, wine, excise tax revenue .................................................... | H 232 |
| Exemption, businesses owned by a minor ................................................... | H 021 |
| Exemption, motor vehicles, nonresident businesses ...................................... | H 021 |
| Exemption, new manufactured homes, manufacturer ...................................... | H 021 |
| Exemption/resale certificate, purchaser, establish ...................................... | H 021 |
| Online sales tax revenue, distribution, revise .......................................... | H 021 |
| Rebate, government agencies, road contractors ......................................... | H 021 |
| Sales tax, distribution, marketplace facilitator, amend ................................ | H 021 |

**TEACHING AND TEACHERS**

| Idaho Literacy Achievement and Accountability Act, new ................................ | S 1006 |
| Local salary schedule, definition, amend ................................................ | S 1006 |
| Quality educator loan assistance program, establish .................................... | S 1006 |
| Schools, employees, concealed weapons, school property ................................ | S 1006 |
| Schools, employees, concealed weapons, school property ................................ | S 1006 |
| Schools, employees, state employee health insurance .................................... | S 1006 |
| Schools, innovation classrooms, establish ................................................ | S 1006 |
| Schools, students, in-person instruction option ......................................... | S 1006 |
| Schools, teacher contracts, certification program ....................................... | S 1006 |
| Schools, teachers, endorsement and salary schedule .................................... | S 1006 |
### Senate Index

**TEACHING AND TEACHERS (Continued)**
- Schools/colleges, education, non-discrimination ........................................ H 377 259 263
- Teacher unions, school districts, negotiations ........................................ H 174 158 -
- Teachers, certification, alternative, LEA-specific ..................................... H 221 146 -
- Teachers, out-of-state and private school, endorsements .......................... H 280 160 223

**TELECOMMUNICATIONS**
- Cities, broadband infrastructure, development ........................................ S 1149 122 -
- Idaho Virtual Care Access Act, amend .................................................... S 1126 90 132
- Suicide, 988 hotline centers, crisis care, fees, fund ................................ S 1125 89 -
- Suicide, 988 universal crisis phone number, recognize ............................ HCR 11 158 210
- Telehealth, technologies sufficient to diagnose ...................................... S 1127 90 -

**TELEVISION**
- Idaho Public Television, appropriation .................................................... H 283 158 184

**TENANTS**
- See LANDLORDS AND TENANTS

**TEXTING**
- Distracted driving, hands-free navigation system ..................................... H 005 50 130

**TOBACCO**
- Tobacco products, minimum age, 21 years .............................................. S 1087 75 132
- Tobacco products/electronic cigarettes, local ordinance ......................... H 363 229 -

**TRAINS**
- See RAILROADS

**TRANSPORTATION**
- Ada County Highway District, 50th anniversary ..................................... SP 103 246 261
- Department, appropriation ................................................................. H 326 183 205
- Department, appropriation, add'l ....................................................... H 308 167 175
- Department, appropriation, add'l ....................................................... H 401 287 294
- Department, ports/checking stations, qualifying vehicles .................... S 1094 80 97
- Department, ports/checking stations, qualifying vehicles .................... S 1113 88 -
- Department, ports/checking stations, qualifying vehicles .................... S 1169 146 -
- Driver authorization cards, legislative study committee ......................... SCR 107 199 210
- Driver's license fees, increase ........................................................... H 161 167/213 232
- Driving authorization card, new ......................................................... S 1132 103 -
- Highways, definition, amend .............................................................. S 1100 83 120
- License plates, special, American Legion and VFW, new ....................... S 1040 39 -
- License plates, special, custom vehicle, new ...................................... H 165 123 215
- License plates, special, purple heart, no limit .................................... H 085 105 206
- New special route designations, repeal sunset .................................... H 160 123 223
- New special route designations, repeal sunset .................................... H 381 267 275
- Off-highway vehicles and snowmobiles, amend ................................... H 086 118 207
- Off-highway vehicles, operating on highways ....................................... H 129 130 207
- Special route designations by local authorities, amend ......................... H 160 123 223
- Traffic-control signals, red light, $270 fine ...................................... S 1099 83 -
- Transportation funding, amend .......................................................... H 342 194 -
- Transportation funding, amend .......................................................... H 362 220 274
- Transportation support program, formula, emergencies ....................... H 265 158 223
- Transportation systems, state/local, plans/ordinances ........................ S 1106 84 -
- Vehicle registration, electronic vehicle credential ................................ S 1102 84 126
- Vehicle registration, fee, reduce, military member ............................ H 157 118 -
- Vehicle titles, duplicate, requirements, amend ................................ S 128 110 168
- Vehicles, perfection of title, evidence, ITD letter ................................ H 049 80 152

**TRAPPING**
- Trapping, wild fur-bearing animals, bait ............................................ H 091 99 180

**TREASURER, STATE**
- Appropriation .......................................................... S 1186 177 195
- Appropriation, add'l .............................................................. H 114 87 151
- Investment of idle moneys, gold and silver ...................................... H 007 85 -
- State budget terminology, make uniform/consistent ......................... H 260 189 205
- State insurance fund, manager, remove state treasurer .................... S 1082 75 119
- Twenty-seventh payroll fund, state employees, create ..................... S 1004 20 37
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 041</td>
<td>103</td>
<td>-</td>
</tr>
<tr>
<td>S 1016</td>
<td>76</td>
<td></td>
</tr>
<tr>
<td>S 1020</td>
<td>81</td>
<td></td>
</tr>
<tr>
<td>H 260</td>
<td>205</td>
<td></td>
</tr>
<tr>
<td>H 222</td>
<td>214</td>
<td></td>
</tr>
</tbody>
</table>

- U -

UNEMPLOYMENT
See EMPLOYMENT SECURITY LAW

UNIONS
See LABOR

UNIVERSITIES
See COLLEGES AND UNIVERSITIES

URBAN RENEWAL
- Highway/urban renewal districts, project funding - S 1107 84/196 205
- Urban renewal boards, unelected, eminent domain - S 1044 47 76

UTILITIES
- Public Utilities Commission, appropriation - S 1141 118 143

- V -

VACCINATION
- Employee, COVID-19 vaccination status disclosure - H 419 - -
- Employer, COVID-19 immunization requirement, exemption - S 1225 - -
- Employer, COVID-19 immunization requirement, exemptions - S 1224 - -
- Federal vaccine mandate, oppose - SJM 105 - -
- Federal vaccine mandates, authorize lawsuit, legal fund - SCR 113 - -
- Immunization status, immunity passport, discrimination - H 412 - -
- Immunizations, forced, against state policy - HCR 14 183 -
- Unvaccinated persons, employer discrimination, prohibit - H 140 113 -
- Unvaccinated persons, employer discrimination, prohibit - S 1223 - -
- Vaccinations, students, exemptions, notice to parents - H 298 177 234
- Worker's compensation, vaccine-related injuries - H 417 - -

VEHICLES
See MOTOR VEHICLES

VETERANS
- Disabled veterans, homeowners, tax reduction - H 389 280 289
- Disabled veterans, property/occupancy tax reduction - H 120 110 169
- G.I. Bill of Rights, males, contracting, repeal - H 048 66 191
- Idaho mentor program, workforce development - S 1109 84 120
- License plates, special, American Legion and VFW, new - S 1040 39 -
- License plates, special, purple heart, no limit - H 085 105 206
- Occupational licensing, military members, endorsement - S 1083 75 107
- POW/MIA Memorial Highway, U.S. Highway 26 - H 132 130 207
- Servicemen's memorials, appropriations/tax, repeal - H 047 66 191
- State funeral, last surviving medal of honor recipient - SJM 101 65 86
- Veterans Services Division, appropriation - S 1140 118 141

VETERINARY MEDICINE
- Idaho Veterinary Practice Act, miscellaneous revisions - H 64 110 154

VETO MESSAGES, GOVERNOR'S
- H 214, April 7, 2021 - 217
- S 1110, April 17, 2021 - 241
- S 1136aa,aaH, April 16, 2021 - 242
- H 135aaS, April 21, 2021 - 258
VETO MESSAGES, GOVERNOR'S (Continued)

S 1217, May 10, 2021 ................................................................. 297
S 1150, May 18, 2021 ................................................................. 305

VETOED BILLS

Ballot initiatives/referendums, signatures, in-state .................................................. S 1150 122/298 146/300
Disaster emergencies, governor/legislature, powers ............................................. H 135 96/221 226
State of extreme peril, governor/legislature powers ............................................. S 1136 110/161/218 173/243
Tax Commission, chairman, assigning responsibilities, consent ..................... H 214 123 191

VISUALLY IMPAIRED

See BLIND

VITAL STATISTICS

Adoption, birth certificates, medical information ............................................. H 059 146 -
Vital statistics, records disclosure and reports, amend ........................................ H 036 58 150

VOCATIONAL REHABILITATION

Division, appropriation ................................................................................ S 1152 125 143

VOLUNTEERS

Idaho promise mentor program, workforce development .................................. S 1109 84 120

VOTING AND VOTERS

Absentee ballot affidavit envelopes, counties, records ........................................... H 290 194 235
Ballot collection, prohibited, felony, exceptions ................................................. H 223 123 -
Ballot initiatives/referendums, signatures, districts .............................................. S 1110 84 125
Ballot initiatives/referendums, signatures, in-state ............................................... S 1150 122/298 146/300
Ballots, absentee, issuance ................................................................................. S 1064 63 131
Ballots, absentee, issues/remedy, county clerk ................................................. S 1069 64 101
Ballots, absentee, long-term care facilities, assist .............................................. S 1157 145 -
Election dates, March, May, November, remove August .................................... H 106 92 -
Election laws, signature verification, directives ................................................. H 290 194 235
Elections, ballots, absentee, issuance/counting ................................................... S 1070 66 101
Elections, postelection audit of selected ballots .................................................. H 349 218 -
Voter registration, election day, procedures ...................................................... S 1166 145 -
Voter registration, election day, requirements/audit .......................................... H 344 234 -
Voting, colleges influencing students, prohibit .................................................. H 299 167 259

VOTING, CONFLICT, DISCLOSURE

See CONFLICT OF INTEREST

- W -

WAGES

Labor Department, unemployment laws, amend .............................................. H 142 118 214
Labor Department, wage claims, decisions/appeals, electronic ............................. H 075 103 168
Minimum wage, increase ................................................................................. S 1028 33 -
State employees, annual salary survey, report ................................................... S 1051 55 107
Twenty-seventh payroll fund, state employees, create ....................................... S 1004 20 37

WATER

ARPA funds, water projects, legislative study committee ..................................... HCR 18 229 -
Agricultural best management practices fund, establish .................................... S 1079 71/100 119
Cloud seeding program, establish ...................................................................... H 266 158 222
Columbia-Snake River System, dams, oppose removal ....................................... SJM 103 135 158
Disaster emergencies, consumer protection, prices ........................................... S 1041 39 77
Domestic water to be protected, repeal ............................................................. S 1015 24 58
Irrigation corporation boundary adjustments, process ....................................... H 182 140 207
Irrigation districts, board, filling vacancies ........................................................ S 1072 70 106
Lemhi River Basin, water users, resolve conflict ............................................... HCR 21 252 261
Natural resource issues, legislative study committee ......................................... HCR 07 103 157
Ririe Reservoir, flood control rule curves ........................................................... SCR 104 68 100
Soil and Water Conservation Commission, appropriation ................................ S 1145 118 141
Soil and water conservation com/districts, rename .......................................... S 1122 89 126
Water delivery facilities, adverse possession claims .......................................... S 1073 70 106
<table>
<thead>
<tr>
<th>WATER (Continued)</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water districts, fees and assessments</td>
<td>S 1005</td>
<td>21</td>
<td>81</td>
</tr>
<tr>
<td>Water laws, amend/repeal</td>
<td>H 043</td>
<td>71</td>
<td>154</td>
</tr>
<tr>
<td>Water laws, amend/repeal</td>
<td>H 057</td>
<td>76</td>
<td>169</td>
</tr>
<tr>
<td>Water laws, amend/repeal</td>
<td>H 307</td>
<td>177</td>
<td>222</td>
</tr>
<tr>
<td>Water management account, water projects, use/report</td>
<td>S 1074</td>
<td>70</td>
<td>106</td>
</tr>
<tr>
<td>Water permits, full beneficial use, time extension</td>
<td>H 267</td>
<td>146</td>
<td>208</td>
</tr>
<tr>
<td>Water quality innovation and pollutant trading</td>
<td>H 099</td>
<td>129</td>
<td>180</td>
</tr>
<tr>
<td>Water right, change of ownership, notice</td>
<td>H 184</td>
<td>140</td>
<td>207</td>
</tr>
<tr>
<td>Water, stockwater use on federal land, priority date</td>
<td>H 186</td>
<td>140</td>
<td>207</td>
</tr>
<tr>
<td>Waterfront resorts, liquor license, requirements</td>
<td>H 258</td>
<td>211</td>
<td>276</td>
</tr>
<tr>
<td>Waterfront resorts, liquor license, requirements</td>
<td>S 1047</td>
<td>50</td>
<td>97</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WATER RESOURCES DEPARTMENT</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriation</td>
<td>S 1190</td>
<td>187</td>
<td>204</td>
</tr>
<tr>
<td>Appropriation, correction</td>
<td>S 1215</td>
<td>280</td>
<td>289</td>
</tr>
<tr>
<td>Cloud seeding program, establish</td>
<td>H 266</td>
<td>158</td>
<td>222</td>
</tr>
<tr>
<td>General fund, transfer to water management fund</td>
<td>S 1121</td>
<td>89</td>
<td>106</td>
</tr>
<tr>
<td>Irrigation corporation boundary adjustments, process</td>
<td>H 182</td>
<td>140</td>
<td>207</td>
</tr>
<tr>
<td>Lemhi River Basin, water users, resolve conflict</td>
<td>HCR 21</td>
<td>252</td>
<td>261</td>
</tr>
<tr>
<td>Water laws, amend/repeal</td>
<td>H 043</td>
<td>71</td>
<td>154</td>
</tr>
<tr>
<td>Water laws, amend/repeal</td>
<td>H 057</td>
<td>76</td>
<td>169</td>
</tr>
<tr>
<td>Water management account, water projects, use/report</td>
<td>H 267</td>
<td>146</td>
<td>208</td>
</tr>
<tr>
<td>Water permits, full beneficial use, time extension</td>
<td>H 268</td>
<td>146</td>
<td>208</td>
</tr>
<tr>
<td>Water right, change of ownership, notice</td>
<td>H 184</td>
<td>140</td>
<td>207</td>
</tr>
<tr>
<td>Water, stockwater use on federal land, priority date</td>
<td>H 186</td>
<td>140</td>
<td>207</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WEAPONS</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concealed weapons, school employees, school property</td>
<td>H 122</td>
<td>173</td>
<td>-</td>
</tr>
<tr>
<td>Concealed weapons, school employees, school property</td>
<td>S 1135</td>
<td>110</td>
<td>-</td>
</tr>
<tr>
<td>Firearms, federal laws prohibiting, state enforcement</td>
<td>S 1205</td>
<td>238</td>
<td>250</td>
</tr>
<tr>
<td>Firearms, possession, students, school property</td>
<td>S 1116</td>
<td>88/114</td>
<td>130</td>
</tr>
<tr>
<td>Sport shooting ranges, define terms</td>
<td>S 1055</td>
<td>56</td>
<td>93</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WELFARE</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>See PUBLIC ASSISTANCE</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WHEAT</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commission, finance construction, new office building</td>
<td>SCR 106</td>
<td>78</td>
<td>100</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WILDLIFE</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>See also ANIMALS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hunting, game tags, sage/sharp-tailed grouse, swan</td>
<td>H 235</td>
<td>129</td>
<td>216</td>
</tr>
<tr>
<td>Reindeer, domestic purposes north of Salmon River</td>
<td>H 166</td>
<td>130</td>
<td>223</td>
</tr>
<tr>
<td>Trapping, wild fur-bearing animals, bait</td>
<td>H 091</td>
<td>99</td>
<td>180</td>
</tr>
<tr>
<td>Wolf Depredation Control Board, appropriation</td>
<td>S 1176</td>
<td>154</td>
<td>176</td>
</tr>
<tr>
<td>Wolves, hunting/trapping, season/tags</td>
<td>S 1211</td>
<td>249</td>
<td>254</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WILLS</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uniform Electronic Wills Act, new</td>
<td>S 1077</td>
<td>71</td>
<td>-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WINE</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>See LIQUOR</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WOLVES</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>See WILDLIFE</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WOMEN</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Idaho Women's Day, March 14</td>
<td>HCR 13</td>
<td>177</td>
<td>218</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WORKERS COMPENSATION</th>
<th>Bill Number</th>
<th>Intro. Page</th>
<th>Vote Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burial expenses, definition, amend</td>
<td>S 1010</td>
<td>23</td>
<td>81</td>
</tr>
<tr>
<td>Worker's compensation, vaccine-related injuries</td>
<td>H 417</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
## SECTION V

### NUMERICAL INDEX OF SENATE BILLS

The following index lists in numerical order all bills which were introduced in the Senate, together with the name of the author and a brief description of the subject matter. The numbers in the Introduction column cite the page where the complete title may be found and the date of introduction of the bill. The numbers in the Vote or Disposition column cite the page where the Senate's Final Vote or Final Disposition can be found. Amendments to a bill are noted at the bottom of the subject matter and the number opposite is the page in the Journal where the Senate amendments are recorded. Session Law chapter numbers for bills which became law are also noted. House amendments to Senate bills can be found in the House Journal.

<table>
<thead>
<tr>
<th>Senate Bill</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Intro-</th>
<th>Senate</th>
<th>Final Disp.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1001</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>STATE DISASTER PREPAREDNESS ACT - Amends existing law to revise the definitions of &quot;disaster&quot; and &quot;disaster emergency account.&quot;...............................</td>
<td>14</td>
<td>-</td>
<td>16</td>
</tr>
<tr>
<td>1002</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>STATE DISASTER PREPAREDNESS ACT - Amends existing law to provide for the payment of obligations and expenses incurred by the state of Idaho through the Idaho Office of Emergency Management arising out of a declared state of disaster emergency............................</td>
<td>14</td>
<td>-</td>
<td>16</td>
</tr>
<tr>
<td>1003</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>MARTIAL LAW - Amends existing law to revise provisions regarding the authority of the governor during a state of extreme peril and to provide that the governor may not alter, adjust, or suspend any provision of the Idaho Code in certain instances.........................................................</td>
<td>14</td>
<td>-</td>
<td>16</td>
</tr>
<tr>
<td>1004</td>
<td>State Affairs</td>
<td>LAW</td>
<td>TWENTY-SEVENTH PAYROLL FUND - Adds to existing law to establish the Twenty-seventh Payroll Fund..................</td>
<td>20</td>
<td>37</td>
<td>82</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1005</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>WATER DISTRICTS - Amends existing law to authorize water districts to charge fees to certain water delivery organizations and water users........................................</td>
<td>21</td>
<td>81</td>
<td>201</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 107</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1006</td>
<td>Education</td>
<td>LAW</td>
<td>IDAHO LITERACY ACHIEVEMENT AND ACCOUNTABILITY ACT - Amends, repeals, and adds to existing law to enact the Idaho Literacy Achievement and Accountability Act........................................</td>
<td>21</td>
<td>37</td>
<td>269</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 292</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1007</td>
<td>Education</td>
<td>H Educ</td>
<td>EDUCATION - Amends existing law to provide that local salary schedules for public school staff salaries shall include certain minimum amounts and to clarify eligibility requirements for professional endorsements and advanced professional endorsements........................................</td>
<td>22</td>
<td>37</td>
<td>37</td>
</tr>
<tr>
<td>1008</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION - Relates to the appropriation to the Office of the State Board of Education for fiscal year 2021...............................</td>
<td>22</td>
<td>37</td>
<td>74</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1009</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>STATE FIRE MARSHAL - Amends existing law to clarify that the state fire marshal and the state fire marshal's deputies are considered firefighters for purposes of the Public Employee Retirement System (PERSI) and certain worker's compensation benefits for first responders........................................</td>
<td>23</td>
<td>67</td>
<td>196</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 83</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>-------------</td>
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<td>--------------</td>
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<td>------------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>1010</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>WORKER'S COMPENSATION - Amends existing law to revise provisions regarding burial expenses.</td>
<td>23</td>
<td>81</td>
<td>194</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 82</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1011</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>LAND SURVEYING - Amends existing law to revise provisions regarding plane coordinate systems used in Idaho</td>
<td>23</td>
<td>80</td>
<td>239</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 174</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1012</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>DENTISTRY - Amends existing law to remove obsolete language and to prohibit certain limitations on filing a complaint with the board.</td>
<td>24</td>
<td>58</td>
<td>102</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 7</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1013</td>
<td>Commerce and Human Resources</td>
<td>H Com/HuRes</td>
<td>COMMERCIAL TRANSACTIONS - Amends existing law to revise the regulations and requirements regarding commercial transactions.</td>
<td>24</td>
<td>67</td>
<td>67</td>
</tr>
<tr>
<td>1014</td>
<td>Commerce and Human Resources</td>
<td>H Bus</td>
<td>COLLECTION AGENCIES - Amends existing law to revise the regulations and requirements for collection agencies</td>
<td>24</td>
<td>-</td>
<td>111</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Amended in the Senate</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1015</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>DOMESTIC WATER - Repeals existing law relating to the protection of domestic water.</td>
<td>24</td>
<td>58</td>
<td>201</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 108</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1016</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>RESPIRATORY CARE PRACTICE ACT - Repeals and adds to existing law to replace the Respiratory Care Practice Act</td>
<td>24</td>
<td>76</td>
<td>153</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 21</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1017</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>CONTROLLED SUBSTANCES - Amends existing law to provide for certain synthetic drugs and controlled substances.</td>
<td>25</td>
<td>66</td>
<td>124</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 11</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1018</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>STATE HISTORICAL SOCIETY - Repeals and amends existing law to remove provisions relating to the State Historical Society</td>
<td>25</td>
<td>71</td>
<td>71</td>
</tr>
<tr>
<td>1019</td>
<td>Resources and Environment</td>
<td>S Res/Env</td>
<td>FISH AND GAME - Amends existing law to provide for meeting notices and to provide for public input</td>
<td>27</td>
<td>-</td>
<td>29</td>
</tr>
<tr>
<td>1020</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>LANDOWNERS - Amends existing law regarding the limitation of liability of landowners toward persons entering land for recreational purposes</td>
<td>27</td>
<td>81</td>
<td>201</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 109</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1021</td>
<td>Local Government and Taxation</td>
<td>S Loc Gov</td>
<td>TAXING DISTRICT BUDGETS - Amends existing law to revise provisions regarding limitations on taxing district budgets.</td>
<td>27</td>
<td>-</td>
<td>29</td>
</tr>
<tr>
<td>1022</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - LEGISLATIVE BRANCH - Appropriates and transfers $4,000,000 from the General Fund to the Legislative Legal Defense Fund for fiscal year 2021</td>
<td>27</td>
<td>44</td>
<td>202</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 144</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
1023 Finance LAW APPROPRIATIONS - Appropriates and transfers $279,000 from the General Fund to the Pest Control Deficiency Fund for fiscal year 2021. .......................... 27 45 74
Session Law Chapter No. 2

1024 Commerce and Human Resources LAW OCCUPATIONAL LICENSING - Amends existing law to remove hiring authority from various individual licensing boards. ............................................ 30 93 240
Session Law Chapter No. 221

1025 Commerce and Human Resources S Com/HuRes OCCUPATIONAL LICENSES - Amends existing law to provide that licensing boards and entities under the Department of Self-Governing Agencies shall be organized under the Division of Occupational and Professional Licenses. .......................................................... 30 - 34

1026 Commerce and Human Resources LAW OCCUPATIONAL LICENSING - Amends existing law to provide that various occupational licensing boards shall be integrated into the Division of Occupational and Professional Licensing. ................................................. 32 93 240
Session Law Chapter No. 222

1027 Judiciary and Rules LAW IDAHO WRONGFUL CONVICTION ACT - Adds to existing law to provide for a claim of compensation for a wrongful conviction................................. 33 56 153
Session Law Chapter No. 17

1028 Burgoyne S St Aff MINIMUM WAGE - Amends existing law to increase the minimum wage .................................................. 33 - 34

1029 Ward-Engelking S Loc Gov SALES TAX - Amends existing law to provide that the sales tax from internet sales shall be distributed in the same manner as all other sales and use tax revenue.................................... 33 - 34

1030 Wintrow S St Aff CIVIL RIGHTS - Amends existing law to provide that freedom from discrimination because of sexual orientation or gender identity is a civil right...................... 33 - 34

1031 State Affairs S St Aff STATE DISASTER EMERGENCY ACCOUNT - Amends existing law to revise provisions regarding the Disaster Emergency Account.................................................. 33 - 34

1032 State Affairs S St Aff LEGISLATURE - Amends existing law to revise provisions regarding the adjournment of the Idaho Legislature.............. 33 - 34

1033 Finance LAW LEGISLATURE - Amends existing law to revise Legislative Account distributions.................................................... 33 66 156
Session Law Chapter No. 23

1034 Finance LAW APPROPRIATIONS - COMMISSION OF PARDONS AND PAROLE - Relates to the appropriation to the Commission of Pardons and Parole for fiscal year 2021. .................... 35 58 98
Session Law Chapter No. 5

1035 Judiciary and Rules LAW STATE APPELLATE PUBLIC DEFENDER ACT - Adds to and repeals existing law relating to the State Appellate Public Defender Act.................................................. 36 106 236
Session Law Chapter No. 164
<table>
<thead>
<tr>
<th>Senate Bill</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1036</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>TEMPORARY GUARDIANS - Amends existing law to revise a provision regarding a hearing on the appropriateness of an appointment.</td>
<td>36</td>
<td>76</td>
<td>124</td>
</tr>
<tr>
<td>1037</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>HOSPITALIZATION OF THE MENTALLY ILL - Amends existing law to revise a provision regarding when a court may continue a hearing.</td>
<td>36</td>
<td>76</td>
<td>124</td>
</tr>
<tr>
<td>1038</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>PUBLIC ASSISTANCE - Repeals and amends existing law to remove provisions relating to obsolete public assistance programs.</td>
<td>36</td>
<td>76</td>
<td>153</td>
</tr>
<tr>
<td>1039</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Adds to existing law to provide for a workforce readiness diploma.</td>
<td>37</td>
<td>67</td>
<td>265</td>
</tr>
<tr>
<td>1040</td>
<td>Transportation</td>
<td>S Transp</td>
<td>TRANSPORTATION - Amends existing law to allow for certain designations on veterans license plates.</td>
<td>39</td>
<td>-</td>
<td>44</td>
</tr>
<tr>
<td>1041</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>CONSUMER PROTECTION - Amends existing law to revise provisions regarding excessive increased prices during an emergency.</td>
<td>39</td>
<td>77</td>
<td>194</td>
</tr>
<tr>
<td>1042</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>PUBLIC CONTRACTS - Amends existing law to revise provisions regarding professional service contracts.</td>
<td>39</td>
<td>-</td>
<td>239</td>
</tr>
<tr>
<td>1043</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to provide that school board hearings on student discipline must be held in executive session.</td>
<td>44</td>
<td>81</td>
<td>269</td>
</tr>
<tr>
<td>1044</td>
<td>Local Government and Taxation</td>
<td>LAW</td>
<td>URBAN RENEWAL - Amends existing law to provide a certain limitation on the use of eminent domain by an urban renewal district and to provide that property of an urban renewal agency shall revert to the municipality upon dissolution.</td>
<td>47</td>
<td>76</td>
<td>200</td>
</tr>
<tr>
<td>1045</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Adds to existing law to provide advanced opportunities funding for nonpublic school students, subject to appropriation.</td>
<td>47</td>
<td>93</td>
<td>251</td>
</tr>
<tr>
<td>1046</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Adds to existing law to provide for the creation of innovation classrooms in which an alternative curriculum will be taught.</td>
<td>47</td>
<td>-</td>
<td>296</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>------------</td>
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<td>--------------</td>
<td>----------------</td>
<td>-------------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>1047</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ALCOHOL - Amends existing law to provide that waterfront resort licenses shall remain valid and may be transferred in certain instances.</td>
<td>50</td>
<td>97</td>
<td>240</td>
</tr>
<tr>
<td>1048</td>
<td>Local Government and Taxation</td>
<td>S Loc Gov</td>
<td>TAXING DISTRICTS - Amends existing law to revise provisions regarding the limitation on taxing district budget requests.</td>
<td>54</td>
<td>-</td>
<td>57</td>
</tr>
<tr>
<td>1049</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>BANKING - Amends existing law to revise provisions of the Idaho Bank Act.</td>
<td>55</td>
<td>96</td>
<td>194</td>
</tr>
<tr>
<td>1050</td>
<td>Commerce and Human Resources</td>
<td>S Com/HuRes</td>
<td>INSURANCE - Adds to existing law to provide requirements for health benefit plans covering contraception.</td>
<td>55</td>
<td>-</td>
<td>57</td>
</tr>
<tr>
<td>1051</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>PERSONNEL SYSTEM - Amends existing law to provide that certain information be included in an annual report submitted to the Governor and Legislature by the administrator of the Division of Human Resources.</td>
<td>55</td>
<td>107</td>
<td>261</td>
</tr>
<tr>
<td>1052</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Adds to existing law to provide for flexible school schedules for academically advanced elementary school students.</td>
<td>55</td>
<td>-</td>
<td>57</td>
</tr>
<tr>
<td>1053</td>
<td>State Affairs</td>
<td>LAW</td>
<td>CODIFIER'S CORRECTIONS - Amends existing law to make codifier's corrections.</td>
<td>55</td>
<td>-</td>
<td>297</td>
</tr>
<tr>
<td>1054</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>MARTIAL LAW - Amends existing law to revise provisions regarding the authority of the Governor during a state of extreme peril and to provide that the Governor may not alter, adjust, or suspend any provision of the Idaho Code in certain instances.</td>
<td>56</td>
<td>-</td>
<td>57</td>
</tr>
<tr>
<td>1055</td>
<td>State Affairs</td>
<td>LAW</td>
<td>SPORT SHOOTING RANGES - Amends existing law to revise the definition of &quot;sport shooting range&quot; and to define &quot;expanding&quot; and &quot;increasing.&quot;</td>
<td>56</td>
<td>93</td>
<td>201</td>
</tr>
<tr>
<td>1056</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>OCCUPATIONAL LICENSES - Amends existing law to provide that licensing boards and entities under the Department of Self-Governing Agencies shall be organized under the Division of Occupational and Professional Licenses.</td>
<td>61</td>
<td>93</td>
<td>240</td>
</tr>
<tr>
<td>1057</td>
<td>Commerce and Human Resources</td>
<td>S FAILED</td>
<td>INSURED HOMEOWNER PROTECTION ACT - Adds to existing law to implement the Insured Homeowner Protection Act regarding assignment of benefits contracts or agreements.</td>
<td>62</td>
<td>-</td>
<td>195</td>
</tr>
<tr>
<td>1058</td>
<td>Local Government and Taxation</td>
<td>LAW</td>
<td>PUBLIC LIBRARIES - Amends existing law to provide that certain persons shall not be an appointed trustee of the library board and to revise a provision regarding the hiring of library employees.</td>
<td>63</td>
<td>110</td>
<td>236</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Intro-duction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>------------</td>
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</tr>
<tr>
<td>1059</td>
<td>Local Government and Taxation</td>
<td>S St Aff</td>
<td>STATE GOVERNMENT - Amends existing law to provide that no classified state employee shall be a candidate or hold elective office in any state or federal partisan election.</td>
<td>63</td>
<td>-</td>
<td>66</td>
</tr>
<tr>
<td>1060</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>PUBLIC HEALTH DISTRICTS - Amends existing law to provide for the approval or extension of orders applicable to all persons in a county or public health district and to provide for an infraction.</td>
<td>63</td>
<td>96</td>
<td>201</td>
</tr>
<tr>
<td>1061</td>
<td>State Affairs</td>
<td>S Not Concur</td>
<td>ELECTIONS - Amends existing law to revise provisions regarding certain election deadlines.</td>
<td>63</td>
<td>131</td>
<td>248</td>
</tr>
<tr>
<td>1062</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS - Amends existing law to revise provisions regarding write-in candidates and signature verifications.</td>
<td>63</td>
<td>97</td>
<td>261</td>
</tr>
<tr>
<td>1063</td>
<td>State Affairs</td>
<td>LAW</td>
<td>SECRETARY OF STATE - Amends existing law to revise provisions regarding the storage of records belonging to the Secretary of State.</td>
<td>63</td>
<td>107</td>
<td>297</td>
</tr>
<tr>
<td>1064</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS - Amends existing law to revise provisions regarding the issuance of absentee ballots for a primary election</td>
<td>63</td>
<td>131</td>
<td>297</td>
</tr>
<tr>
<td>1065</td>
<td>State Affairs</td>
<td>LAW</td>
<td>NOTARIES PUBLIC - Amends existing law to remove a provision regarding the Governor's ability to use a fixed signature on notary public appointments and commissions.</td>
<td>63</td>
<td>108</td>
<td>297</td>
</tr>
<tr>
<td>1066</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>CAMPAIGN FINANCE - Amends existing law to revise provisions regarding the reporting of campaign finances.</td>
<td>63</td>
<td>-</td>
<td>66</td>
</tr>
<tr>
<td>1067</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS - Amends existing law to revise provisions regarding the administration of elections.</td>
<td>63</td>
<td>101</td>
<td>297</td>
</tr>
<tr>
<td>1068</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>LEGISLATURE - Amends existing law to provide for an adjournment date sine die and to provide exceptions.</td>
<td>64</td>
<td>93</td>
<td>93</td>
</tr>
<tr>
<td>1069</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>ELECTIONS - Amends existing law to revise provisions regarding resolving issues with absentee ballots.</td>
<td>64</td>
<td>101</td>
<td>101</td>
</tr>
<tr>
<td>1070</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>ELECTIONS - Amends existing law to revise provisions regarding absentee ballots.</td>
<td>66</td>
<td>101</td>
<td>101</td>
</tr>
<tr>
<td>1071</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Relates to the appropriation to the Department of Environmental Quality for fiscal year 2021.</td>
<td>70</td>
<td>87</td>
<td>124</td>
</tr>
<tr>
<td>1072</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>IRRIGATION DISTRICTS - Amends existing law regarding the filling of vacancies.</td>
<td>70</td>
<td>106</td>
<td>201</td>
</tr>
<tr>
<td>1073</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>IRRIGATION - Amends existing law to provide that certain real property is not subject to adverse possession.</td>
<td>70</td>
<td>106</td>
<td>201</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
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</tr>
<tr>
<td>1074</td>
<td>Resources and Environment</td>
<td>H Res/Con</td>
<td>IRRIGATION - Repeals and amends existing law to revise right-of-way provisions. .................................................................</td>
<td>70</td>
<td>106</td>
<td>106</td>
</tr>
<tr>
<td>1075</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Adds to existing law to provide for a kindergarten jump-start program and training for parents. .....</td>
<td>70</td>
<td>114</td>
<td>297</td>
</tr>
<tr>
<td>1076</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>SESSION LAWS - Amends existing law to revise provisions regarding the printing and preserving of session laws. ........</td>
<td>70</td>
<td>106</td>
<td>236</td>
</tr>
<tr>
<td>1077</td>
<td>Judiciary and Rules</td>
<td>S Jud</td>
<td>UNIFORM ELECTRONIC WILLS ACT - Adds to existing law to provide for the execution of an electronic will. ........</td>
<td>71</td>
<td>-</td>
<td>73</td>
</tr>
<tr>
<td>1078</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>COUNTY RECORDERS - Amends existing law to provide for the recording of death certificates and to clarify that certain documents must be recorded. .................................................................</td>
<td>71</td>
<td>107</td>
<td>236</td>
</tr>
<tr>
<td>1079</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
<td>ENVIRONMENTAL QUALITY - Adds to existing law to provide for the agricultural best management practices (BMP) fund. .................................................................</td>
<td>71</td>
<td>-</td>
<td>239</td>
</tr>
<tr>
<td>1080</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - BEHAVIORAL HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2021 .................................................................</td>
<td>71</td>
<td>96</td>
<td>160</td>
</tr>
<tr>
<td>1081</td>
<td>Finance</td>
<td>H FAILED</td>
<td>APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Relates to the appropriation to the Catastrophic Health Care Program for fiscal year 2021. ................</td>
<td>71</td>
<td>96</td>
<td>139</td>
</tr>
<tr>
<td>1082</td>
<td>Commerce and Human Resources</td>
<td>H Com/HuRes</td>
<td>INSURANCE - Amends and repeals existing law to provide that the manager of the State Insurance Fund shall be the custodian of the fund and to provide that employees of the fund hired after a certain date shall participate in a certain sick leave program. .................................................................</td>
<td>75</td>
<td>119</td>
<td>119</td>
</tr>
<tr>
<td>1083</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>OCCUPATIONAL LICENSING - Amends existing law to provide for a more streamlined licensure by endorsement process for military members, veterans, and spouses..........</td>
<td>75</td>
<td>107</td>
<td>239</td>
</tr>
<tr>
<td>1084</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>OCCUPATIONAL LICENSING - Amends existing law regarding sunrise review to provide for the addition of sunset review .................................................................</td>
<td>75</td>
<td>107</td>
<td>239</td>
</tr>
<tr>
<td>1085</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT - Adds to existing law to prohibit an abortion following detection of a fetal heartbeat. .................................................................</td>
<td>75</td>
<td>-</td>
<td>119</td>
</tr>
<tr>
<td>1086</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ANTI-BOYCOTT AGAINST ISRAEL ACT - Adds to existing law to prohibit a public entity from entering into certain contracts with companies that boycott Israel. ........</td>
<td>75</td>
<td>131</td>
<td>262</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Intro-Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<tr>
<td>1087</td>
<td>State Affairs</td>
<td>H FAILED</td>
<td>HEALTH - Amends existing law to raise the age of legal possession and use of tobacco products and electronic smoking devices to 21. ..................................................</td>
<td>75</td>
<td>132</td>
<td>209</td>
</tr>
<tr>
<td>1088</td>
<td>Judiciary and Rules</td>
<td>H FAILED</td>
<td>FORCIBLE ENTRY AND UNLAWFUL DETAINER - Adds to existing law to provide for certain limitations on fees for residential tenants. ..................................................</td>
<td>80</td>
<td>-</td>
<td>209</td>
</tr>
<tr>
<td>1089</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>RAPE - Amends and repeals existing law regarding rape where the victim is 16 or 17 years of age and relating to rape of a spouse. ..................................................</td>
<td>80</td>
<td>-</td>
<td>237</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Amended in the Senate ..................................................</td>
<td>114</td>
<td>130</td>
<td></td>
</tr>
<tr>
<td>1090</td>
<td>Resources and Environment</td>
<td>S Res/Env</td>
<td>DEPARTMENT OF LANDS - Amends existing law to revise provisions regarding legal representation of the Idaho Department of Lands. ..................................................</td>
<td>80</td>
<td>-</td>
<td>82</td>
</tr>
<tr>
<td>1091</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION - Relates to the appropriation to the Office of the State Board of Education for fiscal year 2021. ...............</td>
<td>80</td>
<td>97</td>
<td>194</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 59 ..................................................</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1092</td>
<td>Health and Welfare</td>
<td>H Health/Wel</td>
<td>MEDICAID - Amends existing law to provide for reimbursement for new in-state hospitals serving as Medicaid providers. ..................................................</td>
<td>80</td>
<td>-</td>
<td>147</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Amended in the Senate ..................................................</td>
<td>134</td>
<td>147</td>
<td></td>
</tr>
<tr>
<td>1093</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>OCCUPATIONAL LICENSING - Amends existing law to provide requirements for physician assistants who practice at certain facilities or practices or who own a medical practice. ..................................................</td>
<td>80</td>
<td>107</td>
<td>194</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 60 ..................................................</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1094</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2021. ...............</td>
<td>80</td>
<td>97</td>
<td>194</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 61 ..................................................</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1095</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>PERSI - Amends existing law to provide for board members to be compensated via honorarium. ..................................................</td>
<td>83</td>
<td>107</td>
<td>239</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 178 ..................................................</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1096</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>PERSI - Adds to existing law to establish a catastrophic line of duty benefit for public safety officers. ..................................................</td>
<td>83</td>
<td>120</td>
<td>202</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 143 ..................................................</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1097</td>
<td>Commerce and Human Resources</td>
<td>S Com/HuRes</td>
<td>TRUST DEEDS - Amends existing law to provide that a certain action for a money judgment on a promissory note shall be filed within 90 days. ..................................................</td>
<td>83</td>
<td>-</td>
<td>86</td>
</tr>
<tr>
<td>1098</td>
<td>Commerce and Human Resources</td>
<td>S FAILED</td>
<td>INSURANCE - Adds to existing law to provide requirements for health benefit plans and student health benefit plans that cover prescription contraception. ..................................................</td>
<td>83</td>
<td>127</td>
<td>127</td>
</tr>
<tr>
<td>1099</td>
<td>Transportation</td>
<td>S Transp</td>
<td>TRANSPORTATION - Amends existing law to revise penalties regarding red traffic lights. ..................................................</td>
<td>83</td>
<td>-</td>
<td>86</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<tr>
<td>1100</td>
<td>Transportation</td>
<td>H Transp</td>
<td>TRANSPORTATION - Amends existing law to revise the definition of highways to include certain public transportation and pedestrian infrastructure.</td>
<td>83</td>
<td>120</td>
<td>120</td>
</tr>
<tr>
<td>1101</td>
<td>Transportation</td>
<td>LAW</td>
<td>HIGHWAYS AND BRIDGES - Amends existing law to provide for vacation of certain rights-of-way without compensation.</td>
<td>83</td>
<td>120</td>
<td>239</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 179</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1102</td>
<td>Transportation</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to provide for electronic motor vehicle registration.</td>
<td>84</td>
<td>126</td>
<td>239</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 180</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1103</td>
<td>Transportation</td>
<td>H Transp</td>
<td>TRANSPORTATION - Adds to existing law to establish an Idaho Air Travel Enhancement Program.</td>
<td>84</td>
<td>143</td>
<td>143</td>
</tr>
<tr>
<td>1104</td>
<td>Transportation</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to provide for certain on-track equipment on railroad tracks.</td>
<td>84</td>
<td>111</td>
<td>236</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 168</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1105</td>
<td>Local Government and Taxation</td>
<td>LAW</td>
<td>BONDS AND LEVIES - Amends existing law to revise bond and levy expiration date information.</td>
<td>84</td>
<td>141</td>
<td>297</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 327</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1106</td>
<td>Local Government and Taxation</td>
<td>S Loc Gov</td>
<td>LOCAL LAND USE PLANNING - Amends existing law to provide that local ordinances shall not apply to state and local transportation systems and essential facilities.</td>
<td>84</td>
<td>-</td>
<td>86</td>
</tr>
<tr>
<td>1107</td>
<td>Local Government and Taxation</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to provide that a highway district shall not be financially responsible for certain urban renewal projects unless agreed upon.</td>
<td>84</td>
<td>-</td>
<td>261</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Amended in the Senate</strong></td>
<td>196</td>
<td>205</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 273</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1108</td>
<td>Local Government and Taxation</td>
<td>S FAILED</td>
<td>TAXING DISTRICTS - Amends existing law to revise provisions regarding a taxing district's budget limitations.</td>
<td>84</td>
<td>-</td>
<td>195</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Amended in the Senate</strong></td>
<td>114</td>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td><strong>Amended in the Senate</strong></td>
<td>186</td>
<td>195</td>
<td></td>
</tr>
<tr>
<td>1109</td>
<td>Education</td>
<td>S FAILED</td>
<td>WORKFORCE DEVELOPMENT - Adds to existing law to establish the Idaho Promise Mentor Program.</td>
<td>84</td>
<td>120</td>
<td>120</td>
</tr>
<tr>
<td>1110</td>
<td>State Affairs</td>
<td>LAW</td>
<td>BALLOT INITIATIVES - Amends existing law to revise signature requirements for ballot initiative or referendum petitions.</td>
<td>84</td>
<td>125</td>
<td>241</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 255</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1111</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ELECTIONS - Amends existing law to revise provisions regarding city election procedures.</td>
<td>88</td>
<td>125</td>
<td>274</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Amended in the House (See House Journal)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1112</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>LEGISLATURE - Adds to existing law to provide certain requirements for a special session convened by the Legislature.</td>
<td>88</td>
<td>-</td>
<td>190</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Amended in the Senate</strong></td>
<td>179</td>
<td>190</td>
<td></td>
</tr>
<tr>
<td>1113</td>
<td>Transportation</td>
<td>S Transp</td>
<td>TRANSPORTATION - Adds to existing law to provide that privately owned, noncommercial vehicles do not have to stop at Idaho Transportation Department check stations, including ports of entry and weigh stations.</td>
<td>88</td>
<td>-</td>
<td>91</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>1114</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Adds to existing law to provide that certain funds shall be allocated for a kindergarten through grade 3 technology program covering reading, math, science, or a combination of such subjects. ........................................</td>
<td>88</td>
<td>-</td>
<td>91</td>
</tr>
<tr>
<td>1115</td>
<td>Education</td>
<td>LAW</td>
<td>PUBLIC CHARTER SCHOOLS - Amends existing law to remove provisions regarding a performance framework and to revise provisions regarding the Public Charter School Commission. ........................................</td>
<td>88</td>
<td>126</td>
<td>239</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 181</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1116</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to revise provisions regarding expulsion of or denial of enrollment to students who possess dangerous or deadly weapons or firearms on school property........................................</td>
<td>88</td>
<td>-</td>
<td>239</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Amended in the Senate</strong></td>
<td>114</td>
<td>130</td>
<td></td>
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<td></td>
<td><strong>Session Law Chapter No. 182</strong></td>
<td></td>
<td></td>
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<tr>
<td>1117</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Adds to existing law to establish the Quality Educator Loan Assistance Program. ........................................</td>
<td>88</td>
<td>-</td>
<td>91</td>
</tr>
<tr>
<td>1118</td>
<td>Judiciary and Rules</td>
<td>S Com/HuRes</td>
<td>INSURANCE - Amends existing law to provide certain limitations on coverage........................................</td>
<td>88</td>
<td>-</td>
<td>91</td>
</tr>
<tr>
<td>1119</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>PROPERTY - Amends existing law to revise provisions regarding when a sheriff can auction abandoned property.....</td>
<td>88</td>
<td>126</td>
<td>239</td>
</tr>
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<td></td>
<td><strong>Session Law Chapter No. 183</strong></td>
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<tr>
<td>1120</td>
<td>Judiciary and Rules</td>
<td>S Com/HuRes</td>
<td>LABOR - Adds to existing law to provide for collective bargaining rights of peace officers in Idaho...............................</td>
<td>89</td>
<td>-</td>
<td>109</td>
</tr>
<tr>
<td>1121</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Relates to the appropriation to the Department of Water Resources for fiscal year 2021...........</td>
<td>89</td>
<td>106</td>
<td>200</td>
</tr>
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<td></td>
<td><strong>Session Law Chapter No. 88</strong></td>
<td></td>
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<tr>
<td>1122</td>
<td>Resources and Environment</td>
<td>H FAILED</td>
<td>SOIL CONSERVATION - Amends existing law to revise references to soil conservation districts and the state Soil and Water Conservation Commission and to remove provisions regarding the Idaho OnePlan........................................</td>
<td>89</td>
<td>126</td>
<td>185</td>
</tr>
<tr>
<td>1123</td>
<td>Resources and Environment</td>
<td>LAW</td>
<td>LAVA HOT SPRINGS - Amends existing law to provide that certain moneys regarding Lava Hot Springs are continuously appropriated. ........................................</td>
<td>89</td>
<td>149</td>
<td>236</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 169</strong></td>
<td></td>
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<tr>
<td>1124</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>INSURANCE - Amends existing law to revise provisions regarding contracts with providers of dental services. ..........</td>
<td>89</td>
<td>-</td>
<td>239</td>
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<td><strong>Amended in the Senate</strong></td>
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<td>130</td>
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<td><strong>Session Law Chapter No. 184</strong></td>
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<td>1125</td>
<td>Health and Welfare</td>
<td>S Health/Wel</td>
<td>HEALTH - Adds to existing law to establish provisions regarding suicide prevention and crisis care services and a fee to fund such services. ........................................</td>
<td>89</td>
<td>-</td>
<td>91</td>
</tr>
<tr>
<td>1126</td>
<td>Health and Welfare</td>
<td>H Health/Wel</td>
<td>VIRTUAL CARE ACCESS - Amends, repeals, and adds to existing law to provide for virtual care access. ......................</td>
<td>90</td>
<td>132</td>
<td>132</td>
</tr>
<tr>
<td>1127</td>
<td>Health and Welfare</td>
<td>S Health/Wel</td>
<td>TELEHEALTH - Amends existing law to revise provisions regarding the establishment of a provider-patient relationship using telehealth technologies. ........................................</td>
<td>90</td>
<td>-</td>
<td>91</td>
</tr>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
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<td>Senate Vote Page</td>
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<td>1128</td>
<td>Health and Welfare</td>
<td>S 14th Ord</td>
<td>OCCUPATIONAL LICENSING - Adds to existing law to provide for the licensing of naturopathic practitioners................</td>
<td>90</td>
<td>-</td>
<td>224</td>
</tr>
<tr>
<td>1129</td>
<td>Judiciary and Rules</td>
<td>S Com/HuRes</td>
<td>MOTOR VEHICLE INSURANCE - Amends existing law to provide that certain insurance policies shall be construed to provide coverage in excess of the liability coverage of any underinsured motor vehicle involved in an accident.............</td>
<td>99</td>
<td>-</td>
<td>102</td>
</tr>
<tr>
<td>1130</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>BURGLARY - Amends existing law to revise the definitions of &quot;burglary&quot; and &quot;commercial burglary.&quot;..........................</td>
<td>99</td>
<td>126</td>
<td>239</td>
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<td>Session Law Chapter No. 185</td>
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<tr>
<td>1131</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>GARNISHMENTS - Amends existing law to revise provisions regarding garnishment procedures................................</td>
<td>99</td>
<td>126</td>
<td>239</td>
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<td></td>
<td></td>
<td>Session Law Chapter No. 186</td>
<td></td>
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<tr>
<td>1132</td>
<td>State Affairs</td>
<td>S Transp</td>
<td>TRANSPORTATION - Amends existing law to provide for driving authorization cards................................................</td>
<td>103</td>
<td>-</td>
<td>105</td>
</tr>
<tr>
<td>1133</td>
<td>State Affairs</td>
<td>LAW</td>
<td>GUARDIANS OF MINORS - Amends existing law to limit the time during which a temporary guardianship may be extended, to provide that a court must take certain action prior to the end of the extension period, and to provide that no temporary guardianship may last longer than 12 months.............</td>
<td>103</td>
<td>-</td>
<td>239</td>
</tr>
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<td></td>
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<td>Amended in the Senate...............................................................................................................................................</td>
<td>134</td>
<td>147</td>
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<td>Session Law Chapter No. 187</td>
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<tr>
<td>1134</td>
<td>State Affairs</td>
<td>LAW</td>
<td>STATE DISASTER EMERGENCY ACCOUNT - Amends existing law to revise provisions regarding the Disaster Emergency Account..............................................................</td>
<td>110</td>
<td>141</td>
<td>240</td>
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<td>Session Law Chapter No. 225</td>
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<tr>
<td>1135</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>FIREARMS AND OTHER DEADLY WEAPONS - Amends existing law to revise provisions regarding possession of a firearm or other deadly weapon on school grounds.................</td>
<td>110</td>
<td>-</td>
<td>112</td>
</tr>
<tr>
<td>1136</td>
<td>State Affairs</td>
<td>VETOED</td>
<td>MARTIAL LAW - Amends existing law to revise provisions regarding the authority of the Governor during a state of extreme peril and to provide that the Governor may not alter, adjust, or suspend any provision of Idaho Code in certain instances..................................................</td>
<td>110</td>
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<td>243</td>
</tr>
<tr>
<td></td>
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<td>Amended in the Senate...............................................................................................................................................</td>
<td>161</td>
<td>173</td>
<td>243</td>
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<td>Amended in the House (See House Journal)................................................................................................................</td>
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<tr>
<td>1137</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>JUDGES - Amends existing law to revise the salaries of justices of the Idaho Supreme Court........................................</td>
<td>110</td>
<td>140</td>
<td>236</td>
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<td>Session Law Chapter No. 154</td>
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<td>1138</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - MILITARY DIVISION - Relates to the appropriation to the Military Division for fiscal year 2022........</td>
<td>113</td>
<td>140</td>
<td>201</td>
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<td>Session Law Chapter No. 113</td>
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<td>1139</td>
<td>State Affairs</td>
<td>LAW</td>
<td>HEALTH AND WELFARE - Amends existing law to define terms, to revise definitions, and to revise the powers and duties of the director of the Department of Health and Welfare........................................................................</td>
<td>118</td>
<td>142</td>
<td>251</td>
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<td>Session Law Chapter No. 257</td>
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<td>Senate Vote Page</td>
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<td>1140</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Relates to the appropriation to the Division of Veterans Services for fiscal year 2022.................................</td>
<td>118</td>
<td>141</td>
<td>201</td>
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<td>Session Law Chapter No. 114</td>
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<td>1141</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Relates to the appropriation to the Public Utilities Commission for fiscal year 2022..............................................</td>
<td>118</td>
<td>143</td>
<td>201</td>
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<td>Session Law Chapter No. 115</td>
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<td>1142</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - OFFICE OF ENERGY AND MINERAL RESOURCES - Relates to the appropriation to the Office of Energy and Mineral Resources for fiscal year 2022..................................................................................</td>
<td>118</td>
<td>141</td>
<td>202</td>
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<td>Session Law Chapter No. 129</td>
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<td>1143</td>
<td>State Affairs</td>
<td>LAW</td>
<td>INSURANCE - Amends existing law to revise provisions regarding standards for Medicare supplement policies and certificates. ..........................................................</td>
<td>118</td>
<td>-</td>
<td>261</td>
</tr>
<tr>
<td></td>
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<td>Amended in the Senate..............................................................</td>
<td>162</td>
<td>176</td>
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<tr>
<td>1144</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF LABOR - Relates to the appropriation to the Department of Labor for fiscal year 2021.....................................................................</td>
<td>118</td>
<td>143</td>
<td>201</td>
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<td>Session Law Chapter No. 274</td>
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<td>1145</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION - Relates to the appropriation to the Soil and Water Conservation Commission for fiscal year 2022.......................................................</td>
<td>118</td>
<td>141</td>
<td>201</td>
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<td>Session Law Chapter No. 117</td>
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<td>1146</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION - Relates to the appropriation to the Office of Species Conservation for fiscal year 2022..............</td>
<td>122</td>
<td>141</td>
<td>201</td>
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<td>Session Law Chapter No. 118</td>
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<td>1147</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE - Relates to the appropriation to the Agricultural Research and Cooperative Extension Service for fiscal year 2022......................................................</td>
<td>122</td>
<td>142</td>
<td>201</td>
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<td>Session Law Chapter No. 119</td>
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<td>1148</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - STEM ACTION CENTER - Relates to the appropriation to the STEM Action Center for fiscal year 2022.......................................................................</td>
<td>122</td>
<td>142</td>
<td>201</td>
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<td>Session Law Chapter No. 120</td>
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<td>1149</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>BROADBAND COMMUNICATIONS INFRASTRUCTURE AND SYSTEMS - Adds to existing law to provide certain powers and authority to a municipality regarding broadband communications infrastructure and systems........................................................................</td>
<td>122</td>
<td>-</td>
<td>124</td>
</tr>
<tr>
<td>1150</td>
<td>State Affairs</td>
<td>VETOED</td>
<td>ELECTIONS - Amends existing law to revise provisions regarding the circulation and signing of petitions for a ballot initiative.....................................................................</td>
<td>122</td>
<td>146</td>
<td>305</td>
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<td>Amended in the House (See House Journal)</td>
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<td>Senate Bill</td>
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<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
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<td>1151</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - COMMISSION ON AGING - Relates to the appropriation to the Commission on Aging for fiscal year 2022.</td>
<td>125</td>
<td>146</td>
<td>201</td>
</tr>
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<td>Session Law Chapter No. 121</td>
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<td>1152</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - VOCATIONAL REHABILITATION - Relates to the appropriation to the Division of Vocational Rehabilitation for fiscal year 2022.</td>
<td>125</td>
<td>143</td>
<td>201</td>
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<td>Session Law Chapter No. 122</td>
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<td>1153</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF INSURANCE - Relates to the appropriation to the Department of Insurance for fiscal year 2022.</td>
<td>125</td>
<td>143</td>
<td>201</td>
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<td>Session Law Chapter No. 123</td>
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<td>1154</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - CAREER TECHNICAL EDUCATION - Relates to the appropriation to the Division of Career Technical Education for fiscal year 2021 and fiscal year 2022.</td>
<td>125</td>
<td>143</td>
<td>202</td>
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<td>Session Law Chapter No. 130</td>
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<td>1155</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Relates to the appropriation to the Department of Administration for fiscal year 2022.</td>
<td>129</td>
<td>149</td>
<td>201</td>
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<td>Session Law Chapter No. 124</td>
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<td>1156</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - BOND PAYMENTS PROGRAM - Relates to the appropriation to the Department of Administration for the Bond Payments Program for fiscal year 2022.</td>
<td>129</td>
<td>149</td>
<td>201</td>
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<td>Session Law Chapter No. 125</td>
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<td>1157</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - CAPITOL COMMISSION - Relates to the appropriation to the Department of Administration for the Idaho State Capitol Commission for fiscal year 2022.</td>
<td>129</td>
<td>150</td>
<td>201</td>
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<td>Session Law Chapter No. 126</td>
<td></td>
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<tr>
<td>1158</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF FINANCE - Relates to the appropriation to the Department of Finance for fiscal year 2022.</td>
<td>129</td>
<td>150</td>
<td>202</td>
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<td>Session Law Chapter No. 131</td>
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<td>1159</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Relates to the appropriation to the State Independent Living Council for fiscal year 2022.</td>
<td>131</td>
<td>150</td>
<td>202</td>
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<td>Session Law Chapter No. 132</td>
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<td>1160</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF LANDS - Relates to the appropriation to the Department of Lands for fiscal year 2022.</td>
<td>132</td>
<td>150</td>
<td>239</td>
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<td></td>
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<td>Session Law Chapter No. 173</td>
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<tr>
<td>1161</td>
<td>State Affairs</td>
<td>S 14th Ord</td>
<td>OCCUPATIONAL LICENSING - Amends existing law to provide for constant on-the-job supervision and training of apprentice electricians and provisional journeyman electricians.</td>
<td>137</td>
<td>-</td>
<td>159</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
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<td>1162</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO COMMISSION FOR LIBRARIES - Relates to the appropriation to the Idaho Commission for Libraries for fiscal year 2022. .................................</td>
<td>139</td>
<td>163</td>
<td>202</td>
</tr>
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<td><strong>Session Law Chapter No. 133</strong></td>
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<td>1163</td>
<td>Finance</td>
<td>H FAILED</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022............................</td>
<td>139</td>
<td>163</td>
<td>209</td>
</tr>
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<td><strong>Session Law Chapter No. 155</strong></td>
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<td>1164</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DIVISION OF HUMAN RESOURCES - Relates to the appropriation to the Division of Human Resources for fiscal year 2022................................................</td>
<td>139</td>
<td>163</td>
<td>236</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 188</strong></td>
<td></td>
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<tr>
<td>1165</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - BEHAVIORAL HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022....................................</td>
<td>139</td>
<td>163</td>
<td>239</td>
</tr>
<tr>
<td>1166</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ELECTIONS - Amends and adds to existing law to establish provisions for election day registration and for the use of provisional ballots..................................................</td>
<td>145</td>
<td>-</td>
<td>148</td>
</tr>
<tr>
<td>1167</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ELECTIONS - Adds to existing law to establish provisions regarding absentee ballot assistance at certain residential facilities..............................................................</td>
<td>145</td>
<td>-</td>
<td>148</td>
</tr>
<tr>
<td>1168</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS - Adds to existing law to prohibit the use of private moneys for the administration of elections.......................................................................................</td>
<td>146</td>
<td>-</td>
<td>261</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Amended in the Senate.................................................</strong></td>
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</tr>
<tr>
<td>1169</td>
<td>State Affairs</td>
<td>S 14th Ord</td>
<td>TRANSPORTATION - Amends existing law to provide an exception from stopping and inspection for certain private vehicles and horse trailers..................................................</td>
<td>146</td>
<td>-</td>
<td>170</td>
</tr>
<tr>
<td>1170</td>
<td>State Affairs</td>
<td>S Loc Gov</td>
<td>TAXING DISTRICTS - Amends SB1108 to revise provisions regarding the calculation of levies.....................................................................................................................</td>
<td>146</td>
<td>-</td>
<td>148</td>
</tr>
<tr>
<td>1171</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>ALCOHOLIC BEVERAGES - Amends existing law to provide an exception from restriction on entering or remaining upon the premises of a retail wine establishment..................................</td>
<td>146</td>
<td>176</td>
<td>176</td>
</tr>
<tr>
<td>1172</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - PERMANENT BUILDING FUND - Relates to the appropriation to the Department of Administration for the Division of Public Works for fiscal year 2022..........................................................</td>
<td>146</td>
<td>175</td>
<td>236</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 170</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1173</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022.................................</td>
<td>148</td>
<td>176</td>
<td>296</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Session Law Chapter No. 308</strong></td>
<td></td>
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<td>1174</td>
<td>Finance</td>
<td>S Fin</td>
<td>APPROPRIATIONS - LIEUTENANT GOVERNOR - Relates to the appropriation to the Office of the Lieutenant Governor for fiscal year 2022.................................................................</td>
<td>149</td>
<td>-</td>
<td>167</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<tr>
<td>1175</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH EDUCATION PROGRAMS - Relates to the appropriation to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs for fiscal year 2022.</td>
<td>153</td>
<td>176</td>
<td>240</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 254</td>
<td></td>
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<tr>
<td>1176</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - WOLF DEPRADATION CONTROL BOARD - Relates to the appropriation to the Wolf Depredation Control Board for fiscal year 2022</td>
<td>154</td>
<td>176</td>
<td>240</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Session Law Chapter No. 226</td>
<td></td>
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<td>1177</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - OITS - Relates to the appropriation to the Office of Information Technology Services for fiscal year 2022</td>
<td>154</td>
<td>176</td>
<td>256</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>Session Law Chapter No. 267</td>
<td></td>
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<tr>
<td>1178</td>
<td>State Affairs</td>
<td>LAW</td>
<td>PARI-MUTUEL BETTING - Amends existing law to provide for the retention of a percentage of advance deposit wagering moneys by the Idaho State Racing Commission for racing administration.</td>
<td>160</td>
<td>190</td>
<td>297</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>Session Law Chapter No. 328</td>
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<tr>
<td>1179</td>
<td>Finance</td>
<td>H FAILED</td>
<td>APPROPRIATIONS - COLLEGE AND UNIVERSITIES - Relates to the appropriation to the State Board of Education and the Board of Regents of the University of Idaho for College and Universities and the Office of the State Board of Education for fiscal years 2021 and 2022</td>
<td>166</td>
<td>190</td>
<td>218</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>Session Law Chapter No. 189</td>
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<tr>
<td>1180</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY - Relates to the appropriation to the Idaho State Historical Society for fiscal year 2022</td>
<td>166</td>
<td>190</td>
<td>239</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>Session Law Chapter No. 189</td>
<td></td>
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<tr>
<td>1181</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - OTHER PROGRAMS - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022</td>
<td>166</td>
<td>190</td>
<td>240</td>
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<td></td>
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<td>Session Law Chapter No. 227</td>
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<tr>
<td>1182</td>
<td>Judiciary and Rules</td>
<td>S Com/HuRes</td>
<td>EMPLOYMENT SECURITY LAW - Amends existing law to revise the unemployment benefit formula</td>
<td>166</td>
<td>-</td>
<td>172</td>
</tr>
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<td></td>
<td></td>
<td>Session Law Chapter No. 227</td>
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<tr>
<td>1183</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT - Adds to existing law to prohibit an abortion following detection of a fetal heartbeat</td>
<td>172</td>
<td>204</td>
<td>204</td>
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<td></td>
<td>Session Law Chapter No. 190</td>
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<td>1184</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - SECRETARY OF STATE - Relates to the appropriation to the Office of the Secretary of State for fiscal year 2022</td>
<td>177</td>
<td>194</td>
<td>239</td>
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<td>Session Law Chapter No. 190</td>
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<td>1185</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - MEDICAID - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022</td>
<td>177</td>
<td>195</td>
<td>296</td>
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<td>Session Law Chapter No. 303</td>
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<td>1186</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE TREASURER - Relates to the appropriation to the Office of the State Treasurer for fiscal years 2021 and 2022</td>
<td>177</td>
<td>195</td>
<td>240</td>
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<td>Session Law Chapter No. 253</td>
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<td>Final Action</td>
<td>Subject Matter</td>
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<td>Senate Vote Page</td>
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<td>1187</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - SPECIAL PROGRAMS - Relates to the appropriation to the State Board of Education and the Board of Regents of the University of Idaho for Special Programs for fiscal year 2022.</td>
<td>177</td>
<td>195</td>
<td>240</td>
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<td>Session Law Chapter No. 232</td>
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<td>1188</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Relates to the appropriation to the Department of Environmental Quality for fiscal year 2022.</td>
<td>183</td>
<td>204</td>
<td>240</td>
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<td>Session Law Chapter No. 228</td>
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<tr>
<td>1189</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - OFFICE OF DRUG POLICY - Relates to the appropriation to the Office of Drug Policy for fiscal year 2022.</td>
<td>187</td>
<td>204</td>
<td>240</td>
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<td>Session Law Chapter No. 229</td>
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<td>1190</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Relates to the appropriation to the Department of Water Resources for fiscal year 2022.</td>
<td>187</td>
<td>204</td>
<td>240</td>
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<td>Session Law Chapter No. 230</td>
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<td>1191</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - SUPREME COURT - Relates to the appropriation to the Supreme Court for fiscal year 2022.</td>
<td>189</td>
<td>204</td>
<td>240</td>
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<td></td>
<td>Session Law Chapter No. 231</td>
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<td>1192</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC CHARTER SCHOOL COMMISSION - Relates to the appropriation to the Public Charter School Commission for fiscal year 2022.</td>
<td>198</td>
<td>218</td>
<td>251</td>
</tr>
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<td>Session Law Chapter No. 260</td>
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<td>1193</td>
<td>Finance</td>
<td>H Approp</td>
<td>APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION - Relates to the appropriation to the Office of the State Board of Education for fiscal year 2021.</td>
<td>203</td>
<td>229</td>
<td>229</td>
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<td>Session Law Chapter No. 231</td>
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<td>1194</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT - Relates to the appropriation to the Division of Financial Management for fiscal year 2022.</td>
<td>203</td>
<td>229</td>
<td>280</td>
</tr>
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<td>Session Law Chapter No. 298</td>
<td></td>
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<td>1195</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF COMMERCE - Relates to the appropriation to the Department of Commerce for fiscal year 2022.</td>
<td>203</td>
<td>231</td>
<td>261</td>
</tr>
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<td>Session Law Chapter No. 276</td>
<td></td>
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<td>1196</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF LABOR - Relates to the appropriation to the Department of Labor for fiscal year 2022.</td>
<td>203</td>
<td>231</td>
<td>261</td>
</tr>
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<td>Session Law Chapter No. 277</td>
<td></td>
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<tr>
<td>1197</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - BOARD OF TAX APPEALS - Relates to the appropriation to the Board of Tax Appeals for fiscal year 2022.</td>
<td>203</td>
<td>231</td>
<td>261</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Session Law Chapter No. 278</td>
<td></td>
<td></td>
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<tr>
<td>1198</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE TAX COMMISSION - Relates to the appropriation to the State Tax Commission for fiscal year 2022.</td>
<td>203</td>
<td>231</td>
<td>261</td>
</tr>
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<td></td>
<td>Session Law Chapter No. 279</td>
<td></td>
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<td></td>
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<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>1199</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF COMMERCE - Relates to the appropriation to the Department of Commerce for fiscal year 2021 and fiscal year 2022.</td>
<td>211</td>
<td>234</td>
<td>261</td>
</tr>
<tr>
<td>1200</td>
<td>Judiciary and Rules</td>
<td>LAW</td>
<td>IDAHO WRONGFUL CONVICTION ACT - Amends Senate Bill 1027 to revise provisions regarding compensation related to a wrongful conviction.</td>
<td>211</td>
<td>235</td>
<td>275</td>
</tr>
<tr>
<td>1201</td>
<td>Finance</td>
<td>H Approp</td>
<td>APPROPRIATIONS - LIEUTENANT GOVERNOR - Relates to the appropriation to the Office of the Lieutenant Governor for fiscal year 2022.</td>
<td>226</td>
<td>238</td>
<td>238</td>
</tr>
<tr>
<td>1202</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - OFFICE OF THE STATE BOARD OF EDUCATION - Relates to the appropriation to the Office of the State Board of Education for fiscal year 2022.</td>
<td>228</td>
<td>238</td>
<td>296</td>
</tr>
<tr>
<td>1203</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - Appropriates and transfers moneys from the General Fund to the Innocence Fund for fiscal year 2021.</td>
<td>230</td>
<td>239</td>
<td>296</td>
</tr>
<tr>
<td>1204</td>
<td>Finance</td>
<td>LAW</td>
<td>AMERICAN RESCUE PLAN ACT MONEYS - Adds to existing law to provide that ARPA moneys are cognizable and to create governing principles and funds for their expenditure.</td>
<td>233</td>
<td>245</td>
<td>297</td>
</tr>
<tr>
<td>1205</td>
<td>State Affairs</td>
<td>LAW</td>
<td>FIREARMS - Amends existing law to revise provisions regarding the prohibition of regulation of certain firearms and to prohibit certain regulation of firearms.</td>
<td>238</td>
<td>250</td>
<td>297</td>
</tr>
<tr>
<td>1206</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - ATTORNEY GENERAL - Relates to the appropriation to the Office of the Attorney General for fiscal year 2022.</td>
<td>244</td>
<td>253</td>
<td>280</td>
</tr>
<tr>
<td>1207</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - LEGISLATIVE BRANCH - Relates to the appropriation to the Legislative Branch for fiscal year 2022.</td>
<td>245</td>
<td>253</td>
<td>280</td>
</tr>
<tr>
<td>1208</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE CONTROLLER - Relates to the appropriation to the Office of the State Controller for fiscal year 2021 and fiscal year 2022.</td>
<td>245</td>
<td>253</td>
<td>280</td>
</tr>
<tr>
<td>1209</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION - Relates to the appropriation to the Department of Parks and Recreation for fiscal year 2022.</td>
<td>245</td>
<td>256</td>
<td>296</td>
</tr>
<tr>
<td>1210</td>
<td>Finance</td>
<td>H FAILED</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022.</td>
<td>247</td>
<td>257</td>
<td>267</td>
</tr>
<tr>
<td>Senate Bill</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
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<td>1211</td>
<td>State Affairs</td>
<td>LAW</td>
<td>WOLVES - Amends existing law to revise provisions regarding the powers and duties of the Idaho Wolf Depredation Control Board, wolf control assessments, the taking of wolves, and the control of depredation of wolves on livestock, domestic animals, and wildlife populations.</td>
<td>249</td>
<td>254</td>
<td>296</td>
</tr>
<tr>
<td>1212</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022.</td>
<td>262</td>
<td>275</td>
<td>297</td>
</tr>
<tr>
<td>1213</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF EDUCATION - Relates to the appropriation to the Department of Education for fiscal year 2022.</td>
<td>270</td>
<td>281</td>
<td>297</td>
</tr>
<tr>
<td>1214</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - Relates to year-end appropriations and transfers.</td>
<td>279</td>
<td>288</td>
<td>304</td>
</tr>
<tr>
<td>1215</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Relates to the appropriation to the Department of Water Resources for fiscal year 2022.</td>
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<td>289</td>
<td>297</td>
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<tr>
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<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - OFFICE OF DRUG POLICY - Relates to the appropriation to the Office of Drug Policy for fiscal year 2022.</td>
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<td>289</td>
<td>297</td>
</tr>
<tr>
<td>1217</td>
<td>State Affairs</td>
<td>LAW</td>
<td>STATE OF EXTREME EMERGENCY - Adds to and repeals existing law to authorize the Governor to proclaim a state of extreme emergency and to provide that the Governor shall have certain powers, duties, and limitations during a declared state of extreme emergency.</td>
<td>286</td>
<td>291</td>
<td>297</td>
</tr>
<tr>
<td>1218</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>CONTROLLED SUBSTANCES - Amends existing law to prohibit the commercial promotion or advertisement of controlled substances.</td>
<td>286</td>
<td>291</td>
<td>291</td>
</tr>
<tr>
<td>1219</td>
<td>Finance</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE CONTROLLER - Relates to the appropriation to the Office of the State Controller for fiscal year 2021.</td>
<td>298</td>
<td>300</td>
<td>304</td>
</tr>
<tr>
<td>1220</td>
<td>State Affairs</td>
<td>S 2nd Rdg</td>
<td>EFFECTIVE DATES - Amends and adds to existing law to provide effective dates.</td>
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<td>-</td>
<td>300</td>
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## SECTION VI

### SENATE JOINT RESOLUTIONS

<table>
<thead>
<tr>
<th>Senate Joint Resolution</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduced Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
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<tr>
<td>101</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>CONTROLLED SUBSTANCES - Proposes an amendment to the Idaho Constitution prohibiting the production, manufacture, transportation, sale, delivery, dispensing, distribution, possession, or use of certain psychoactive drugs.</td>
<td>19</td>
<td>56</td>
<td>56</td>
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<td>102</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>LEGISLATURE - States findings of the Legislature and proposes an amendment to the Constitution of the state of Idaho to establish provisions regarding convening the Legislature for special or organizational sessions.</td>
<td>121</td>
<td>135</td>
<td>260</td>
</tr>
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</table>
## SECTION VII

### SENATE JOINT MEMORIALS

<table>
<thead>
<tr>
<th>Senate Joint Memorial</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduc. Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>101</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>MEDAL OF HONOR - States findings of the Legislature and supports a state funeral to honor the last surviving Medal of Honor recipient from World War II.</td>
<td>97</td>
<td>118</td>
<td>265</td>
</tr>
<tr>
<td>102</td>
<td>Judiciary and Rules</td>
<td>ADOPTED</td>
<td>THE UNITED STATES SUPREME COURT - States findings of the Legislature and urges Congress to propose an amendment to the United States Constitution to set the number of justices on the Supreme Court at nine.</td>
<td>110</td>
<td>118</td>
<td>265</td>
</tr>
<tr>
<td>103</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>COLUMBIA-SNAKE RIVER SYSTEM - States findings of the Legislature, opposes the removal or breaching of the dams on the Columbia-Snake River System and its tributaries, and recognizes certain benefits provided by the Port of Lewiston.</td>
<td>167</td>
<td>190</td>
<td>265</td>
</tr>
<tr>
<td>104</td>
<td>Judiciary and Rules</td>
<td>ADOPTED</td>
<td>FEDERAL PARTNERSHIP ON CRIMINAL JUSTICE - States findings of the Legislature and urges the federal government to respect state criminal justice priorities and advance change through partnerships rather than mandates.</td>
<td>197</td>
<td>215</td>
<td>273</td>
</tr>
<tr>
<td>105</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>VACCINE MANDATES - Stating findings of the Legislature and expressing opposition to the Biden Administration vaccine mandates.</td>
<td>339</td>
<td>341</td>
<td>344</td>
</tr>
</tbody>
</table>
## SECTION VIII

### SENATE PROCLAMATIONS

<table>
<thead>
<tr>
<th>Senate Proclamation</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>101</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>MARQUEE RICKS - Commends Marquee Ricks for her accomplishment during the 2021 American Farm Bureau Federation's national Young Farmers and Ranchers Discussion Meet competition.............................</td>
<td>136</td>
<td>173</td>
<td>173</td>
</tr>
<tr>
<td>102</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>JON EVANS - States findings of the legislature and recognizes and congratulates Jon Evans for his induction into the Boys and Girls Club of America Hall of Fame....</td>
<td>229</td>
<td>238</td>
<td>238</td>
</tr>
<tr>
<td>103</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>TRANSPORTATION - A proclamation commending the Ada County Highway District on its 50th anniversary. ...</td>
<td>246</td>
<td>261</td>
<td>279</td>
</tr>
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## SECTION IX

### SENATE CONCURRENT RESOLUTIONS

<table>
<thead>
<tr>
<th>Senate Concurrent Resolution</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>101</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>DISASTER EMERGENCIES - States findings of the Legislature to provide that the state of disaster emergency declared by the Governor regarding novel coronavirus or COVID-19 is terminated, to provide that receipt of federal funds, benefits, or resources arising out of the state of disaster emergency shall not be affected, and to provide that the Governor may make or maintain declarations only to a certain extent. ..................................................</td>
<td>12</td>
<td>-</td>
<td>38</td>
</tr>
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<td>102</td>
<td>Health and Welfare</td>
<td>ADOPTED</td>
<td>COMMUNICATIONS - States findings of the Legislature and encourages the activation of closed captioning on television monitors in public venues. .................................</td>
<td>43</td>
<td>70</td>
<td>116</td>
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<tr>
<td>103</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>HEALTH AND WELFARE - States findings of the Legislature and declares that the December 30 general order of isolation issued by the Governor and the director of the Department of Health and Welfare is terminated. ....</td>
<td>46</td>
<td>-</td>
<td>54</td>
</tr>
<tr>
<td>104</td>
<td>Resources and Environment</td>
<td>ADOPTED</td>
<td>RIRIE RESERVOIR - States findings of the Legislature and supports the Ririe Reservoir project to more properly balance Ririe Reservoir water supply and irrigation supplies with adequate flood control........................................</td>
<td>68</td>
<td>100</td>
<td>230</td>
</tr>
<tr>
<td>105</td>
<td>Education</td>
<td>H Educ</td>
<td>STATE BOARD OF EDUCATION - RULE REJECTION - States findings of the Legislature and rejects a certain rule of the State Board of Education relating to Rules Governing Administration............................................</td>
<td>73</td>
<td>86</td>
<td>86</td>
</tr>
<tr>
<td>106</td>
<td>Agricultural Affairs</td>
<td>ADOPTED</td>
<td>IDAHO WHEAT COMMISSION - States findings of the Legislature and authorizes the Idaho Wheat Commission to enter into agreements with the State Building Authority to finance the construction of a new building ..............................</td>
<td>78</td>
<td>100</td>
<td>241</td>
</tr>
<tr>
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<td>State Affairs</td>
<td>H Transp</td>
<td>TRANSPORTATION - Adds to existing law to establish an interim committee to complete a study of driver authorization cards. ...............................................................</td>
<td>199</td>
<td>210</td>
<td>210</td>
</tr>
<tr>
<td>108</td>
<td>State Affairs</td>
<td>H St Aff</td>
<td>ADMINISTRATIVE RULES - States findings of the Legislature and approves administrative rules that impose a fee or charge, with exceptions, and rejects certain agency rule docket that are not approved........................................</td>
<td>284</td>
<td>292</td>
<td>292</td>
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<td>State Affairs</td>
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<td>TEMPORARY RULES - States findings of the Legislature and approves and extends temporary rules reviewed by the Legislature, with an exception. ........................................</td>
<td>284</td>
<td>292</td>
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<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
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<td>Senate Vote Page</td>
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<td>State Affairs</td>
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<td>LEGISLATURE - States findings of the Legislature and approves the recess of the First Regular Session of the Sixty-sixth Idaho Legislature, May 6 through May 11, reconvening on May 12.</td>
<td>287</td>
<td>288</td>
<td>296</td>
</tr>
<tr>
<td>112</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>LEGISLATURE - Stating the findings of the Legislature and providing that no vouched or unvouched expense allowance shall be payable to any member of the legislature for any time period during a temporary adjournment following the passage of three days from the date of adoption of this concurrent resolution without the approval of the president pro tempore of the senate or the Speaker of the House of Representatives respectively.</td>
<td>303</td>
<td>303</td>
<td>304</td>
</tr>
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## SECTION X

### ENROLLED 2021 SENATE BILLS

### WITH EFFECTIVE DATE AND SESSION LAW CHAPTER NUMBER CITED

<table>
<thead>
<tr>
<th>Senate Bill No.</th>
<th>Session Laws Chapter No.</th>
<th>Introduced by</th>
<th>Signed by Governor</th>
<th>Effective Date(s)</th>
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<td>03/19/2021</td>
<td>07/01/2021</td>
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<td>03/17/2021</td>
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<td>07/01/2021</td>
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<td>03/08/2021</td>
<td>07/01/2021</td>
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<td>02/26/2021</td>
<td>07/01/2021</td>
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<td>07/01/2021</td>
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<td>07/01/2021</td>
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<td>04/14/2021</td>
<td>07/01/2021</td>
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<td>03/05/2021</td>
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<td>Retroactive to 01/01/2021</td>
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<td>04/09/2021</td>
<td>07/01/2021</td>
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<td>02/26/2021</td>
<td>07/01/2021</td>
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<td>02/26/2021</td>
<td>07/01/2021</td>
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<td>07/01/2021</td>
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<td>Local Government and Taxation</td>
<td>03/18/2021</td>
<td>07/01/2021</td>
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<td>07/01/2021</td>
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<td>Session Laws Chapter No.</td>
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<td>223</td>
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<td>04/14/2021</td>
<td>07/01/2021</td>
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<td>03/17/2021</td>
<td>07/01/2021</td>
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<td>04/22/2021</td>
<td>07/01/2021</td>
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<td>04/09/2021</td>
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<td>03/19/2021</td>
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<td>07/01/2021</td>
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<td>322</td>
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<td>State Affairs</td>
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<td>07/01/2021</td>
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<td>07/01/2021</td>
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<td>325</td>
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<td>03/19/2021</td>
<td>07/01/2021</td>
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<td>07/01/2021</td>
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<td>166</td>
<td>Judiciary and Rules</td>
<td>04/09/2021</td>
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<td>04/13/2021</td>
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<td>04/13/2021</td>
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</tbody>
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# SECTION XI

## NUMERICAL INDEX OF HOUSE BILLS RECEIVED BY THE SENATE

<table>
<thead>
<tr>
<th>House Bill No.</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
</tr>
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<tbody>
<tr>
<td>5</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to provide for hands-free use of certain devices.................................</td>
</tr>
<tr>
<td>7</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>STATE TREASURER - Amends existing law to provide that idle moneys may be invested in physical gold and silver in certain instances..................................................</td>
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<tr>
<td>11</td>
<td>Appropriations</td>
<td>LAW</td>
<td>Appropriations - Appropriates and transfers $34,300 from the General Fund to the Hazardous Substance Emergency Response Fund for fiscal year 2021..................</td>
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<tr>
<td>15</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>PROPERTY TAXES - Amends existing law regarding the subsequent property roll and removes obsolete language regarding widows..................................................</td>
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<td>18</td>
<td>Appropriations</td>
<td>LAW</td>
<td>Appropriations - LEGISLATIVE BRANCH - Relates to the appropriation to the Legislative Branch for fiscal year 2021..........................................................</td>
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<tr>
<td>21</td>
<td>Revenue and Taxation</td>
<td>S Loc Gov</td>
<td>BUSINESSES OWNED BY MINORS - Amends existing law to provide an exemption from local licensing and fee requirements for businesses owned and operated by persons under age 18 and to excuse them from paying sales and use tax in certain instances..........................</td>
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<tr>
<td>22</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to remove a limitation on public charter school funding.................................</td>
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<tr>
<td></td>
<td></td>
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<td><strong>Amended in the Senate ..........................................................</strong></td>
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<tr>
<td>23</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>ENDOWMENT LAND - Repeals existing law relating to the exchange of certain lands.................................................</td>
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<tr>
<td>24</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>IDAHO BOARD OF SCALING PRACTICES - Amends existing law to revise provisions regarding board compensation.................................................................</td>
</tr>
<tr>
<td>25</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>STATE PARKS - Repeals existing law relating to state parks.................................................................</td>
</tr>
<tr>
<td>26</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>JUVENILE CORRECTIONS ACT - Amends and repeals existing law to revise provisions regarding the apprehension, release, and detention of juveniles and to remove reference to habitual status offenders.................................................................</td>
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<tr>
<td>27</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>JUDICIAL DISTRICTS - Amends existing law to revise the number of judges and resident chambers in the Third Judicial District.................................................................</td>
</tr>
<tr>
<td>28</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>JUVENILE CORRECTIONS ACT - Amends existing law to revise legislative intent, to revise a definition, and to define terms regarding juvenile corrections.................................................................</td>
</tr>
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<td>29</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>SEXUAL OFFENDER CLASSIFICATION BOARD - Amends existing law to provide that voting records of the former Sexual Offender Classification Board shall be exempt from disclosure and to authorize the Sexual Offender Management Board to manage and maintain the records of the former Sexual Offender Classification Board. ..........</td>
</tr>
<tr>
<td>32</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>SALES TAX - Amends existing law to revise provisions regarding the applicability of the sales and use tax to manufactured homes. ...........................................</td>
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<tr>
<td>35</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>IDAHO TUBERCULOSIS HOSPITAL - Repeals existing law relating to the Idaho Tuberculosis Hospital because Idaho does not maintain a tuberculosis hospital. .................</td>
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<tr>
<td>36</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>VITAL STATISTICS - Amends existing law to remove obsolete provisions and to revise provisions regarding disclosure of records. ..................................................</td>
</tr>
<tr>
<td>37</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>NURSING - Amends existing law to provide for discipline if a nurse enters a guilty plea for a relevant crime. .........................</td>
</tr>
<tr>
<td>38</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>TELEHEALTH ACCESS - Amends existing law to provide for the prescribing of certain drugs via telehealth in compliance with federal law. .............................................</td>
</tr>
<tr>
<td>39</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>CONTROLLED SUBSTANCES - Amends existing law to provide certain responsibilities to the Division of Occupational and Professional Licenses. ........................................</td>
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<td>40</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>PHARMACY - Amends, repeals, and adds to existing law to update the Idaho Pharmacy Act. .............................................</td>
</tr>
<tr>
<td>41</td>
<td>State Affairs</td>
<td>S Jud</td>
<td>PRIVATE FOUNDATIONS AND CHARITABLE TRUSTS - Adds to existing law to prohibit certain reporting requirements..................................................</td>
</tr>
<tr>
<td>42</td>
<td>Business</td>
<td>LAW</td>
<td>IDAHO PATIENT ACT - Adds to existing law to provide a time extension for certain extraordinary medical collection action requirements. ..................................................</td>
</tr>
<tr>
<td>43</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>WATER - Amends and repeals existing law relating to the administrative determination of adverse claims, hearings and orders of local ground water boards, appeals from certain actions, and penalties. ........................................</td>
</tr>
<tr>
<td>46</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>MILITARY - Amends existing law to revise provisions regarding the authority of those performing security duties at the Orchard training area and to remove a POST training requirement. .............................................</td>
</tr>
<tr>
<td>47</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>VETERANS MEMORIALS - Repeals existing law relating to appropriations for veterans memorials.............................................</td>
</tr>
<tr>
<td>48</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>SERVICE MEMBERS - Repeals existing law relating to the authorization of males 18 years of age or older to contract under the G.I. Bill of Rights.............................................</td>
</tr>
<tr>
<td>49</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>TRANSPORTATION - Adds to existing law to provide an alternative method to evidence perfection of a motor vehicle title. ..................................................</td>
</tr>
<tr>
<td>No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
</tr>
<tr>
<td>-----</td>
<td>--------------</td>
<td>--------------</td>
<td>----------------</td>
</tr>
<tr>
<td>50</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
<td>FOOD QUALITY ASSURANCE INSTITUTE - Repeals existing law relating to the Idaho Food Quality Assurance Institute. .................................................................</td>
</tr>
<tr>
<td>51</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
<td>DAIRIES - Amends existing law to provide nutrient management standards on dairy farms..................................................</td>
</tr>
<tr>
<td>57</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>WATER - Amends existing law to revise provisions regarding certain authority of the Water Resource Board and the Department of Water Resources.................................</td>
</tr>
<tr>
<td>58</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>INCOME TAXES - Amends existing law to revise provisions regarding the Internal Revenue Code...........................................</td>
</tr>
<tr>
<td>59</td>
<td>State Affairs</td>
<td>S 14th Ord</td>
<td>VITAL STATISTICS - Amends existing law to provide that original birth certificates and other records will be made available upon request to adoptees for adoptions that occur on or after July 1, 2021 ..................................................</td>
</tr>
<tr>
<td>64</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
<td>VETERINARIANS - Amends, adds to, and repeals existing law regarding the Veterinary Practice Act. ....................................</td>
</tr>
<tr>
<td>66</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS - Repeals, amends, and adds to existing law to provide for bond and levy election disclosures and penalties for violations........................................................................</td>
</tr>
<tr>
<td>67</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends and adds to existing law to clarify who has the authority to close schools or limit school activities or programs for the purpose of stopping the spread of infectious disease. .........................................................</td>
</tr>
<tr>
<td>68</td>
<td>Education</td>
<td>LAW</td>
<td>HIGHER EDUCATION - Adds to existing law to provide for policies regarding the prevention and spread of infectious disease at colleges and universities. ...........................................</td>
</tr>
<tr>
<td>70</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ALCOHOLIC BEVERAGES - Amends existing law to revise the term of an alcohol permit or license ...........................................</td>
</tr>
<tr>
<td>73</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>LOCAL GOVERNMENT - Amends, repeals, and adds to existing law to provide for a uniform system of accounting and financial transparency from local governmental entities and education providers.........................................................</td>
</tr>
<tr>
<td>74</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>CITIES - Amends existing law to limit the application of health ordinances to city limits. .........................................................</td>
</tr>
<tr>
<td>75</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>WAGE CLAIMS - Amends existing law to provide for electronic transmission of documents. .................................................................</td>
</tr>
<tr>
<td>78</td>
<td>Business</td>
<td>LAW</td>
<td>INSURANCE - Repeals and amends existing law to remove obsolete insurance provisions. .................................................................</td>
</tr>
<tr>
<td>79</td>
<td>Business</td>
<td>LAW</td>
<td>ANNUITY CONSUMER PROTECTIONS ACT - Repeals, adds to, and amends existing law to enact the Annuity Consumer Protections Act .................................................................</td>
</tr>
<tr>
<td>80</td>
<td>Business</td>
<td>LAW</td>
<td>INSURANCE - Amends and adds to existing law to establish provisions regarding reciprocal jurisdictions and credit for reinsurance procedures. .................................................................</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------</td>
<td>--------------</td>
<td>----------------</td>
</tr>
<tr>
<td>81</td>
<td>Business</td>
<td>LAW</td>
<td>INSURANCE - Amends existing law to revise the maximum number on a board of directors for certain insurers.</td>
</tr>
<tr>
<td>83</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - BEHAVIORAL HEALTH SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2021</td>
</tr>
<tr>
<td>85</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to allow for the placement of Purple Heart license plates on more than one vehicle or motorcycle owned by a qualifying person.</td>
</tr>
<tr>
<td>86</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to provide for revised snowmobile and off-highway vehicle licensing and oversight</td>
</tr>
<tr>
<td>90</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>MONUMENTS AND MEMORIALS - Adds to existing law to provide for the protection of certain monuments and memorials</td>
</tr>
<tr>
<td>91</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>FISH AND GAME - Amends existing law to revise provisions regarding bait</td>
</tr>
<tr>
<td>93</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>PARKS AND RECREATION - Amends existing law to revise provisions regarding certain fees</td>
</tr>
<tr>
<td>94</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>CRIMINAL JUSTICE INTEGRATED DATA SYSTEM - Amends existing law to authorize a designee from the State Board of Education to serve on the Data Oversight Council and to provide for a vice chairman</td>
</tr>
<tr>
<td>95</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>DISTRICT MAGISTRATES COMMISSIONS - Amends existing law to revise provisions regarding membership, to provide for the terms of members, and to provide for vacancies</td>
</tr>
<tr>
<td>96</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>FAMILY LAW LICENSE SUSPENSIONS - Adds to existing law to provide for a family law temporary restricted driver's license</td>
</tr>
<tr>
<td>99</td>
<td>Environment, Energy and Technology</td>
<td>LAW</td>
<td>WATER QUALITY - Adds to existing law to provide for water quality innovation and pollutant trading</td>
</tr>
<tr>
<td>101</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ATTORNEY GENERAL - Amends existing law to revise the duties of the Attorney General's office and to provide that state departments and agencies may contract for legal services outside of the Attorney General's office</td>
</tr>
<tr>
<td>102</td>
<td>Business</td>
<td>LAW</td>
<td>REAL ESTATE LICENSE LAW - Amends existing law to remove obsolete language</td>
</tr>
<tr>
<td>103</td>
<td>Business</td>
<td>LAW</td>
<td>NONPROFIT CORPORATIONS - Amends existing law to allow remote participation in meetings</td>
</tr>
<tr>
<td>104</td>
<td>State Affairs</td>
<td>LAW</td>
<td>INDEPENDENT EXPENDITURES - Amends existing law to require certain disclosures</td>
</tr>
<tr>
<td>106</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ELECTIONS - Amends existing law to remove a certain election date for school districts</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------</td>
<td>--------------</td>
<td>----------------</td>
</tr>
<tr>
<td>107</td>
<td>State Affairs</td>
<td>LAW</td>
<td>INSTRUMENTS - Amends existing law to revise provisions regarding the validity of an acknowledgment on certain instruments. Amended in the Senate.</td>
</tr>
<tr>
<td>109</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Relates to the appropriation to the Commission for the Blind and Visually Impaired for fiscal year 2021.</td>
</tr>
<tr>
<td>110</td>
<td>Local Government</td>
<td>LAW</td>
<td>DEVELOPMENT IMPACT FEES - Amends existing law to revise provisions regarding intergovernmental agreements relating to development impact fees.</td>
</tr>
<tr>
<td>111</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to provide that school employees at category 3 contract status shall not advance beyond such status until they complete certain requirements.</td>
</tr>
<tr>
<td>112</td>
<td>Transportation and Defense</td>
<td>S Loc Gov</td>
<td>SALES TAX - Adds to existing law to provide for a sales tax rebate on certain road construction materials.</td>
</tr>
<tr>
<td>114</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE TREASURER - Relates to the appropriation to the State Treasurer for fiscal year 2021.</td>
</tr>
<tr>
<td>115</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>HOSPITALS - Amends existing law to provide that a hospital trustee may not be an employee of or have an ownership interest in certain other facilities and to revise provisions regarding hospital boards.</td>
</tr>
<tr>
<td>117</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - OFFICE OF ENERGY AND MINERAL RESOURCES - Relates to the appropriation to the Office of Energy and Mineral Resources for fiscal year 2021.</td>
</tr>
<tr>
<td>118</td>
<td>Resources and Conservation</td>
<td>S Res/Env</td>
<td>DEPARTMENT OF LANDS - Amends existing law to prohibit the Department of Lands from engaging legal counsel from the Attorney General's office.</td>
</tr>
<tr>
<td>119</td>
<td>Revenue and Taxation</td>
<td>S Loc Gov</td>
<td>BOARD OF TAX APPEALS - Amends existing law to revise provisions regarding hearings.</td>
</tr>
<tr>
<td>120</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>VETERANS - Amends existing law to provide for the ability of certain disabled veterans to transfer their veteran's property tax reduction and homestead exemption upon a change of homestead.</td>
</tr>
<tr>
<td>122</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>FIREARMS - Amends existing law to provide that certain persons shall not be prohibited from possessing weapons on school property.</td>
</tr>
<tr>
<td>123</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - COMMISSION ON AGING - Relates to the appropriation to the Commission on Aging for fiscal year 2021.</td>
</tr>
<tr>
<td>124</td>
<td>Local Government</td>
<td>LAW</td>
<td>DEVELOPMENT IMPACT FEES - Amends existing law to revise provisions regarding development impact fee advisory committees.</td>
</tr>
<tr>
<td>126</td>
<td>Agricultural Affairs</td>
<td>LAW</td>
<td>INDUSTRIAL HEMP - Amends and adds to existing law to establish provisions regarding industrial hemp.</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
</tr>
<tr>
<td>---------------</td>
<td>--------------</td>
<td>--------------</td>
<td>----------------</td>
</tr>
<tr>
<td>127</td>
<td>Environment, Energy and Technology</td>
<td>LAW</td>
<td>BROADBAND - Adds to existing law to establish the Idaho Broadband Fund and the Idaho Broadband Advisory Board</td>
</tr>
<tr>
<td>128</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to revise provisions regarding delivery of title upon sale or disposition</td>
</tr>
<tr>
<td>129</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends and adds to existing law to provide for exemptions from operating fees regarding certain uses of off-highway vehicles</td>
</tr>
<tr>
<td>131</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to allow for wider sidewalks or side paths if necessary</td>
</tr>
<tr>
<td>132</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to establish the POW/MIA Memorial Highway in Idaho</td>
</tr>
<tr>
<td>133</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Relates to the appropriation to the Department of Agriculture for fiscal year 2021</td>
</tr>
<tr>
<td>134</td>
<td>State Affairs</td>
<td>VETOED</td>
<td>EMERGENCY DECLARATIONS - Amends existing law to revise provisions regarding a declaration of disaster emergency by the Governor</td>
</tr>
<tr>
<td>135</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS - Adds to existing law to provide for at-large elections in certain political subdivisions</td>
</tr>
<tr>
<td>136</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>DEPARTMENT OF ADMINISTRATION - Repeals existing law relating to the Permanent Building Fund</td>
</tr>
<tr>
<td>137</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>HUMAN RESOURCES DIVISION - Amends existing law to provide that a state employee may donate sick leave as well as vacation leave</td>
</tr>
<tr>
<td>138</td>
<td>Commerce and Human Resources</td>
<td>S Com/HuRes</td>
<td>MEDICAL CONSUMER PROTECTION ACT - Adds to existing law to prohibit discrimination against certain persons on the basis of their vaccination status and to prohibit state contracts with companies that engage in such discrimination</td>
</tr>
<tr>
<td>139</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>PUBLIC PROCUREMENT - Adds to and amends existing law to provide that a state agency may not enter into a noncompetitive contract with a state institution of higher education unless authorized by the administrator of the Division of Purchasing</td>
</tr>
<tr>
<td>140</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>AMENDED IN THE HOUSE (SEE HOUSE JOURNAL)</td>
</tr>
<tr>
<td>141</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>EMPLOYMENT SECURITY - Amends existing law to clarify eligibility requirements</td>
</tr>
<tr>
<td>142</td>
<td>Commerce and Human Resources</td>
<td>LAW</td>
<td>BUILDING CODE ACT - Adds to existing law to require the Building Code Board to adopt certain International Building Code provisions allowing for the use of mass timber</td>
</tr>
<tr>
<td>143</td>
<td>Business</td>
<td>LAW</td>
<td>Amended in the Senate</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------</td>
<td>--------------</td>
<td>----------------</td>
</tr>
<tr>
<td>148</td>
<td>Judiciary, Rules and Administration</td>
<td>S Jud</td>
<td>MOTOR VEHICLES - Amends existing law to revise provisions regarding an administrative hearing on a license suspension.</td>
</tr>
<tr>
<td>149</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>CORONAVIRUS LIMITED IMMUNITY ACT - Amends session laws of the 2020 First Extraordinary Session to extend a sunset date to July 1, 2022.</td>
</tr>
<tr>
<td>150</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>IDAHO COMMISSION OF PARDONS AND PAROLE - Adds to and amends existing law to revise and restructure the Commission of Pardons and Parole into a new chapter of Idaho Code.</td>
</tr>
<tr>
<td>152</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>SECURITY DEPOSITS - Amends existing law to provide that a tenant's security deposit shall be held in a separate account.</td>
</tr>
<tr>
<td>154</td>
<td>Environment, Energy and Technology</td>
<td>S Transp</td>
<td>VEHICLE INSPECTION AND MAINTENANCE - Amends existing law to provide that certain counties may opt out of vehicle inspection and maintenance programs under specified conditions.</td>
</tr>
<tr>
<td>155</td>
<td>Local Government</td>
<td>LAW</td>
<td>GOVERNMENT PROPERTY - Amends existing law to revise provisions regarding the transfer of property between government bodies.</td>
</tr>
<tr>
<td>156</td>
<td>Local Government</td>
<td>LAW</td>
<td>DEVELOPMENT IMPACT FEES - Amends existing law to revise provisions regarding the definition of &quot;public safety facilities.&quot;</td>
</tr>
<tr>
<td>157</td>
<td>Transportation and Defense</td>
<td>S Transp</td>
<td>TRANSPORTATION - Adds to existing law to provide for a motor vehicle registration fee discount for active duty military members stationed outside of Idaho.</td>
</tr>
<tr>
<td>158</td>
<td>Transportation and Defense</td>
<td>S Transp</td>
<td>TRANSPORTATION - Amends existing law to provide that certain vehicles are permitted to display only a rear license plate.</td>
</tr>
<tr>
<td>160</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to remove a provision regarding certain optional charges related to technical review and to remove certain sunset provisions from session laws.</td>
</tr>
<tr>
<td>161</td>
<td>Transportation and Defense</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to provide for certain fee increases to provide additional funding to counties.</td>
</tr>
</tbody>
</table>

*Amended in the House (See House Journal)*

Amended in the Senate

<p>| 162           | Transportation and Defense | LAW         | TRANSPORTATION - Adds to existing law to designate the Bobby Chambers Memorial Highway. | 149             | 222              | 228              |
| 165           | Transportation and Defense | LAW         | TRANSPORTATION - Adds to existing law to provide for custom vehicle license plates. | 123             | 215              | 225              |
| 166           | Agricultural Affairs | LAW         | DOMESTIC CERVIDAE - Amends existing law to remove the prohibition of holding reindeer for domestic purposes north of the Salmon River. | 130             | 223              | 228              |
| 167           | Agricultural Affairs | LAW         | DEPARTMENT OF AGRICULTURE - Amends existing law to revise provisions regarding rulemaking. | 123             | 185              | 196              |</p>
<table>
<thead>
<tr>
<th>House Bill No.</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>169</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>STATE PLANNING AND COORDINATION - Amends existing law to provide for certain agency performance measures.</td>
<td>158</td>
<td>158</td>
<td></td>
</tr>
<tr>
<td>170</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>INCOME TAX - Amends existing law to revise provisions regarding Idaho taxable income.</td>
<td>110</td>
<td>169</td>
<td>178</td>
</tr>
<tr>
<td>171</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>SALES TAX - Amends existing law to revise provisions regarding sales tax exemption or resale certificates.</td>
<td>110</td>
<td>-</td>
<td>240</td>
</tr>
<tr>
<td>172</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Adds to existing law to provide that students may receive credit for extended learning opportunities or by demonstrating prior knowledge of a content area.</td>
<td>133</td>
<td>187</td>
<td>196</td>
</tr>
<tr>
<td>173</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to establish the School Safety and Security Program in the Office of the State Board of Education.</td>
<td>133</td>
<td>187</td>
<td>196</td>
</tr>
<tr>
<td>174</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Amends existing law to provide that a board of school district trustees may enter into a negotiation agreement with a local education organization.</td>
<td>158</td>
<td>-</td>
<td>158</td>
</tr>
<tr>
<td>175</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to provide for in-person instruction when possible during an emergency.</td>
<td>133</td>
<td>206</td>
<td>211</td>
</tr>
<tr>
<td>176</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - EXECUTIVE OFFICE OF THE GOVERNOR - Relates to the appropriation to the Executive Office of the Governor for fiscal year 2021.</td>
<td>105</td>
<td>119</td>
<td>129</td>
</tr>
<tr>
<td>178</td>
<td>Business</td>
<td>LAW</td>
<td>OCCUPATIONAL LICENSING - Adds to existing law to provide for certain apprenticeship programs.</td>
<td>133</td>
<td>219</td>
<td>228</td>
</tr>
<tr>
<td>182</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>WATER - Adds to existing law to provide for irrigation corporation boundary adjustments.</td>
<td>140</td>
<td>207</td>
<td>211</td>
</tr>
<tr>
<td>184</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>WATER RIGHTS - Amends existing law to revise provisions regarding notification of change in ownership of water rights.</td>
<td>140</td>
<td>207</td>
<td>211</td>
</tr>
<tr>
<td>185</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>FLOOD CONTROL DISTRICTS - Amends existing law to provide that lands annexed to a district may be contiguous or noncontiguous to the existing district.</td>
<td>140</td>
<td>207</td>
<td>211</td>
</tr>
<tr>
<td>186</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>WATER - Amends existing law to revise provisions regarding notices of claim associated with the use of stockwater on federal land and to revise provisions regarding the director's determination of specified elements to define and administer the water rights acquired under state law.</td>
<td>140</td>
<td>207</td>
<td>211</td>
</tr>
<tr>
<td>187</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>FISH AND GAME - Adds to existing law to provide for motorized use restrictions in recreational access agreements.</td>
<td>129</td>
<td>216</td>
<td>225</td>
</tr>
<tr>
<td>191</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>DOMESTIC RELATIONS - Amends existing law to provide for a delegation of parental powers to a temporary caregiver through a power of attorney and to provide requirements for temporary care assistance programs.</td>
<td>146</td>
<td>-</td>
<td>240</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Amended in the Senate</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------</td>
<td>--------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------</td>
<td>-----------------</td>
<td>------------------</td>
</tr>
<tr>
<td>193</td>
<td>Judiciary, Rules and Administration</td>
<td>S 14th Ord</td>
<td>CHILD SUPPORT - Amends existing law to provide that a lien for child support delinquency attaches to certain property and to provide for calculation of a self-employed parent's financial resources for purposes of determining child support.</td>
<td>129</td>
<td>-</td>
<td>193</td>
</tr>
<tr>
<td>198</td>
<td>State Affairs</td>
<td>LAW</td>
<td>PRECINCT COMMITTEE MAN - Amends existing law to clarify qualifications of a precinct committeeman.</td>
<td>158</td>
<td>215</td>
<td>225</td>
</tr>
<tr>
<td>200</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2021.</td>
<td>110</td>
<td>154</td>
<td>161</td>
</tr>
<tr>
<td>203</td>
<td>Education</td>
<td>LAW</td>
<td>PUBLIC SCHOOLS - Amends existing law to provide that persons qualified to drive school buses who have retired may be rehired while still receiving PERSI benefits.</td>
<td>140</td>
<td>206</td>
<td>211</td>
</tr>
<tr>
<td>204</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION - Relates to the appropriation to the Department of Parks and Recreation for fiscal year 2021.</td>
<td>118</td>
<td>154</td>
<td>161</td>
</tr>
<tr>
<td>205</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO STATE POLICE - Relates to the appropriation to the Idaho State Police for fiscal year 2021.</td>
<td>118</td>
<td>154</td>
<td>161</td>
</tr>
<tr>
<td>206</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE TAX COMMISSION - Relates to the appropriation to the State Tax Commission for fiscal year 2021.</td>
<td>118</td>
<td>155</td>
<td>161</td>
</tr>
<tr>
<td>207</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - OMNIBUS - Reduces appropriations for fiscal year 2021.</td>
<td>118</td>
<td>155</td>
<td>161</td>
</tr>
<tr>
<td>208</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>PHARMACISTS - Amends existing law to remove a provision regarding federal Food and Drug Administration-approved labeling.</td>
<td>123</td>
<td>170</td>
<td>178</td>
</tr>
<tr>
<td>210</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>SALES TAX - Amends existing law to revise provisions regarding the applicability of the sales and use tax to certain nonresidents and nonresident business entities purchasing vehicles in Idaho.</td>
<td>123</td>
<td>214</td>
<td>225</td>
</tr>
<tr>
<td>211</td>
<td>Revenue and Taxation</td>
<td>S Loc Gov</td>
<td>PROPERTY - Amends existing law to revise provisions regarding the market value of a residential property on appeal by a taxpayer.</td>
<td>125</td>
<td>-</td>
<td>125</td>
</tr>
<tr>
<td>214</td>
<td>Revenue and Taxation</td>
<td>VETOED</td>
<td>STATE TAX COMMISSION - Amends existing law to revise provisions regarding the responsibilities of the state tax commissioners.</td>
<td>123</td>
<td>191</td>
<td>217</td>
</tr>
<tr>
<td>216</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - MEDICAID - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2021.</td>
<td>123</td>
<td>140</td>
<td>156</td>
</tr>
<tr>
<td>217</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>INCOME TAXES - Adds to existing law to provide for a rebuttable presumption regarding evidence of expenditures.</td>
<td>125</td>
<td>214</td>
<td>225</td>
</tr>
<tr>
<td>220</td>
<td>State Affairs</td>
<td>LAW</td>
<td>PUBLIC FUNDS FOR ABORTION - Adds to existing law to prohibit the use of public funds for abortion.</td>
<td>133</td>
<td>-</td>
<td>280</td>
</tr>
</tbody>
</table>

*Amended in the Senate*
<table>
<thead>
<tr>
<th>House Bill No.</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>221 Education</td>
<td>S Educ</td>
<td></td>
<td>EDUCATION - Adds to existing law to provide for teacher certificates specific to a local education agency.</td>
<td>146</td>
<td>-</td>
<td>146</td>
</tr>
<tr>
<td>222 Education</td>
<td>LAW</td>
<td></td>
<td>EDUCATION - Amends existing law to provide for a commission on continuous improvement plans and student achievement measures and to revise provisions regarding staff evaluations, college and career advising, and literacy intervention.</td>
<td>146</td>
<td>214</td>
<td>225</td>
</tr>
<tr>
<td>223 State Affairs</td>
<td>S 14th Ord</td>
<td></td>
<td>ELECTIONS - Adds to existing law to prohibit certain ballot collection activities.</td>
<td>123</td>
<td>-</td>
<td>210</td>
</tr>
<tr>
<td>224 Appropriations</td>
<td>LAW</td>
<td></td>
<td>APPROPRIATIONS - COMMISSION ON HISPANIC AFFAIRS - Relates to the appropriation to the Commission on Hispanic Affairs for fiscal year 2022.</td>
<td>125</td>
<td>163</td>
<td>175</td>
</tr>
<tr>
<td>225 Appropriations</td>
<td>LAW</td>
<td></td>
<td>APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - PERMANENT BUILDING FUND - Relates to the appropriation to the Department of Administration for the Division of Public Works for fiscal year 2021.</td>
<td>125</td>
<td>163</td>
<td>175</td>
</tr>
<tr>
<td>226 Appropriations</td>
<td>LAW</td>
<td></td>
<td>APPROPRIATIONS - DEPARTMENT OF JUVENILE CORRECTIONS - Relates to the appropriation to the Department of Juvenile Corrections for fiscal year 2022.</td>
<td>129</td>
<td>167</td>
<td>178</td>
</tr>
<tr>
<td>229 Transportation and Defense</td>
<td>LAW</td>
<td></td>
<td>TRANSPORTATION - Amends existing law to increase fees for snowmobile use, to allocate such funds, and to establish a state snowmobile avalanche fund.</td>
<td>129</td>
<td>-</td>
<td>266</td>
</tr>
<tr>
<td>230 Appropriations</td>
<td>LAW</td>
<td></td>
<td>Amended in the Senate.</td>
<td>213</td>
<td>232</td>
<td></td>
</tr>
<tr>
<td>231 State Affairs</td>
<td>LAW</td>
<td></td>
<td>ELECTIONS - Amends existing law to revise provisions regarding the independent candidate filing deadline for president or vice president.</td>
<td>158</td>
<td>215</td>
<td>225</td>
</tr>
<tr>
<td>232 State Affairs</td>
<td>LAW</td>
<td></td>
<td>ALCOHOL - Amends existing law to revise provisions regarding the alcoholic content of beer, to provide for a certain tax and revenue distribution, and to provide for the distribution of certain revenue to the Idaho Grape Growers and Wine Producers Account.</td>
<td>167</td>
<td>219</td>
<td>228</td>
</tr>
<tr>
<td>233 Health and Welfare</td>
<td>LAW</td>
<td></td>
<td>JUVENILES - Adds to existing law to establish provisions regarding the prevention of a child's removal from the custody of a parent or guardian under certain circumstances.</td>
<td>140</td>
<td>206</td>
<td>211</td>
</tr>
<tr>
<td>234 Health and Welfare</td>
<td>S Health/Wel</td>
<td></td>
<td>CITIES - Amends existing law to revise provisions regarding preservation of public health by cities.</td>
<td>158</td>
<td>-</td>
<td>158</td>
</tr>
<tr>
<td>235 Resources and Conservation</td>
<td>LAW</td>
<td></td>
<td>FISH AND GAME - Amends existing law to provide for sage grouse game tags, to revise provisions regarding fees for swan, sage grouse, and sharptail grouse, and to revise provisions regarding violations.</td>
<td>129</td>
<td>216</td>
<td>225</td>
</tr>
<tr>
<td>239 Resources and Conservation</td>
<td>LAW</td>
<td></td>
<td>PHOSPHATE - Repeals and amends existing law to revise construction requirements and to provide for certain fees.</td>
<td>146</td>
<td>216</td>
<td>225</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>INTRODUCTION Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------</td>
<td>--------------</td>
<td>----------------</td>
<td>------------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>240</td>
<td>Judiciary, Rules and Administration</td>
<td>S Jud</td>
<td>COMMUNITY REENTRY CENTERS - Adds to existing law to provide that the Commission of Pardons and Parole shall apply for a special use permit when establishing a new community reentry center.</td>
<td>167</td>
<td>167</td>
<td></td>
</tr>
<tr>
<td>241</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>MOTOR VEHICLES - Amends existing law to revise a provision regarding the installation of an ignition interlock device, to provide for a petition for relief in certain instances, and to revise provisions regarding judicial review.</td>
<td>140 222</td>
<td>228</td>
<td></td>
</tr>
<tr>
<td>243</td>
<td>State Affairs</td>
<td>LAW</td>
<td>CAMPAIGN FINANCE - Amends existing law regarding a candidate's campaign account limits.</td>
<td>158 216</td>
<td>225</td>
<td></td>
</tr>
<tr>
<td>245</td>
<td>State Affairs</td>
<td>LAW</td>
<td>CAMPAIGN FINANCE - Amends and adds to existing law to prohibit foreign contributions, independent expenditures, and electioneering communications.</td>
<td>160 224</td>
<td>228</td>
<td></td>
</tr>
<tr>
<td>246</td>
<td>Judiciary, Rules and Administration</td>
<td>LAW</td>
<td>DOMESTIC RELATIONS - Amends existing law to provide that emergency or disaster declarations shall not be considered a compelling governmental interest sufficient to restrict parental rights.</td>
<td>140 -</td>
<td>258</td>
<td></td>
</tr>
<tr>
<td>247</td>
<td>Education</td>
<td>S Educ</td>
<td>PUBLIC SCHOOL FUNDING - Adds to existing law to provide that a school district or public charter school may use part of its salary-based apportionment to pay for its employees to be covered by the state employee health insurance plan.</td>
<td>146 -</td>
<td>146</td>
<td></td>
</tr>
<tr>
<td>249</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Amends existing law to provide for permission to participate in instruction regarding human sexuality.</td>
<td>149 -</td>
<td>149</td>
<td></td>
</tr>
<tr>
<td>250</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to provide that advanced opportunities funds may be used for college entrance examinations, preliminary college entrance examinations, and costs associated with certain examinations.</td>
<td>167 -</td>
<td>228</td>
<td></td>
</tr>
<tr>
<td>251</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>INCOME TAX - Amends existing law to revise provisions regarding the treatment of certain federal relief moneys when calculating Idaho taxable income.</td>
<td>133 173</td>
<td>185</td>
<td></td>
</tr>
<tr>
<td>252</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>PROPERTY ASSESSMENTS - Amends existing law to revise provisions regarding the assessment of certain property actively devoted to agriculture.</td>
<td>158 -</td>
<td>252</td>
<td></td>
</tr>
<tr>
<td>258</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ALCOHOL - Amends existing law to provide that certain applicants shall not be deemed ineligible for a waterfront resort liquor license.</td>
<td>211 276</td>
<td>280</td>
<td></td>
</tr>
<tr>
<td>259</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>STATE DISASTER PREPAREDNESS ACT - Amends existing law to revise the definitions of &quot;disaster,&quot; &quot;militia,&quot; and &quot;disaster emergency account&quot; and to define &quot;epidemic&quot; and &quot;pandemic.&quot;</td>
<td>140 -</td>
<td>140</td>
<td></td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>--------------</td>
<td>--------------</td>
<td>-------------</td>
<td>----------------</td>
<td>------------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>260</td>
<td>Appropriations</td>
<td>LAW</td>
<td>STATE BUDGETS - Amends and adds to existing law to define terms and to revise state budget terminology to be uniform and consistent. .................................................................</td>
<td>189</td>
<td>205</td>
<td>211</td>
</tr>
<tr>
<td>261</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - COMMISSION OF PARDONS AND PAROLE - Relates to the appropriation to the Commission of Pardons and Parole for fiscal year 2022. ..................................................</td>
<td>140</td>
<td>167</td>
<td>178</td>
</tr>
<tr>
<td>262</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF CORRECTION - Relates to the appropriation to the Department of Correction for fiscal year 2022. .................................................................</td>
<td>146</td>
<td>168</td>
<td>178</td>
</tr>
<tr>
<td>263</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - WORKFORCE DEVELOPMENT COUNCIL - Relates to the appropriation to the Workforce Development Council for fiscal year 2022. .................................................................</td>
<td>146</td>
<td>168</td>
<td>178</td>
</tr>
<tr>
<td>264</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to revise provisions regarding public charter school facilities funds. .................................................................</td>
<td>158</td>
<td>222</td>
<td>228</td>
</tr>
<tr>
<td>265</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to provide for the state share of the Transportation Support Program following an emergency. .................................................................</td>
<td>158</td>
<td>223</td>
<td>228</td>
</tr>
<tr>
<td>266</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>WATER - Adds to existing law to provide for cloud seeding in Idaho. .................................................................</td>
<td>158</td>
<td>222</td>
<td>228</td>
</tr>
<tr>
<td>267</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>WATER - Amends existing law to revise provisions regarding the water management account. .................................................................</td>
<td>146</td>
<td>208</td>
<td>211</td>
</tr>
<tr>
<td>268</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>WATER - Amends existing law to revise provisions regarding extensions of time for construction, work, or application of water to full beneficial use. .................................................................</td>
<td>146</td>
<td>208</td>
<td>211</td>
</tr>
<tr>
<td>269</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Relates to the appropriation to the Public Defense Commission for fiscal year 2022. .................................................................</td>
<td>149</td>
<td>168</td>
<td>178</td>
</tr>
<tr>
<td>270</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - COMMISSION ON THE ARTS - Relates to the appropriation to the Commission on the Arts for fiscal year 2022. .................................................................</td>
<td>149</td>
<td>168</td>
<td>178</td>
</tr>
<tr>
<td>272</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - SUPREME COURT - Relates to the appropriation to the Supreme Court for fiscal year 2022. ..................</td>
<td>149</td>
<td>168</td>
<td>178</td>
</tr>
<tr>
<td>275</td>
<td>Business</td>
<td>S Jud</td>
<td>LIENS - Adds to existing law to provide for proof of a lien and to provide that certain fees and costs are recoverable for a prevailing party. .................................................................</td>
<td>173</td>
<td>-</td>
<td>173</td>
</tr>
<tr>
<td>276</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>INCOME TAXES - Amends existing law to revise provisions regarding the adjustable basis of depreciable property........</td>
<td>158</td>
<td>215</td>
<td>225</td>
</tr>
<tr>
<td>277</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>TAX APPEALS - Adds to existing law to provide for the right of a taxpayer to appear in person or through a representative of his choice at a hearing of the Board of Tax Appeals.......</td>
<td>158</td>
<td>215</td>
<td>225</td>
</tr>
<tr>
<td>279</td>
<td>State Affairs</td>
<td>LAW</td>
<td>COMMITTEE ON FEDERALISM - Repeals existing law relating to the sunset provision for the Committee on Federalism. .........................................................................................</td>
<td>158</td>
<td>216</td>
<td>225</td>
</tr>
<tr>
<td>280</td>
<td>Education</td>
<td>LAW</td>
<td>EDUCATION - Amends existing law to revise provisions regarding professional endorsements. .................................................................</td>
<td>160</td>
<td>223</td>
<td>228</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>---------------</td>
<td>--------------</td>
<td>--------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>282</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Relates to the appropriation to the Commission for the Blind and Visually Impaired for fiscal year 2022.</td>
<td>158 183 196</td>
<td></td>
<td></td>
</tr>
<tr>
<td>283</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO PUBLIC TELEVISION - Relates to the appropriation to Idaho Public Television for fiscal year 2022.</td>
<td>158 184 196</td>
<td></td>
<td></td>
</tr>
<tr>
<td>284</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Relates to the appropriation to the Catastrophic Health Care Program for fiscal year 2022.</td>
<td>267 271 280</td>
<td></td>
<td></td>
</tr>
<tr>
<td>286</td>
<td>Resources and Conservation</td>
<td>LAW</td>
<td>PUBLIC SHOOTING RANGES - Amends existing law to revise distribution provisions regarding certain fines and forfeitures.</td>
<td>177 224 228</td>
<td></td>
<td></td>
</tr>
<tr>
<td>290</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS - Amends existing law to revise provisions regarding verification of signatures of electors and petition signers.</td>
<td>194 235 240</td>
<td></td>
<td></td>
</tr>
<tr>
<td>291</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>BUSINESS - Amends existing law to provide a bill of rights for businesses during a disaster emergency or public health order.</td>
<td>183 - 183</td>
<td></td>
<td></td>
</tr>
<tr>
<td>292</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTRICAL CONTRACTORS AND JOURNEYMEN - Amends existing law to provide certain exemptions regarding electrical contractors and journeymen and to provide for preemption of local jurisdictions and the state fire marshal as to such exemptions.</td>
<td>183 223 228</td>
<td></td>
<td></td>
</tr>
<tr>
<td>293</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Adds to existing law to provide for reimbursement to parents for eligible education expenses under certain circumstances.</td>
<td>167 - 167</td>
<td></td>
<td></td>
</tr>
<tr>
<td>294</td>
<td>Education</td>
<td>S Held at Desk</td>
<td>EDUCATION - Amends existing law to establish the Strong Students Grant Program and the Strong Students Scholarship Program, which provide funds to eligible students for certain education expenses.</td>
<td>160 - 209</td>
<td></td>
<td></td>
</tr>
<tr>
<td>298</td>
<td>Education</td>
<td>LAW</td>
<td>IMMUNIZATIONS - Amends existing law to provide that school officials shall provide parents and guardians with certain information in communications regarding student immunizations.</td>
<td>177 234 240</td>
<td></td>
<td></td>
</tr>
<tr>
<td>299</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ELECTIONS - Amends existing law to prohibit the providing of college credit to influence a student's vote.</td>
<td>167 259 263</td>
<td></td>
<td></td>
</tr>
<tr>
<td>302</td>
<td>State Affairs</td>
<td>LAW</td>
<td>ABORTION - Amends existing law to provide that certain printed material regarding Down syndrome be made available to physicians, hospitals, or other facilities providing abortion and abortion-related services.</td>
<td>189 232 237</td>
<td></td>
<td></td>
</tr>
<tr>
<td>303</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE LIQUOR DIVISION - Relates to the appropriation to the State Liquor Division for fiscal year 2022.</td>
<td>167 184 196</td>
<td></td>
<td></td>
</tr>
<tr>
<td>304</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO STATE LOTTERY - Relates to the appropriation to the Idaho State Lottery for fiscal year 2022.</td>
<td>167 184 196</td>
<td></td>
<td></td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
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</tr>
<tr>
<td>305</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - Relates to the appropriation to the regulatory boards, medical boards, and the Division of Building Safety for fiscal year 2021.</td>
<td>167</td>
<td>184</td>
<td>196</td>
</tr>
<tr>
<td>306</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Relates to the appropriation to the Department of Agriculture for fiscal year 2022.</td>
<td>167</td>
<td>184</td>
<td>196</td>
</tr>
<tr>
<td>307</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>IRRIGATION - Repeals and amends existing law to revise right-of-way provisions.</td>
<td>177</td>
<td>222</td>
<td>228</td>
</tr>
<tr>
<td>308</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2021.</td>
<td>167</td>
<td>175</td>
<td>194</td>
</tr>
<tr>
<td>309</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>PROPERTY TAXES - Amends existing law to revise provisions regarding the property tax deferral program...</td>
<td>183</td>
<td>223</td>
<td>228</td>
</tr>
<tr>
<td>312</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - INDUSTRIAL COMMISSION - Relates to the appropriation to the Industrial Commission for fiscal year 2022.</td>
<td>173</td>
<td>191</td>
<td>201</td>
</tr>
<tr>
<td>313</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Relates to the appropriation to the Department of Fish and Game for fiscal year 2022.</td>
<td>173</td>
<td>191</td>
<td>201</td>
</tr>
<tr>
<td>315</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>PUBLIC FUNDS - Adds to existing law to establish the state-directed opioid settlement fund.</td>
<td>183</td>
<td>235</td>
<td>240</td>
</tr>
<tr>
<td>316</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>HEALTH - Adds to and amends existing law to provide for additional county aid to public health districts and to revise provisions regarding health districts.</td>
<td>183</td>
<td>-</td>
<td>280</td>
</tr>
<tr>
<td>317</td>
<td>Revenue and Taxation</td>
<td>LAW</td>
<td>INCOME TAX - Adds to existing law to provide for the affected business entity tax.</td>
<td>167</td>
<td>222</td>
<td>228</td>
</tr>
<tr>
<td>318</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - COMMUNITY COLLEGES - Relates to the appropriation to the State Board of Education for Community Colleges for fiscal years 2021 and 2022.</td>
<td>183</td>
<td>198</td>
<td>201</td>
</tr>
<tr>
<td>319</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ELECTIONS - Amends existing law to provide for city officer elections in even numbered years.</td>
<td>300</td>
<td>-</td>
<td>300</td>
</tr>
<tr>
<td>322</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>FEDERALISM PROCEDURE - Adds to existing law to provide a procedure regarding nonrecognition of certain federal actions.</td>
<td>245</td>
<td>-</td>
<td>245</td>
</tr>
<tr>
<td>324</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Relates to the appropriation to the Endowment Fund Investment Board for fiscal year 2021.</td>
<td>183</td>
<td>205</td>
<td>211</td>
</tr>
<tr>
<td>325</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - FAMILY AND COMMUNITY SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022.</td>
<td>183</td>
<td>205</td>
<td>211</td>
</tr>
<tr>
<td>326</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2022.</td>
<td>183</td>
<td>205</td>
<td>211</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------</td>
<td>--------------</td>
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<td>------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>329</td>
<td>Education</td>
<td>S Educ</td>
<td>EDUCATION - Amends existing law to provide that school boards shall have the authority to adopt policies and procedures regarding student clubs and organizations.</td>
<td>218</td>
<td>-</td>
<td>218</td>
</tr>
<tr>
<td>332</td>
<td>Revenue and Taxation</td>
<td>S Loc Gov</td>
<td>INCOME TAXES - Amends existing law to revise provisions regarding income tax rates and the Tax Relief Fund and to provide for a onetime income tax rebate.</td>
<td>194</td>
<td>-</td>
<td>258</td>
</tr>
<tr>
<td>333</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF PARKS AND RECREATION - Relates to the appropriation to the Department of Parks and Recreation for fiscal year 2022.</td>
<td>194</td>
<td>205</td>
<td>211</td>
</tr>
<tr>
<td>334</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PERSI - Relates to the appropriation to the Public Employee Retirement System of Idaho for fiscal year 2022.</td>
<td>194</td>
<td>206</td>
<td>211</td>
</tr>
<tr>
<td>336</td>
<td>Health and Welfare</td>
<td>LAW</td>
<td>JUVENILES - Amends and adds to existing law to provide for placement of juveniles in the custody of the Department of Health and Welfare in qualified residential treatment programs when appropriate and to provide for an extension of foster care.</td>
<td>194</td>
<td>235</td>
<td>240</td>
</tr>
<tr>
<td>337</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO STATE POLICE - Relates to the appropriation to the Idaho State Police for fiscal year 2022.</td>
<td>200</td>
<td>219</td>
<td>228</td>
</tr>
<tr>
<td>338</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - STATE CONTROLLER - Relates to the appropriation to the Office of the State Controller for fiscal year 2022.</td>
<td>234</td>
<td>238</td>
<td>244</td>
</tr>
<tr>
<td>339</td>
<td>State Affairs</td>
<td>S Health/Wel</td>
<td>MASK MANDATES - Adds to existing law to establish provisions regarding the prohibition of mask mandates.</td>
<td>245</td>
<td>-</td>
<td>245</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Amended in the House (See House Journal)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>340</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - LEGISLATIVE BRANCH - Relates to the appropriation to the Legislative Branch for fiscal year 2022.</td>
<td>200</td>
<td>219</td>
<td>228</td>
</tr>
<tr>
<td>341</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - EXECUTIVE OFFICE OF THE GOVERNOR - Relates to the appropriation to the Executive Office of the Governor for fiscal year 2022.</td>
<td>200</td>
<td>219</td>
<td>228</td>
</tr>
<tr>
<td>342</td>
<td>Ways and Means</td>
<td>S Transp</td>
<td>TRANSPORTATION - Amends existing law to increase funding for state and local transportation through sales tax.</td>
<td>194</td>
<td>-</td>
<td>194</td>
</tr>
<tr>
<td>343</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - SUPREME COURT - Relates to the appropriation to the Supreme Court for fiscal year 2022.</td>
<td>218</td>
<td>231</td>
<td>237</td>
</tr>
<tr>
<td>344</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ELECTIONS - Amends existing law to revise provisions regarding voter identification.</td>
<td>234</td>
<td>-</td>
<td>234</td>
</tr>
<tr>
<td>345</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Relates to the appropriation to the Catastrophic Health Care Program for fiscal year 2021.</td>
<td>265</td>
<td>275</td>
<td>280</td>
</tr>
<tr>
<td>346</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES - Relates to the appropriation to the Division of Occupational and Professional Licenses for fiscal year 2022.</td>
<td>218</td>
<td>234</td>
<td>240</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
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</tr>
<tr>
<td>348</td>
<td>State Affairs</td>
<td>LAW</td>
<td>CITIES - Amends existing law to remove a provision regarding city appropriation ordinances.</td>
<td>249</td>
<td>276</td>
<td>280</td>
</tr>
<tr>
<td>349</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ELECTIONS - Adds to existing law to establish provisions for postelection audits of selected ballots.</td>
<td>218</td>
<td>-</td>
<td>218</td>
</tr>
<tr>
<td>350</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>SCHOOL TRUSTEE ELECTIONS - Amends existing law to revise provisions regarding appointments and elections to fill vacant school trustee positions after a recall or resignation following a recall petition.</td>
<td>245</td>
<td>-</td>
<td>245</td>
</tr>
<tr>
<td>353</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - ADMINISTRATORS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Administrators for fiscal year 2022 and fiscal year 2021.</td>
<td>267</td>
<td>271</td>
<td>280</td>
</tr>
<tr>
<td>355</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - OPERATIONS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Operations for fiscal year 2022 and fiscal year 2021.</td>
<td>279</td>
<td>281</td>
<td>286</td>
</tr>
<tr>
<td>356</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - CHILDREN'S PROGRAMS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Children's Programs for fiscal year 2022 and fiscal year 2021.</td>
<td>267</td>
<td>272</td>
<td>280</td>
</tr>
<tr>
<td>357</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - FACILITIES DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Facilities for fiscal year 2022.</td>
<td>218</td>
<td>234</td>
<td>240</td>
</tr>
<tr>
<td>358</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - CENTRAL SERVICES DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Central Services for fiscal year 2022.</td>
<td>267</td>
<td>272</td>
<td>280</td>
</tr>
<tr>
<td>359</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND - Relates to the appropriation to the Public Schools Educational Support Program's Division of Educational Services for the Deaf and the Blind for fiscal year 2022.</td>
<td>218</td>
<td>231</td>
<td>237</td>
</tr>
<tr>
<td>362</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to increase funding for state and local transportation through sales tax.</td>
<td>220</td>
<td>274</td>
<td>280</td>
</tr>
<tr>
<td>363</td>
<td>Ways and Means</td>
<td>S St Aff</td>
<td>HEALTH - Amends existing law to prohibit certain local regulations and taxes relating to tobacco products and electronic smoking devices.</td>
<td>229</td>
<td>-</td>
<td>229</td>
</tr>
<tr>
<td>364</td>
<td>Ways and Means</td>
<td>S Educ</td>
<td>PROTECTING CRITICAL THINKING IN HIGHER EDUCATION - Adds to existing law to establish the Protecting Critical Thinking in Higher Education Act.</td>
<td>245</td>
<td>-</td>
<td>245</td>
</tr>
<tr>
<td>365</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Relates to the appropriation to the Department of Agriculture for fiscal year 2021 and fiscal year 2022.</td>
<td>245</td>
<td>249</td>
<td>254</td>
</tr>
<tr>
<td>366</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT - Adds to existing law to prohibit an abortion following detection of a fetal heartbeat.</td>
<td>245</td>
<td>255</td>
<td>258</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
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<td>---------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>367</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - Relates to the appropriations to the Office of the State Controller and the Legislative Services Office for fiscal years 2021 and 2022. ........................................</td>
<td>249</td>
<td>257</td>
<td>263</td>
</tr>
<tr>
<td>369</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022. ..............</td>
<td>287</td>
<td>293</td>
<td>295</td>
</tr>
<tr>
<td>370</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT - Relates to the appropriation to the Division of Financial Management for fiscal year 2022. .................</td>
<td>267</td>
<td>272</td>
<td>280</td>
</tr>
<tr>
<td>371</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO STATE POLICE - Relates to the appropriation to the Idaho State Police for fiscal year 2021 and fiscal year 2022. ..........................................</td>
<td>252</td>
<td>257</td>
<td>263</td>
</tr>
<tr>
<td>372</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF EDUCATION - Relates to the appropriation to the Department of Education for fiscal year 2022 and fiscal year 2021. ..............................</td>
<td>267</td>
<td>272</td>
<td>280</td>
</tr>
<tr>
<td>373</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - IDAHO COMMISSION FOR LIBRARIES - Relates to the appropriation to the Idaho Commission for Libraries for fiscal year 2022. .......................................</td>
<td>267</td>
<td>273</td>
<td>280</td>
</tr>
<tr>
<td>374</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - FAMILY AND COMMUNITY SERVICES - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022. ..........................</td>
<td>259</td>
<td>274</td>
<td>280</td>
</tr>
<tr>
<td>376</td>
<td>Ways and Means</td>
<td>S St Aff</td>
<td>LEGISLATIVE SESSION - EFFECTIVE DATES - Adds to existing law to clarify the effective dates for certain acts or sections of acts enacted by the First Regular Session of the Sixty-sixth Idaho Legislature. ........................................</td>
<td>259</td>
<td>-</td>
<td>259</td>
</tr>
<tr>
<td>377</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>EDUCATION - Adds to existing law to establish provisions regarding dignity and nondiscrimination in public education and to prohibit the expenditure of moneys for certain purposes. .................................................</td>
<td>259</td>
<td>263</td>
<td>266</td>
</tr>
<tr>
<td>380</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>TAXATION - Amends and adds to existing law to revise provisions regarding income taxes, to revise provisions regarding the Tax Relief Fund, and to establish the 2021 Idaho Tax Rebate Fund. .................................................</td>
<td>259</td>
<td>274</td>
<td>280</td>
</tr>
<tr>
<td>381</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>TRANSPORTATION - Amends existing law to revise provisions regarding motor vehicles. ..................................................</td>
<td>267</td>
<td>275</td>
<td>280</td>
</tr>
<tr>
<td>382</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAID - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2021 and fiscal year 2022. ................................</td>
<td>267</td>
<td>273</td>
<td>280</td>
</tr>
<tr>
<td>383</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - LIEUTENANT GOVERNOR - Relates to the appropriation to the Office of the Lieutenant Governor for fiscal year 2022. ..................................................</td>
<td>267</td>
<td>273</td>
<td>280</td>
</tr>
<tr>
<td>384</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - MILITARY DIVISION - Relates to the appropriation to the Military Division for fiscal year 2021.....</td>
<td>267</td>
<td>274</td>
<td>280</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
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<td>--------------</td>
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</tr>
<tr>
<td>385</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Teachers for fiscal year 2022 and fiscal year 2021.</td>
<td>279</td>
<td>281</td>
<td>286</td>
</tr>
<tr>
<td>386</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - OPERATIONS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Operations for fiscal year 2022.</td>
<td>279</td>
<td>282</td>
<td>286</td>
</tr>
<tr>
<td>387</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - COLLEGE AND UNIVERSITIES - Relates to the appropriation to the State Board of Education and the Board of Regents of the University of Idaho for College and Universities and the Office of the State Board of Education for fiscal year 2021 and fiscal year 2022.</td>
<td>279</td>
<td>282</td>
<td>286</td>
</tr>
<tr>
<td>388</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC SCHOOLS - CHILDREN'S PROGRAMS DIVISION - Relates to the appropriation to the Public Schools Educational Support Program's Division of Children's Programs for fiscal year 2022.</td>
<td>279</td>
<td>282</td>
<td>286</td>
</tr>
<tr>
<td>389</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>PROPERTY TAXES - Amends, repeals, and adds to existing law to revise provisions regarding the homeowner exemption, the circuitbreaker tax reduction, the disabled veterans tax reduction, the property tax deferral program, and the taxation of personal property.</td>
<td>280</td>
<td>289</td>
<td>291</td>
</tr>
<tr>
<td>390</td>
<td>Ways and Means</td>
<td>S FAILED</td>
<td>TAXATION - Amends existing law to revise provisions regarding taxable income and the State Tax Commission.</td>
<td>280</td>
<td>289</td>
<td>289</td>
</tr>
<tr>
<td>391</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>EMERGENCY DECLARATIONS - Amends existing law to revise provisions regarding a declaration of disaster emergency by the Governor.</td>
<td>280</td>
<td>290</td>
<td>295</td>
</tr>
<tr>
<td>392</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>EMERGENCY DECLARATIONS - Amends existing law to revise provisions regarding a declaration of disaster emergency by the Governor and to provide that the Governor may not alter, adjust, or create any provisions of the Idaho Code.</td>
<td>280</td>
<td>290</td>
<td>295</td>
</tr>
<tr>
<td>393</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>EMERGENCY DECLARATIONS - Amends existing law to revise provisions regarding a declaration of disaster emergency by the Governor.</td>
<td>280</td>
<td>291</td>
<td>295</td>
</tr>
<tr>
<td>394</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>EFFECTIVE DATES - Amends and adds to existing law to revise effective dates.</td>
<td>287</td>
<td>294</td>
<td>295</td>
</tr>
<tr>
<td>395</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2022.</td>
<td>287</td>
<td>293</td>
<td>295</td>
</tr>
<tr>
<td>396</td>
<td>Appropriations</td>
<td>LAW</td>
<td>APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Relates to the appropriation to the public health districts for fiscal year 2022.</td>
<td>287</td>
<td>293</td>
<td>295</td>
</tr>
<tr>
<td>397</td>
<td>Appropriations</td>
<td>S 3rd Rdg</td>
<td>APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - PERMANENT BUILDING FUND - Relates to the appropriation to the Department of Administration for the Division of Public Works for fiscal year 2021 and fiscal year 2022.</td>
<td>287</td>
<td>-</td>
<td>298</td>
</tr>
<tr>
<td>House Bill No.</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td></td>
<td></td>
<td></td>
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<td>---------------</td>
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<td></td>
</tr>
<tr>
<td>398</td>
<td>Appropriations</td>
<td>LAW</td>
<td>Appropriations - Public Schools - Children's Programs Division - Relates to the appropriation to the Public Schools Educational Support Program's Division of Children's Programs for fiscal year 2022.</td>
<td>287</td>
<td>293</td>
<td>295</td>
</tr>
<tr>
<td>399</td>
<td>Appropriations</td>
<td>LAW</td>
<td>Appropriations - Commission on Aging - Relates to the appropriation to the Commission on Aging for fiscal year 2022.</td>
<td>287</td>
<td>294</td>
<td>295</td>
</tr>
<tr>
<td>400</td>
<td>Appropriations</td>
<td>LAW</td>
<td>Appropriations - Health and Welfare - Welfare Division - Relates to the appropriation to the Department of Health and Welfare for fiscal year 2021.</td>
<td>287</td>
<td>294</td>
<td>295</td>
</tr>
<tr>
<td>401</td>
<td>Appropriations</td>
<td>LAW</td>
<td>Appropriations - Idaho Transportation Department - Relates to the appropriation to the Idaho Transportation Department for fiscal year 2022.</td>
<td>287</td>
<td>294</td>
<td>295</td>
</tr>
<tr>
<td>402</td>
<td>Ways and Means</td>
<td>S St Aff</td>
<td>Noncognizable Funds - Amends existing law to revise provisions regarding the expenditure of certain funds.</td>
<td>287</td>
<td>-</td>
<td>287</td>
</tr>
<tr>
<td>407</td>
<td>Ways and Means</td>
<td>LAW</td>
<td>Effective Dates - Amends and adds to existing law to provide effective dates.</td>
<td>301</td>
<td>302</td>
<td>303</td>
</tr>
<tr>
<td>408</td>
<td>Appropriations</td>
<td>LAW</td>
<td>Appropriations - Department of Administration - Permanent Building Fund - Relates to the appropriation to the Department of Administration for the Division of Public Works for fiscal year 2021.</td>
<td>302</td>
<td>302</td>
<td>303</td>
</tr>
</tbody>
</table>
## SECTION XII

### NUMERICAL INDEX OF HOUSE JOINT RESOLUTIONS RECEIVED BY THE SENATE

<table>
<thead>
<tr>
<th>House Joint Resolution</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>SESSIONS OF THE LEGISLATURE - Proposes an amendment to the Constitution of the State of Idaho to provide that the Legislature must convene in certain organizational sessions and must be convened in special session by the President Pro Tempore of the Senate and the Speaker of the House of Representatives in certain circumstances.......................................................</td>
<td>65</td>
<td>-</td>
<td>172</td>
</tr>
</tbody>
</table>
### SECTION XIII

NUMERICAL INDEX OF HOUSE JOINT MEMORIALS RECEIVED BY THE SENATE

<table>
<thead>
<tr>
<th>House Joint Memorial</th>
<th>Introduced by</th>
<th>Final Action</th>
<th>Subject Matter</th>
<th>Introduction Page</th>
<th>Senate Vote Page</th>
<th>Final Disp. Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>CHINA - States findings of the Legislature and requests that the federal government sanction the Chinese government and the Chinese Communist Party for their crimes against humanity and their handling of the COVID-19 outbreak. .....</td>
<td>162</td>
<td>242</td>
<td>257</td>
</tr>
<tr>
<td>House Concurrent Resolution</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduc Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------</td>
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<td>---------------</td>
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<td>------------------</td>
</tr>
<tr>
<td>2</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ORDERS OF THE GOVERNOR - States findings of the Legislature and declares that the portion of the December 30, 2020, order regarding the prohibition on gatherings of more than 10 people is null, void, and of no force and effect. ...</td>
<td>37</td>
<td>-</td>
<td>37</td>
</tr>
<tr>
<td>3</td>
<td>Transportation and Defense</td>
<td>ADOPTED</td>
<td>NAVAL FLEET - States findings of the Legislature and recognizes the historical importance of the commissioning of the USS IDAHO SSN-799. ...........................................</td>
<td>56</td>
<td>110</td>
<td>122</td>
</tr>
<tr>
<td>5</td>
<td>State Affairs</td>
<td>S St Aff</td>
<td>ORDERS OF THE GOVERNOR - States findings of the Legislature and declares that the portion of the February 2, 2021, guidelines regarding the prohibition on gatherings of more than 50 people is null, void, and of no force and effect. ...........................................</td>
<td>80</td>
<td>-</td>
<td>80</td>
</tr>
<tr>
<td>6</td>
<td>Health and Welfare</td>
<td>ADOPTED</td>
<td>INSURANCE - States findings of the Legislature and requests that the Department of Insurance consult with insurance industry leaders to determine how to make medically necessary prescription formula available to infants and children in Idaho. ...........................................</td>
<td>103</td>
<td>122</td>
<td>133</td>
</tr>
<tr>
<td>7</td>
<td>Resources and Conservation</td>
<td>ADOPTED</td>
<td>NATURAL RESOURCE ISSUES STUDY - States findings of the Legislature and authorizes the Legislative Council to appoint a committee to undertake and complete a study of natural resource issues...........................................</td>
<td>103</td>
<td>157</td>
<td>172</td>
</tr>
<tr>
<td>8</td>
<td>Resources and Conservation</td>
<td>ADOPTED</td>
<td>PAYMENTS IN LIEU OF TAXES - States findings of the Legislature and directs the Committee on Federalism to study the fair taxable value of certain federal lands...........................................</td>
<td>140</td>
<td>210</td>
<td>225</td>
</tr>
<tr>
<td>10</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>STATE AFFAIRS - States findings of the Legislature and recognizes the centennial of the Idaho State Capitol's dedication...........................................</td>
<td>146</td>
<td>173</td>
<td>185</td>
</tr>
<tr>
<td>11</td>
<td>Health and Welfare</td>
<td>ADOPTED</td>
<td>HEALTH - States findings of the Legislature and recognizes 988 as the universal mental health and suicide prevention crisis phone number...........................................</td>
<td>158</td>
<td>210</td>
<td>225</td>
</tr>
<tr>
<td>13</td>
<td>State Affairs</td>
<td>ADOPTED</td>
<td>IDAHO WOMEN'S DAY - States findings of the Legislature and encourages continued recognition of March 14 as Idaho Women's Day...........................................</td>
<td>177</td>
<td>218</td>
<td>228</td>
</tr>
<tr>
<td>14</td>
<td>Health and Welfare</td>
<td>S Health/Wel</td>
<td>HEALTH - States findings of the Legislature and declares that the Legislature shall oppose efforts to require, mandate, or force any person to receive any immunization, vaccination, inoculation, medical procedure, or genetic modulation against that person's will...........................................</td>
<td>183</td>
<td>-</td>
<td>183</td>
</tr>
<tr>
<td>15</td>
<td>Revenue and Taxation</td>
<td>ADOPTED</td>
<td>PROPERTY TAXES - States findings of the Legislature and authorizes the Legislative Council to appoint a legislative interim study committee on property taxes and revenue expenditures...........................................</td>
<td>194</td>
<td>225</td>
<td>230</td>
</tr>
<tr>
<td>17</td>
<td>Ways and Means</td>
<td>ADOPTED</td>
<td>ERIC MILSTEAD - States findings of the Legislature and congratulates Legislative Services Office Director Eric Milstead on his retirement...........................................</td>
<td>229</td>
<td>261</td>
<td>266</td>
</tr>
<tr>
<td>House Concurrent Resolution</td>
<td>Introduced by</td>
<td>Final Action</td>
<td>Subject Matter</td>
<td>Introduction Page</td>
<td>Senate Vote Page</td>
<td>Final Disp. Page</td>
</tr>
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<td>--------------</td>
<td>----------------</td>
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<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>18 Ways and Means S 10th Ord</td>
<td>ARPA FUNDS - States findings of the Legislature and creates a legislative interim study committee to study and make recommendations regarding the expenditure of federal funds received for water infrastructure purposes under the American Rescue Plan Act of 2021.</td>
<td>229</td>
<td>-</td>
<td>249</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 Ways and Means ADOPTED</td>
<td>ARPA FUNDS - States findings of the Legislature and creates a legislative interim committee to study and make recommendations regarding the expenditure of certain federal funds received under the American Rescue Plan Act of 2021.</td>
<td>229</td>
<td>288</td>
<td>291</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 Ways and Means S 10th Ord</td>
<td>ARPA FUNDS - States findings of the Legislature and creates a legislative interim committee to study and make recommendations regarding the expenditure of federal funds for sewer and broadband infrastructure under the American Rescue Plan Act of 2021.</td>
<td>229</td>
<td>-</td>
<td>249</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Ways and Means ADOPTED</td>
<td>LEMHI BASIN - States findings of the legislature and directs the Idaho Water Resource Board to continue to work expeditiously with local water users to complete a comprehensive settlement that resolves current tensions and conflicts over the use of Lemhi Basin high flows.</td>
<td>252</td>
<td>261</td>
<td>266</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23 Ways and Means S St Aff</td>
<td>LEGISLATURE - States findings of the Legislature and approves the recess of the First Regular Session of the Sixty-sixth Idaho Legislature, subject to the call of the Speaker of the House of Representatives and the President Pro Tempore of the Senate no later than September 1, 2021.</td>
<td>301</td>
<td>-</td>
<td>301</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Senate Index

#### Section XV

**Senate Sponsors - Senate Legislation Voted on in Senate - 2021**

<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Sponsor(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 1004</td>
<td>Heider</td>
</tr>
<tr>
<td>S 1005</td>
<td>Patrick</td>
</tr>
<tr>
<td>S 1006</td>
<td>Crabtree</td>
</tr>
<tr>
<td>S 1007</td>
<td>Cook</td>
</tr>
<tr>
<td>S 1008</td>
<td>Crabtree</td>
</tr>
<tr>
<td>S 1009</td>
<td>Winder</td>
</tr>
<tr>
<td>S 1010</td>
<td>Patrick</td>
</tr>
<tr>
<td>S 1011</td>
<td>Woodward</td>
</tr>
<tr>
<td>S 1012</td>
<td>Souza</td>
</tr>
<tr>
<td>S 1013</td>
<td>Agenbroad</td>
</tr>
<tr>
<td>S 1014aa</td>
<td>Lakey</td>
</tr>
<tr>
<td>S 1015</td>
<td>Harris</td>
</tr>
<tr>
<td>S 1016</td>
<td>Wintrow</td>
</tr>
<tr>
<td>S 1017</td>
<td>Wintrow</td>
</tr>
<tr>
<td>S 1018</td>
<td>Heider</td>
</tr>
<tr>
<td>S 1020</td>
<td>Harris</td>
</tr>
<tr>
<td>S 1022</td>
<td>Agenbroad</td>
</tr>
<tr>
<td>S 1023</td>
<td>Crabtree</td>
</tr>
<tr>
<td>S 1024</td>
<td>Souza</td>
</tr>
<tr>
<td>S 1026</td>
<td>Patrick</td>
</tr>
<tr>
<td>S 1027</td>
<td>Ricks</td>
</tr>
<tr>
<td>S 1033</td>
<td>Bair</td>
</tr>
<tr>
<td>S 1034</td>
<td>Agenbroad</td>
</tr>
<tr>
<td>S 1035</td>
<td>Lee</td>
</tr>
<tr>
<td>S 1036</td>
<td>Zito</td>
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<tr>
<td>S 1037</td>
<td>Wintrow</td>
</tr>
<tr>
<td>S 1038</td>
<td>Stennett</td>
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<tr>
<td>S 1039aaH</td>
<td>Thayn</td>
</tr>
<tr>
<td>S 1041</td>
<td>Guthrie</td>
</tr>
<tr>
<td>S 1042aa</td>
<td>Woodward</td>
</tr>
<tr>
<td>S 1043aa</td>
<td>Zito</td>
</tr>
<tr>
<td>S 1044</td>
<td>Souza</td>
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<tr>
<td>S 1045</td>
<td>Thayn</td>
</tr>
<tr>
<td>S 1046aa,aa</td>
<td>Thayn</td>
</tr>
<tr>
<td>S 1047</td>
<td>Burtenshaw</td>
</tr>
<tr>
<td>S 1049</td>
<td>Agenbroad</td>
</tr>
<tr>
<td>S 1051</td>
<td>Guthrie</td>
</tr>
<tr>
<td>S 1053aa</td>
<td>Anthon</td>
</tr>
<tr>
<td>S 1055</td>
<td>Agenbroad</td>
</tr>
<tr>
<td>S 1056</td>
<td>Burgoyne</td>
</tr>
<tr>
<td>S 1057aa</td>
<td>Burgoyne</td>
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<tr>
<td>S 1058</td>
<td>Zito</td>
</tr>
<tr>
<td>S 1060</td>
<td>Vick</td>
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<td>S 1061</td>
<td>Riggs</td>
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<tr>
<td>S 1062</td>
<td>Heider</td>
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<tr>
<td>S 1063</td>
<td>Guthrie</td>
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<tr>
<td>S 1064</td>
<td>Riggs</td>
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<tr>
<td>S 1065</td>
<td>Heider</td>
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<tr>
<td>S 1067</td>
<td>Heider</td>
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<tr>
<td>S 1068</td>
<td>Guthrie</td>
</tr>
<tr>
<td>S 1069</td>
<td>Lodge</td>
</tr>
<tr>
<td>S 1070</td>
<td>Lodge</td>
</tr>
<tr>
<td>S 1071</td>
<td>Ward-Engelking</td>
</tr>
<tr>
<td>S 1072</td>
<td>Anthon</td>
</tr>
<tr>
<td>S 1073</td>
<td>Anthon</td>
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<tr>
<td>S 1074</td>
<td>Guthrie</td>
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<tr>
<td>S 1075</td>
<td>Thayn</td>
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<tr>
<td>S 1076</td>
<td>Lakey</td>
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<tr>
<td>S 1077</td>
<td>Anthon</td>
</tr>
<tr>
<td>S 1079aa</td>
<td>Johnson</td>
</tr>
<tr>
<td>S 1080</td>
<td>Riggs</td>
</tr>
<tr>
<td>S 1081</td>
<td>Agenbroad</td>
</tr>
<tr>
<td>S 1082</td>
<td>Lakey</td>
</tr>
<tr>
<td>S 1083</td>
<td>Lakey</td>
</tr>
<tr>
<td>S 1084</td>
<td>Den Hartog</td>
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<tr>
<td>S 1086</td>
<td>Lodge</td>
</tr>
<tr>
<td>S 1087</td>
<td>Anthon</td>
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<tr>
<td>S 1088aa</td>
<td>Rabe</td>
</tr>
<tr>
<td>S 1089aa</td>
<td>Wintrow</td>
</tr>
<tr>
<td>S 1091</td>
<td>Crabtree</td>
</tr>
<tr>
<td>S 1092aa</td>
<td>Riggs</td>
</tr>
<tr>
<td>S 1093</td>
<td>Martin</td>
</tr>
<tr>
<td>BILL NO.</td>
<td>SPONSOR(S)</td>
</tr>
<tr>
<td>---------</td>
<td>------------</td>
</tr>
<tr>
<td>S 1094</td>
<td>Woodward</td>
</tr>
<tr>
<td>S 1095</td>
<td>Patrick</td>
</tr>
<tr>
<td>S 1096</td>
<td>Lakey</td>
</tr>
<tr>
<td>S 1098</td>
<td>Wintrow</td>
</tr>
<tr>
<td>S 1100</td>
<td>Nelson</td>
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<tr>
<td>S 1101</td>
<td>Den Hartog</td>
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<tr>
<td>S 1102</td>
<td>Den Hartog</td>
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<td>S 1103</td>
<td>Johnson</td>
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<td>S 1104</td>
<td>Nelson</td>
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<td>S 1105</td>
<td>Ricks</td>
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<td>S 1107aa</td>
<td>Souza</td>
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<tr>
<td>S 1108aa,aa</td>
<td>Rice</td>
</tr>
<tr>
<td>S 1109</td>
<td>Burgoyne</td>
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<tr>
<td>S 1110</td>
<td>Vick</td>
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<td>S 1111</td>
<td>Winder</td>
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<tr>
<td>S 1112aa</td>
<td>Winder</td>
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<tr>
<td>S 1115</td>
<td>Crabtree</td>
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<tr>
<td>S 1116aa</td>
<td>Cook</td>
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<tr>
<td>S 1119</td>
<td>Ricks</td>
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<td>S 1121</td>
<td>Lent</td>
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<tr>
<td>S 1122</td>
<td>Johnson</td>
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<td>Burtenshaw</td>
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<td>S 1124aa</td>
<td>Harris</td>
</tr>
<tr>
<td>S 1126</td>
<td>Martin</td>
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<tr>
<td>S 1130</td>
<td>Lakey</td>
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<tr>
<td>S 1131</td>
<td>Lakey</td>
</tr>
<tr>
<td>S 1133aa</td>
<td>Lee</td>
</tr>
<tr>
<td>S 1134</td>
<td>Harris</td>
</tr>
<tr>
<td>S 1136aa,aaH</td>
<td>Anthon</td>
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<tr>
<td>S 1137</td>
<td>Lakey</td>
</tr>
<tr>
<td>S 1138</td>
<td>Crabtree</td>
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<td>Riggs</td>
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<td>Crabtree</td>
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<td>S 1141</td>
<td>Woodward</td>
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<tr>
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