

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 1

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND DECLARING THE TERMINATION OF THE
STATE OF DISASTER EMERGENCY IN IDAHO.

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

WHEREAS, on March 13, 2020, the Governor of the State of Idaho declared a state of emergency arising from the arrival in Idaho of the contagious disease known as novel coronavirus or COVID-19; and

WHEREAS, at that time, little was known of the methods of transmission and the effects of COVID-19, and the overriding concern was to contain the disease so as not to overwhelm the capacity and resources of the medical community in Idaho to treat afflicted patients; and

WHEREAS, as a result, the Governor caused a stay-home order to be issued in late March and early April and prepared a "Rebound Idaho" plan, a phased approach to opening the state back up; and

WHEREAS, over four months later, we now have a greater understanding of how to prevent the spread of this disease; and

WHEREAS, 43 of 44 counties have now progressed to Stage 4 of the Governor's Rebound Idaho plan to reopen the state, which is the final stage; and

WHEREAS, the Idaho Statesman reported on August 20, 2020, that the coronavirus positivity rate in Idaho has dropped for the fourth consecutive week; and

WHEREAS, the provisions of Section 46-1008, Idaho Code, state that "no state of disaster emergency may continue for longer than thirty (30) days unless the governor finds that it should be continued for another thirty (30) days or any part thereof" but does not provide for continual renewals; and

WHEREAS, even though the Governor has moved the handling of the COVID-19 response from a statewide to a local and regional approach, the Governor has continued to renew his declarations of a statewide emergency over the last four months, most recently in his Proclamation dated August 7, 2020; and

WHEREAS, in addition to devastating economic damage, the wide-scale shutdown has also caused extensive collateral harm to the physical and mental health of our citizens. Prolonged isolation has resulted in added mental health strain, increases in suicide rates, and depression from unemployment and a reduced standard of living. Delays in seeking medical diagnostic services and receiving needed treatments has also negatively affected the health of Idahoans; and

WHEREAS, an extraordinary session was called to address proposed voting centers and ballot handling issues due to the anticipated increased numbers of absentee ballots and to address the "unprecedented uncertainty as to liability due to the existence and spread of COVID-19 in Idaho"; and

WHEREAS, the COVID-19 pandemic emergency disaster declaration has opened up the opportunity for the Legislature, in a special session, to

1 change the election process and liability laws due to the Governor's procla-
2 mation claims on these topics; and

3 WHEREAS, the provisions of Section 46-1008, Idaho Code, state in part
4 that "the legislature by concurrent resolution may terminate a state of dis-
5 aster emergency at any time. Thereupon, the governor shall issue an execu-
6 tive order or proclamation ending the state of disaster emergency."

7 NOW, THEREFORE, BE IT RESOLVED by the members of the First Extraordi-
8 nary Session of the Sixty-fifth Idaho Legislature, the House of Representa-
9 tives and the Senate concurring therein, that there is no longer a need for
10 a statewide emergency declaration, and the state of disaster emergency in
11 Idaho is declared to be terminated as of the date of passage of this concu-
12 rent resolution.

13 BE IT FURTHER RESOLVED that a copy of this concurrent resolution shall
14 be transmitted immediately upon passage to the Governor of the State of
15 Idaho.