

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SEVENTH LEGISLATURE

**THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 15, 2024**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused - Wheeler. Total - 1.
Total - 70.

Prayer was offered by Representative Julie Yamamoto.

The Pledge of Allegiance was led by Larell Chandler, Page.

3RD ORDER Approval of Journal

February 15, 2024

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-eighth Legislative Day and recommend that same be adopted as corrected.

SKAUG, Chairman

Mr. Skaug moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER Consideration of Messages from the Governor and the Senate

February 14, 2024

Mr. Speaker:
I transmit herewith [S 1258](#) which has passed the Senate.

NOVAK, Secretary

[S 1258](#) was filed for first reading.

5TH ORDER Report of Standing Committees

February 15, 2024

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HCR 25](#), [H 564](#), [H 565](#), and [H 566](#).

SKAUG, Chairman

[H 566](#) was filed for second reading.

[HCR 25](#) was referred to the Education Committee.

[H 564](#) was referred to the Revenue and Taxation Committee.

[H 565](#) was referred to the State Affairs Committee.

February 15, 2024

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 410](#).

SKAUG, Chairman

The Speaker announced he was about to sign enrolled [H 410](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 14, 2024

Mr. Speaker:
We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration [H 491](#) and recommend that it do pass.

EHARDT, Chairman

[H 491](#) was filed for second reading.

February 14, 2024

Mr. Speaker:
We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 531](#), [H 532](#), and [H 533](#) and recommend that they do pass.

PALMER, Chairman

[H 531](#), [H 532](#), and [H 533](#) were filed for second reading.

February 15, 2024

Mr. Speaker:
We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 496](#) and recommend that it do pass.

CRANE(13), Chairman

[H 496](#) was filed for second reading.

February 15, 2024

Mr. Speaker:
We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 436](#), [H 437](#), [H 439](#), and [H 441](#) and recommend that they do pass.

VANDER WOUDE, Chairman

[H 436](#), [H 437](#), [H 439](#), and [H 441](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 26 BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE, REQUESTING THAT THE STATE BOARD OF EDUCATION RECONSIDER CERTAIN ACTIONS, REQUESTING COOPERATION FROM THE STATE BOARD OF EDUCATION, THE UNIVERSITY OF IDAHO, AND THE UNIVERSITY OF PHOENIX, AND AUTHORIZING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO ACT AS AGENTS OF THE LEGISLATURE FOR CERTAIN PURPOSES.

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

WHEREAS, on May 18, 2023, the State Board of Education, acting in its capacity as the Board of Regents of the University of Idaho, voted to authorize the creation of a corporation; and

WHEREAS, the purpose of the corporation so authorized is to acquire the assets and assume certain liabilities of the University of Phoenix, a private institution; and

WHEREAS, the Board offered no meaningful opportunity for public comment or public participation before taking its vote; and

WHEREAS, because the Board held its vote after the Legislature adjourned sine die, the Legislature had no opportunity to act in the immediate aftermath of the vote; and

WHEREAS, the University of Idaho was established by special act of the Territorial Legislature in 1889; and

WHEREAS, the special act vested the government of the university in the Board of Regents; and

WHEREAS, the special act established the Board of Regents as a corporation with specific powers; and

WHEREAS, a corporation is an artificial being created by law that, within the scope of its charter, is capable of acting as a natural person; and

WHEREAS, a fundamental principle of corporate law is that a corporation may not act beyond the scope of its charter; and

WHEREAS, when a corporation is created by special act of a legislature, the special act serves as the corporation's charter; and

WHEREAS, the special act establishing the University of Idaho is therefore the charter of the Board of Regents; and

WHEREAS, no provision of the charter permits the Board of Regents to authorize the creation of a corporation; and

WHEREAS, no provision of the charter permits the Board of Regents to, directly or indirectly, acquire a private institution and assume its liabilities; and

WHEREAS, in clarifying the differences between natural persons and corporations, the United States Supreme Court has stated that while a natural person may do anything not forbidden by law, a corporation may do only what its charter permits it to do; and

WHEREAS, the United States Supreme Court further stated in the case *Northwestern Fertilizing Company v. Village of Hyde Park*, 97 U.S. 659, that a corporation acting outside the law of its creation is "subject, like individuals, to the will of the law-making power"; and

WHEREAS, the lawmaking power in the State of Idaho belongs to the Legislature; and

WHEREAS, the Idaho Supreme Court has stated that substantial matters of public policy should be decided by the Legislature; and

WHEREAS, the question of whether to allow a state institution of higher education to affiliate itself, financially or otherwise, with a private institution is a substantial matter of public policy that should be decided by the Legislature; and

WHEREAS, the Legislature has enacted no law enabling the Board of Regents to acquire the assets and assume the liabilities of the University of Phoenix or to otherwise affiliate itself with the University of Phoenix; and

WHEREAS, it is a well-settled principle of American law that the creation and authorization of corporations is a legislative function; and

WHEREAS, because the creation and authorization of corporations is a legislative function, and because the Idaho Constitution limits the Legislature's ability to create corporations in Article III, Section 19, and Article XI, Section 2, the Legislature does not believe that the state or any of its officers, employees, or entities may create a corporation; and

WHEREAS, the Idaho Admission Bill, the act of Congress that admitted Idaho as a state of the Union, provides that any land grant university must "forever remain under the exclusive control" of the State of Idaho; and

WHEREAS, the University of Idaho is a land grant university; and

WHEREAS, an affiliation by the University of Idaho with a private institution could, depending on the nature of such affiliation, remove the university from the state's exclusive control, and therefore conflict with the Idaho Admission Bill; and

WHEREAS, the Legislature has additional legal, policy, and financial concerns about the proposed affiliation between the University of Idaho and a private institution; and

WHEREAS, one such concern is whether the State Board of Education and the University of Idaho would be protected by sovereign immunity in legal actions by private parties relating to the affiliation; and

WHEREAS, courts have ruled that state entities may not assert sovereign immunity as a defense when such entities have acted beyond the scope of their legal authority, as the Board has done here; and

WHEREAS, courts have also ruled that state entities surrender their sovereign immunity when they engage in nongovernmental functions; and

WHEREAS, the Board's creation of a private corporation for the purpose of acquiring a private institution is a nongovernmental function; and

WHEREAS, the waiver of the state's sovereign immunity is a substantial matter of public policy that should be decided by the Legislature and clearly provided in statute; and

WHEREAS, the Legislature does not believe that the state's or the people's interests have been fully considered or protected by the parties to the proposed affiliation.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature respectfully requests that the State Board of Education, in its capacity as the Board of Regents of the University of Idaho, reconsider its May 18, 2023, vote authorizing the creation of a corporation.

BE IT FURTHER RESOLVED that the Legislature respectfully requests that the State Board of Education, in its capacity as the Board of Regents of the University of Idaho, reconsider any actions that would affiliate the University of Idaho in any way with the University of Phoenix unless and until the Legislature enacts a law authorizing such actions.

BE IT FURTHER RESOLVED that the Legislature respectfully requests that the State Board of Education, the University of Idaho, and the University of Phoenix cooperate fully with the Legislature as it considers matters relating to the proposed affiliation.

BE IT FURTHER RESOLVED that the Legislature authorizes the Speaker of the House of Representatives and the President Pro Tempore of the Senate to act as agents of the Legislature in taking actions necessary to protect the legislative power and the people of Idaho in this matter, including the initiation of appropriate legal action in any court of competent jurisdiction.

**HOUSE CONCURRENT RESOLUTION NO. 27
BY HEALTH AND WELFARE COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE,
REQUESTING THAT THE DEPARTMENT OF INSURANCE
CONSULT WITH INSURANCE INDUSTRY LEADERS TO

DETERMINE HOW TO MAKE MEDICALLY NECESSARY IVIG TREATMENT FOR PANDAS/PANS AVAILABLE TO IDAHO CHILDREN NOT CURRENTLY COVERED BY MEDICAID OR A COMMERCIAL INSURER ALREADY PROVIDING COVERAGE, AND RECOGNIZING PANDAS/PANS AWARENESS DAY.

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

WHEREAS, pediatric autoimmune neuropsychiatric disorders associated with streptococcal infection (PANDAS) and pediatric acute-onset neuropsychiatric syndrome (PANS) involve a misdirected autoimmune process that affects or weakens the blood-brain barrier in children; and

WHEREAS, children afflicted with PANDAS or PANS display sudden, dramatic changes in personality manifesting as obsessive compulsive disorder together with accompanying symptoms following a strep, bacterial, or viral infection. Accompanying symptoms may include tics, intense fear or anxiety, depression, behavioral regression, deterioration in school performance, sensory sensitivities, severely restricted food intake, and more; and

WHEREAS, it is estimated that at least 1 in 200 children in the United States, including more than 2,000 children in Idaho, are affected by PANDAS or PANS; and

WHEREAS, PANDAS or PANS is as common as pediatric cancer and pediatric diabetes and can seriously affect health outcomes in a child's life to include life long mental illness, brain damage, and/or suicide; and

WHEREAS, established standards of care for treatment of PANDAS or PANS include antibiotics, steroids, intravenous immunoglobulin (IVIG), plasmapheresis, cognitive behavioral therapy, and anti-inflammatory medications and such treatments are utilized based on the needs of the child and the severity of an individual case; and

WHEREAS, other states have established legislative precedent for IVIG coverage, including but not limited to Illinois, Delaware, Arkansas, Minnesota, New Hampshire, Indiana, Maryland, Kansas, and Rhode Island; and

WHEREAS, while Medicaid and other select insurers cover IVIG treatment, families who aren't on one of the select plans that already provide coverage are frequently unable to pay for IVIG when insurance declines to provide coverage; and

WHEREAS, Idaho's administrative rules currently permit insurance companies to deny coverage for IVIG when the treatment has been deemed medically necessary by a healthcare provider; and

WHEREAS, Idaho medical providers treating this population are not able to present this treatment option to families whose child would benefit because of the likelihood of insurance denial and inability for the family to pay privately the thousands of dollars it would cost out of pocket; and

WHEREAS, a change in the administrative rules and in the practice of insurance companies could make necessary medical treatment more accessible to the approximately 400 Idaho children who require IVIG and who are otherwise covered under private insurance plans; and

WHEREAS, the Sixty-sixth Idaho Legislature in its Second Regular session recognized October 9, 2022, as PANDAS/PANS Awareness Day in Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature requests that the Department of Insurance consult with leaders in the insurance

industry to determine how to make medically necessary IVIG treatment available to all Idaho children who are insured.

BE IT FURTHER RESOLVED that the Legislature requests that the Department of Insurance collect data and ascertain the costs for including this benefit in private insurance plans and, further, that the Department of Insurance determine any impact on the Idaho General Fund for the addition of this benefit.

BE IT FURTHER RESOLVED that the Legislature requests that the Department of Insurance and leaders in the insurance industry report their findings and recommendations, if any, to the First Regular Session of the Sixty-eighth Idaho Legislature.

BE IT FURTHER RESOLVED by the Sixty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that October 9, 2024, be recognized in the State of Idaho as PANDA/PANS Awareness Day.

HOUSE JOINT MEMORIAL NO. 8 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 STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixty-seventh Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the federal government of the United States is vested with the responsibility and authority to establish terms of naturalization, to control immigration, and to otherwise establish, regulate, and enforce the terms and conditions upon which aliens may enter the United States from foreign places and remain in the United States, what activities aliens may engage in while present in the United States, the terms of permanent residency, and the grant of citizenship for aliens, in addition to the control over the United States border; and

WHEREAS, President Joseph Biden has failed to fulfill his constitutional responsibility as it pertains to the enforcement of current immigration law and policy, has deliberately opened the border, and has failed to consistently and uniformly enforce existing immigration law, beginning with one of his first official acts, ending the Migration Protection Protocol for asylum seekers, also known as the "Remain in Mexico" policy, that was enacted by President Trump; and

WHEREAS, as a result of these failures of the Biden Administration, unreasonable challenges are placed on state and local governments to provide for the general welfare of all persons within their jurisdiction, whether that relates to education, enforcement of state and local law, health care, highway safety, and more; and

WHEREAS, as a further result of these failures of the Biden Administration, the national security of the United States and of the several states, including Idaho, is threatened and harmed by the nearly eight million migrants who have entered the United States since the beginning of the Biden Administration, including close to two million "get-aways," meaning people who slipped into the United States and were not processed or checked for criminal activity; and

WHEREAS, as a further result of these failures of the Biden Administration, the public safety and well-being of the United States and of the several states, including Idaho, is threatened and harmed by unlawful entry to the United States of those that seek to traffic drugs and sex slaves, including the trafficking of children in the sex trade; and

WHEREAS, the thirst for cheap immigrant labor in Idaho has created a conduit for human trafficking and drugs like fentanyl and other related drugs that kill 190 souls in America per day; and

WHEREAS, it is incumbent upon the Congress to hold the President of the United States accountable for this crisis, with the following desired points of action:

1. The United States House of Representatives should impeach President Biden for the high crime of willfully failing to enforce existing immigration law and sanctioning an invasion of the United States by millions of military-age men;
2. Congress should prioritize laws further tightening border security and immigration before funding the war in Ukraine. The top priority of Congress should be the passage of H.R. 2, the Secure Border Act of 2023; and
3. Only after impeachment of President Biden and passage of H.R. 2, the Secure Border Act of 2023, should Congress contemplate an effective process for the safe processing of immigrants in the United States and Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho Legislature requests and calls upon the Senate and the House of Representatives of the United States Congress to take action with all deliberate speed to adopt and implement actions against the Biden Administration's lawlessness and treason, consistent with the action items set forth in this Joint Memorial.

BE IT FURTHER RESOLVED that the congressional delegation representing the State of Idaho in the Congress of the United States is requested and called upon to take action with all deliberate speed to introduce federal legislation implementing laws for a truly secure border, consistent with the principles set forth in this Joint Memorial.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives 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 delegation representing the State of Idaho in the Congress of the United States.

[HCR 26](#), [HCR 27](#), and [HJM 8](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

8TH ORDER

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 567 BY EDUCATION COMMITTEE AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1611, IDAHO CODE, TO PROHIBIT INSTRUCTION ON HUMAN SEXUALITY, SEXUAL ORIENTATION, AND GENDER IDENTITY PRIOR TO FIFTH GRADE AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 568 BY ENVIRONMENT, ENERGY AND TECHNOLOGY COMMITTEE AN ACT

RELATING TO THE ARTIFICIAL INTELLIGENCE ADVISORY COUNCIL; AMENDING TITLE 67, IDAHO

CODE, BY THE ADDITION OF A NEW CHAPTER 97, TITLE 67, IDAHO CODE, TO DEFINE TERMS, TO ESTABLISH THE IDAHO ARTIFICIAL INTELLIGENCE ADVISORY COUNCIL, TO PROVIDE FOR POWERS AND DUTIES OF THE COUNCIL, TO REQUIRE INVENTORY REPORTS REGARDING AUTOMATED DECISION SYSTEMS EMPLOYED BY STATE AGENCIES, TO PROVIDE FOR THE APPOINTMENT OF COUNCIL MEMBERS AND COUNCIL MEETING REQUIREMENTS, AND TO PROVIDE A SUNSET DATE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 569 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO THE ATTORNEY GENERAL; AMENDING CHAPTER 14, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-1404, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING ANNUAL REPORTS ON DRUG TRAFFICKING, MANUFACTURING, DELIVERY, AND POSSESSION WITH THE INTENT TO DISTRIBUTE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 570 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO ALCOHOLIC BEVERAGES; AMENDING SECTION 23-302, IDAHO CODE, TO PROVIDE THAT CERTAIN SPECIAL DISTRIBUTORS OF LIQUOR SHALL BE ALLOWED TO CONTINUE TO OPERATE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 571 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO PUBLIC WORKS CONTRACTORS; AMENDING SECTION 54-1903, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXEMPTIONS; AMENDING SECTION 54-1904, IDAHO CODE, TO REMOVE PROVISIONS REGARDING CLASS "D" LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 572 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO PREEMPTION OF GUARANTEED INCOME PROGRAMS; AMENDING TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 19, TITLE 56, IDAHO CODE, TO DEFINE A TERM AND TO PROVIDE FOR PREEMPTION OF CERTAIN LAWS, RULES, REGULATIONS, OR ORDINANCES RELATING TO GUARANTEED INCOME PROGRAMS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 573 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-1001, IDAHO CODE, TO REVISE PROVISIONS REGARDING VOTING BY ABSENTEE BALLOT; AMENDING SECTION 34-1002, IDAHO CODE, TO PROVIDE FOR CIRCUMSTANCES FOR WHICH AN

ABSENTEE BALLOT MAY BE REQUESTED, TO PROVIDE FOR AN APPLICATION FOR AN ABSENTEE BALLOT, TO PROVIDE THAT APPLICATIONS THAT FAIL TO COMPLY WITH CERTAIN REQUIREMENTS SHALL BE CONSIDERED INVALID, AND TO PROVIDE THAT NO ABSENTEE BALLOT SHALL BE ISSUED IN RESPONSE TO AN INVALID APPLICATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 574
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ELECTION DISCLOSURES; AMENDING SECTION 34-913, IDAHO CODE, TO PROVIDE A REQUIREMENT FOR CERTAIN DISCLOSURES IN BOND ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-914, IDAHO CODE, TO PROVIDE A REQUIREMENT FOR CERTAIN DISCLOSURES IN LEVY ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 575
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO DISCLOSING EXPLICIT SYNTHETIC MEDIA; AMENDING CHAPTER 66, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-6606, IDAHO CODE, TO PROVIDE FOR THE CRIME OF DISCLOSING EXPLICIT SYNTHETIC MEDIA, TO PROVIDE PENALTIES, TO DEFINE TERMS, TO PROVIDE EXEMPTIONS, AND TO PROVIDE SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 576
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO SELF-SERVICE STORAGE FACILITIES; AMENDING SECTION 55-2301, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 55-2304, IDAHO CODE, TO PROVIDE THAT CERTAIN LESSEES CONTINUING TO USE A STORAGE SPACE SHALL CONSTITUTE AN ACCEPTANCE OF RENTAL AGREEMENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 55-2306, IDAHO CODE, TO PROVIDE FOR THE DISPOSAL OF PERSONAL PROPERTY UNDER CERTAIN CIRCUMSTANCES; AMENDING SECTION 55-2308, IDAHO CODE, TO REVISE PROVISIONS REGARDING NOTICE TO LESSEES IN DEFAULT; AMENDING SECTION 55-2309, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACCESS RESTRICTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 577
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO MEDICAID; AMENDING SECTION 56-263, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING DIRECTED PAYMENTS TO QUALIFYING HOSPITALS PARTICIPATING IN MEDICAID MANAGED CARE AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 578
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO ADOPTION AND FOSTER CARE; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1648, IDAHO CODE, TO DEFINE TERMS, TO ESTABLISH PROVISIONS PROHIBITING RELIGIOUS DISCRIMINATION FOR ADOPTION AND FOSTER CARE SERVICES, TO ESTABLISH PROVISIONS REGARDING ENFORCEMENT, AND TO ESTABLISH PROVISIONS REGARDING REMEDIES; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 579
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO BEHAVIORAL HEALTH; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-142, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING OPTIONAL BEHAVIORAL HEALTH TELEHEALTH SERVICES IN PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 580
BY EDUCATION COMMITTEE
AN ACT

RELATING TO MILITARY LEAVE FOR PUBLIC SCHOOL DISTRICT AND PUBLIC CHARTER SCHOOL EMPLOYEES; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-527, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING MILITARY LEAVE; AMENDING CHAPTER 52, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5216, IDAHO CODE, TO ESTABLISH A PROVISION REGARDING MILITARY LEAVE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 581
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1224, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE POWERS AND DUTIES OF TEACHERS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[H 567](#), [H 568](#), [H 569](#), [H 570](#), [H 571](#), [H 572](#), [H 573](#), [H 574](#), [H 575](#), [H 576](#), [H 577](#), [H 578](#), [H 579](#), [H 580](#), and [H 581](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1258](#), by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

10TH ORDER
Second Reading of Bills and Joint Resolutions

[H 425](#) and [H 467](#), by Resources and Conservation Committee, were read the second time by title and filed for third reading.

[H 466](#) and [H 478](#), by Business Committee, were read the second time by title and filed for third reading.

[H 461](#) and [H 462](#), by Judiciary, Rules and Administration Committee, were read the second time by title and filed for third reading.

[H 488](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 493](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 500](#), [H 529](#), and [H 539](#), by Education Committee, were read the second time by title and filed for third reading.

11TH ORDER

Third Reading of Bills and Joint Resolutions

[S 1268](#) - APPROPRIATIONS - HEALTH AND HUMAN SERVICES

[S 1268](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Tanner to open debate.

Pursuant to Rule 80(3), the following Representative disclosed a conflict of interest regarding [S 1268](#):

Mrs. Young

The question being, "Shall [S 1268](#) pass?"

Roll call resulted as follows:

AYES—Alfieri, Allgood, Andrus, Barbieri, Blanksma, Boyle, Bundy, Cannon, Cheatum, Clow, Cornilles, Crane(12), Crane(13), Dixon(1), Dixon(24), Durrant, Ehardt, Ehlers, Erickson, Furniss, Gallagher, Garner, Handy, Hawkins, Healey, Hill(Brown), Holtzclaw, Horman, Kingsley, Lambert, Lanting, Manwaring, McCann, Mendive, Mickelsen, Miller, Mitchell, Monks, Nelsen, Palmer, Petzke, Pickett, Price, Raybould, Raymond, Redman, Sauter, Scott, Shepherd, Skaug, Tanner, Vander Woude, Weber, Wisniewski, Wroten, Yamamoto, Young, Mr. Speaker. Total - 58.

NAYS—Berch, Burns, Chew(Wilson), Galaviz, Gannon, Green, Mathias, Nash(Stinson), Necochea, Roberts, Rubel. Total - 11.

Absent—Wheeler. Total - 1.

Total - 70.

Whereupon the Speaker declared that [S 1268](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1267](#) - APPROPRIATIONS - CONSTITUTIONAL OFFICERS

[S 1267](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Tanner to open debate.

The question being, "Shall [S 1267](#) pass?"

Roll call resulted as follows:

AYES—Alfieri, Allgood, Andrus, Barbieri, Blanksma, Boyle, Bundy, Cannon, Cheatum, Clow, Cornilles, Crane(12), Crane(13), Dixon(1), Dixon(24), Durrant, Ehardt, Ehlers,

Erickson, Furniss, Gallagher, Garner, Handy, Hawkins, Healey, Hill(Brown), Holtzclaw, Horman, Kingsley, Lambert, Lanting, Manwaring, McCann, Mendive, Mickelsen, Miller, Mitchell, Monks, Nelsen, Palmer, Petzke, Pickett, Price, Raybould, Raymond, Redman, Sauter, Scott, Shepherd, Skaug, Tanner, Vander Woude, Weber, Wisniewski, Wroten, Yamamoto, Young, Mr. Speaker. Total - 58.

NAYS—Berch, Burns, Chew(Wilson), Galaviz, Gannon, Green, Mathias, Nash(Stinson), Necochea, Roberts, Rubel. Total - 11.

Absent—Wheeler. Total - 1.

Total - 70.

Whereupon the Speaker declared that [S 1267](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[H 472](#) - AGRICULTURE

[H 472](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pickett to open debate.

The question being, "Shall [H 472](#) pass?"

Roll call resulted as follows:

AYES—Alfieri, Allgood, Andrus, Barbieri, Blanksma, Boyle, Bundy, Burns, Cannon, Cheatum, Chew(Wilson), Clow, Cornilles, Crane(12), Crane(13), Dixon(1), Dixon(24), Durrant, Ehardt, Ehlers, Erickson, Furniss, Galaviz, Gallagher, Gannon, Garner, Green, Handy, Hawkins, Healey, Hill(Brown), Holtzclaw, Horman, Kingsley, Lambert, Lanting, Manwaring, McCann, Mendive, Mickelsen, Miller, Mitchell, Monks, Nash(Stinson), Necochea, Nelsen, Palmer, Petzke, Pickett, Price, Raybould, Raymond, Redman, Roberts, Sauter, Scott, Shepherd, Skaug, Tanner, Vander Woude, Weber, Wisniewski, Wroten, Yamamoto, Young, Mr. Speaker. Total - 66.

NAYS—Berch. Total - 1.

Absent—Mathias, Rubel, Wheeler. Total - 3.

Total - 70.

Whereupon the Speaker declared that [H 472](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 474](#) - PESTICIDES AND CHEMIGATION

[H 474](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [H 474](#) pass?"

Roll call resulted as follows:

AYES—Alfieri, Allgood, Andrus, Barbieri, Blanksma, Boyle, Bundy, Burns, Cannon, Cheatum, Chew(Wilson), Clow, Cornilles, Crane(12), Crane(13), Dixon(1), Dixon(24), Durrant, Ehardt, Ehlers, Erickson, Furniss, Galaviz, Gallagher, Gannon, Garner, Green, Handy, Hawkins, Healey, Hill(Brown), Holtzclaw, Horman, Kingsley, Lambert, Lanting, Manwaring, McCann, Mendive, Mickelsen, Miller, Mitchell, Monks, Nash(Stinson), Necochea, Nelsen, Palmer, Petzke, Pickett, Price, Raybould, Raymond, Redman, Roberts, Sauter, Scott, Shepherd, Skaug, Tanner, Vander Woude, Weber, Wisniewski, Wroten, Yamamoto, Young, Mr. Speaker. Total - 66.

NAYS—Berch. Total - 1.
Absent—Mathias, Rubel, Wheeler. Total - 3.
Total - 70.

Whereupon the Speaker declared that [H 474](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Fifteenth Order of Business.

15TH ORDER
Announcements

Announcements were made to the body.

16TH ORDER
Adjournment

Mr. Monks moved that the House adjourn until 11 a.m., Friday, February 16, 2024. Seconded by Ms. Necochea. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:35 a.m.

MIKE MOYLE, Speaker

ATTEST:
ERICA MCGINNIS, Chief Clerk