

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SEVENTH LEGISLATURE

NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 16, 2024

Senate Chamber

President President Pro Tempore Winder called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Ruchti, Toews, and Ward-Engelking, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Sydney Newton, 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, 2024, 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 Toews was recorded present at this order of business.

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

Petitions, Resolutions, and Memorials

SCR 110

BY FOREMAN

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE A STUDY OF THE STATE OF IDAHO'S RESPONSE TO THE COVID-19 PANDEMIC.

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

WHEREAS, the COVID-19 pandemic occurred in Idaho in the years 2020, 2021, and 2022; and

WHEREAS, there have been over 500,000 suspected cases of COVID-19 in Idaho; and

WHEREAS, there have been over 5,000 deaths in Idaho reportedly attributed to COVID-19; and

WHEREAS, the Governor of Idaho declared a state of emergency in Idaho in March of 2020; and

WHEREAS, numerous Idaho municipalities canceled scheduled events and restricted public gatherings; and

WHEREAS, the Governor of Idaho issued a "stay at home order" for all "nonessential Idahoans"; and

WHEREAS, the Governor of Idaho activated the National Guard in response to COVID-19; and

WHEREAS, the Governor of Idaho ordered houses of worship to be closed; and

WHEREAS, Idaho's medical facilities reportedly reached record numbers of emergency room visits; and

WHEREAS, the Governor of Idaho repeatedly renewed the declared state of emergency in Idaho; and

WHEREAS, the mayor of Boise ordered all indoor dining and drinking to stop at all restaurants and bars; and

WHEREAS, Idahoans were arrested and cited in various municipalities around the state for mask mandate and social distancing violations; and

WHEREAS, the State of Idaho made available and accelerated the distribution of COVID-19 vaccines; and

WHEREAS, the State of Idaho received billions of federal dollars under the American Rescue Plan Act; and

WHEREAS, some major Idaho health care facilities ordered employees to be vaccinated against COVID-19 under penalty of forced employment termination; and

WHEREAS, all four of Idaho's major state-funded universities ordered students to wear face masks; and

WHEREAS, the Idaho department of health and welfare activated crisis standards of care so as to ration health care resources; and

WHEREAS, the Idaho Legislature passed a memorial to the United States Congress expressing disapproval of the proposed vaccine requirements under President Biden's administration; and

WHEREAS, the State of Idaho continues to encourage citizens to obtain the COVID-19 vaccines; and

WHEREAS, there is a rapidly growing increase in credible clinical and medical research data indicating the COVID-19 vaccines are not efficacious and are potentially dangerous; and

WHEREAS, mounting evidence is rapidly accumulating indicating the COVID-19 virus was not a lethal health threat to over 99% of people; and

WHEREAS, the state and local governments forced many small- and medium-size businesses to close; and

WHEREAS, many Idahoans suffered severe financial losses and business bankruptcies.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to investigate the conduct and overall response of the government of the State of Idaho to the COVID-19 pandemic. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee.

BE IT FURTHER RESOLVED that the committee shall report its findings to the First Regular Session of the Sixty-eighth Idaho Legislature on whether the United States Constitution, the Constitution of the State of Idaho, or state statutes were violated or circumvented resulting in the infringement of the constitutional rights of the citizens of Idaho.

SCR 110 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 16, 2024

The JUDICIARY AND RULES Committee reports that [SCR 109](#), [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1226](#) have been correctly printed.

LAKEY, Chairman

[SCR 109](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1226](#) were referred to the State Affairs Committee.

January 16, 2024

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:

Honorable Charles Winder to the Idaho Endowment Fund Investment Board, term to expire April 11, 2027;

Jeff Agenbroad to the Idaho Energy Resources Authority, term to expire June 30, 2026.

GUTHRIE, 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

December 28, 2023

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 2023 and 2024.

Balance as of July 1, 2022	\$2,083,744.48
Fight fentanyl now expenditures	\$1,000,855.05
Moscow homicide investigation expenditures	<u>\$415,612.47</u>
Balance as of June 30, 2023	\$667,276.96
No activity year-to-date in fiscal year 2024	
Balance as of December 31, 2023	\$667,276.96
Estimated Balance as of June 30, 2024	\$667,276.96

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 Eleventh Order of Business.

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

S 1227

BY FOREMAN

AN ACT

RELATING TO HEALTH; AMENDING CHAPTER 90, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-9004, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING HEALTH RIGHTS OF PATIENTS AND OTHER PERSONS; AMENDING SECTION 39-9004, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS REGARDING ENFORCEMENT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1228

BY FOREMAN

AN ACT

RELATING TO FIREARMS, EXPLOSIVES, AND OTHER DEADLY WEAPONS; REPEALING SECTION 18-3309, IDAHO CODE, RELATING TO THE AUTHORITY OF GOVERNING BOARDS OF PUBLIC COLLEGES AND UNIVERSITIES REGARDING FIREARMS; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3309, IDAHO CODE, TO PROHIBIT LIMITATIONS REGARDING CONCEALED WEAPONS AT PUBLIC COLLEGES AND UNIVERSITIES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1229

BY FOREMAN

AN ACT

RELATING TO ABORTION; AMENDING SECTION 18-622, IDAHO CODE, TO REMOVE CERTAIN EXCEPTIONS; AMENDING SECTION 18-8804, IDAHO CODE, TO REMOVE CERTAIN EXCEPTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1230

BY FOREMAN

AN ACT

RELATING TO WINE; AMENDING SECTION 23-1309, IDAHO CODE, TO AUTHORIZE AN IMPORTER OF WINE TO SHIP DIRECTLY TO A RETAILER, TO PROVIDE THAT A RETAILER SHALL MAINTAIN CERTAIN RECORDS, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1231

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1402, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS SHALL NOT BE ELIGIBLE TO APPLY FOR ANY

FISHING, HUNTING, OR TRAPPING LICENSES, TAGS, OR PERMITS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1232
BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO CHILD PROTECTION; AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1648, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING RIGHTS DURING CERTAIN INVESTIGATIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1227](#), [S 1228](#), [S 1229](#), [S 1230](#), [S 1231](#), and [S 1232](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Ruchti and Ward-Engelking were 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 motion by Senator Anthon, seconded by Senator Wintrow, by voice vote, the Senate adjourned at 11:37 a.m. until the hour of 10:30 a.m., Wednesday, January 17, 2024.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary