

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**THIRTY-SECOND LEGISLATIVE DAY**  
**THURSDAY, FEBRUARY 8, 2024**

Senate Chamber

President Bedke called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Ruchti, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Zack Holt, 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 7, 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.

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

### Reports of Standing Committees

February 8, 2024

The JUDICIARY AND RULES Committee reports that [S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), [S 1288](#), [S 1289](#), [S 1290](#), and [S 1291](#) have been correctly printed.

LAKEY, Chairman

[S 1282](#) was referred to the Transportation Committee.

[S 1283](#), [S 1284](#), [S 1285](#), and [S 1286](#) were referred to the Commerce and Human Resources Committee.

[S 1287](#) and [S 1288](#) were referred to the Health and Welfare Committee.

[S 1289](#), [S 1290](#), and [S 1291](#) were referred to the State Affairs Committee.

February 8, 2024

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1232](#), [S 1231](#), and [S 1239](#) have been correctly printed.

LAKEY, Chairman

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

February 8, 2024

The JUDICIARY AND RULES Committee reports that [S 1232](#), as amended, [S 1231](#), as amended, and [S 1239](#), as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1232](#), as amended, [S 1231](#), as amended, and [S 1239](#), as amended, were filed for first reading.

February 7, 2024

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:

Betty Coppersmith to the Oil and Gas Conservation Commission, term to expire July 1, 2027;

Jennifer Reibe to the Oil and Gas Conservation Commission, term to expire July 1, 2025;

Jennifer F. Reibe to the Oil and Gas Conservation Commission, term to expire July 1, 2027;

Marc Haws to the Oil and Gas Conservation Commission, term to expire July 1, 2027;

Margaret Chipman to the Oil and Gas Conservation Commission, term to expire July 1, 2026;

Ray Hinchcliff to the Oil and Gas Conservation Commission, term to expire July 1, 2027;

Tammy Overacker to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 2026.

BURTENSHAW, 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 7, 2024

The JUDICIARY AND RULES Committee reports out [H 406](#) with the recommendation that it do pass.

LAKEY, Chairman

[H 406](#) was filed for second reading.

February 7, 2024

The EDUCATION Committee reports out [H 422](#) with the recommendation that it do pass.

LENT, Chairman

[H 422](#) was filed for second reading.

February 8, 2024

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:

Hyrum Erickson to the Idaho Commission on Human Rights, term to expire July 1, 2026.

GUTHRIE, 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 7, 2024

Dear Mr. President:

I transmit herewith [H 421](#), [H 393](#), and [H 457](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 421](#), [H 393](#), and [H 457](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

Senator Ruchti was recorded present at this order of business.

Having been held, the President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Heidi Hart was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Winder, seconded by Senator Wintrow, the Gubernatorial reappointment of Heidi Hart 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 reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Having been held, the President announced that the Transportation Committee report relative to the Gubernatorial appointment of Mitchell Watkins was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Winder, seconded by Senator Wintrow, the Gubernatorial appointment of Mitchell Watkins 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 appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that [SCR 111](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Hartgen, seconded by President Pro Tempore Winder, [SCR 111](#) 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 1292

#### BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO THE DEPARTMENT OF LANDS; REPEALING SECTION 58-120, IDAHO CODE, RELATING TO THE ATTORNEY GENERAL TO REPRESENT STATE; AMENDING CHAPTER 1, TITLE 58, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 58-120, IDAHO CODE, TO PROVIDE FOR CERTAIN LEGAL REPRESENTATION; AMENDING SECTION 67-1406, IDAHO CODE, TO PROVIDE AN EXCEPTION TO CERTAIN LEGAL REPRESENTATION AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1293

#### BY LOCAL GOVERNMENT AND TAXATION COMMITTEE AN ACT

RELATING TO CITY ANNEXATIONS; REPEALING SECTION 50-222, IDAHO CODE, RELATING TO ANNEXATION BY CITIES; AMENDING CHAPTER 2, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-222, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR CITIES TO ANNEX LAND, TO PROVIDE FOR A WRITTEN ANNEXATION PLAN, TO PROVIDE EXCEPTIONS, TO PROVIDE FOR AN ANNEXATION ORDINANCE IN CERTAIN CIRCUMSTANCES, TO ESTABLISH PROVISIONS REGARDING THE ANNEXATION OF HIGHWAYS, FAIRGROUNDS, AIRPORTS, RECREATIONAL AREAS, RAILROAD RIGHTS-OF-WAY, AND AGRICULTURAL OR FOREST LAND, TO PROVIDE FOR JUDICIAL REVIEW, AND TO PROVIDE APPLICABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1292](#) and [S 1293](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 421](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[S 1232](#), as amended, and [S 1231](#), as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

[S 1239](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[H 393](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 457](#), 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 1258](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1245](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 410](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1265](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

[S 1247](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1260](#) and [S 1261](#), 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**

Having been held, [S 1234](#) 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:

AYES—Bernt, Burtenshaw, Cook, Den Hartog, Guthrie, Hartgen, Just, Lee, Lent, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 19.

NAYS—Adams, Anthon, Bjerke, Carlson, Foreman, Grow, Harris, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Ricks, Toews, Zuiderveld. Total - 16.

Total - 35.

Whereupon the President declared [S 1234](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1266](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Adams arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 28.

NAYS—Just, Rabe, Ruchti, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [S 1266](#) 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 Wintrow, by voice vote, the Senate adjourned at 11:57 a.m. until the hour of 10:30 a.m., Friday, February 9, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary