

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SEVENTH LEGISLATURE

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 8, 2024

Senate Chamber

At the hour of 12 noon on Monday, January 8, 2024, the time established for the convening of the Second Regular Session of the Sixty-seventh Idaho Legislature, the members of the Senate convened in the Senate Chamber of the Capitol in the City of Boise, President Scott Bedke 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, Phil McGrane, 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 or appointed to serve as members of the Senate of the Second Regular Session of the Sixty-seventh Legislature, as shown by official records on file in my office:

Table with 2 columns: DISTRICT and NAME. Lists 25 senators and their districts.

Table with 2 columns: District number and Name. Lists senators from district 26 to 35.

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 fifth day of January, in the year of our Lord, two thousand and twenty-four, and of the Independence of the United States of America, the two hundred and forty-eighth.

/s/ PHIL MCGRANE
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.

Prayer was offered by Chaplain Doug Armstrong.

On request by Senator Anthon, granted by unanimous consent, the Sergeant-at-Arms, Sarah Jane McDonald, escorted the Idaho State Police Honor Guard into the Senate Chambers to present and post the colors for the Second Regular Session of the Sixty-seventh Idaho Legislature.

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. 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 Bedke presented the Idaho State flag to the Idaho State Police Honor Guard to be raised above the Senate Chamber to fly during the Second Regular Session of the Sixty-seventh Idaho Legislature and the Idaho State Police Honor Guard exited the Chamber.

On request by Senator Anthon, granted by unanimous consent, the Senate Sergeant-at-Arms, Sarah Jane McDonald, escorted the Trail Wind Elementary School Honor Choir into the Senate Chambers for the purpose of singing "America the Beautiful" and "One Nation", directed by Mrs. Finch.

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 Wintrow, by voice vote the Rules of the Senate and Joint Rules of the Senate and House of Representatives, as adopted by the First Regular Session of the Idaho Legislature, were adopted as the Rules of the Senate and Joint Rules of the

Senate and House of Representatives by the Second Regular Session of the Sixty-seventh Legislature of the State of Idaho.

On request by Senator Anthon, granted by unanimous consent, President Bedke appointed a committee consisting of Senator Ricks, Chairman, and Senator Rabe to escort the committee from the House of Representatives into the Senate Chamber. Representatives Yamamoto, Weber, and Mathias informed the Senate that the House is now organized and ready to conduct business.

The Senate committee was discharged.

On request by Senator Anthon, granted by unanimous consent, President Bedke appointed a committee consisting of Senator Harris, Chairman, and Senators Lent and Semmelroth 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 Bedke appointed a committee consisting of Senator Burtenshaw, Chairman, and Senators Okuniewicz and Ruchti 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 returned to the Ninth Order of Business.

#### **Messages from the House**

January 8, 2024

Dear Mr. President:

I transmit herewith [HCR 19](#), which has passed the House.

MCGINNIS, Chief Clerk

[HCR 19](#) 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**

[HCR 19](#), by Blanksma and Rubel, was introduced and read at length.

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate consideration of [HCR 19](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart,

Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [HCR 19](#) was before the Senate for final consideration.

On motion by Senator Anthon, seconded by Senator Wintrow, [HCR 19](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

On request by Senator Anthon, granted by unanimous consent, the Senate went at ease for the purpose of attending a joint session to hear the Governor's State of the State and Budget Address.

#### **JOINT SESSION**

Pursuant to [HCR19](#), the hour of 1 p.m. having arrived, the members of the Senate entered into the House Chamber and met in Joint Session with Speaker Mike Moyle presiding.

Roll call showed all House members present.

Roll call showed all Senate members present.

The Prayer and Pledge of Allegiance was offered by House Chaplain Tom Dougherty.

On request by Representative Blanksma, granted by unanimous consent, the Speaker appointed three committees to wait upon the Supreme Court Justices and Appellate Court Judges, the elected officials, and the Governor and escort them to the House Chamber.

The Speaker appointed Senators Lakey and Ward-Engleking, and Representatives Skaug and Gannon as the committee to wait upon and escort the Supreme Court Justices and Appellate Court Judges to the House Chamber.

The Speaker excused the committee.

The Speaker appointed Senators Lee and Ruchti, and Representatives Manwaring and Necochea as the committee to wait upon and escort the elected officials to the House Chamber.

The Speaker excused the committee.

The Speaker appointed Senators Anthon and Wintrow, and Representatives Blanksma and Rubel as the committee to wait upon and escort the Governor to the House Chamber.

The Speaker excused the committee.

The committees appointed by the Speaker returned and escorted the Supreme Court Justices, Appellate Court Judges, the elected officials, and the Governor into the House Chamber where they were presented to the Joint Session by the Speaker.

The Speaker introduced His Excellency, the Governor of the State of Idaho, Brad Little, and the following **State of the State and Budget Address** was delivered by the Governor:

Mr. Speaker, Mr. Pro Tem, Mr. President, honored legislators, my fellow constitutional officers, Mr. Chief Justice and members of the judiciary, my family, friends, and my fellow Idahoans.

The Constitution of the great State of Idaho requires me to report to you, our Legislature, on the condition of our state.

This is my sixth opportunity to address you, and I'm struck by how much has changed in six years. But, for all the change, I can confidently stand before you for the sixth straight year and say - the state of our state is strong, stronger than ever before.

What we're doing is working.

Over the past year, I have traveled 25,000 miles across the State of Idaho, at times with your First Lady, Teresa. Teresa, thank you for your love and support.

One of the best and most important parts of my job is visiting with parents, veterans, seniors, teachers, law enforcement officers, business leaders, faith leaders, farmers, and of course our young people.

Idaho is diverse but one quality about Idaho's people is consistent - they continue to fight to keep our great state a special place for this generation and the next.

That's always been my goal, also - never settle, keep improving.

Even though we're leading the country in so many ways, we can always do better because we want Idaho to be 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.

The leaders in this room have helped Idaho surge ahead of the competition.

Of note:

We are the least regulated state.

We are one of the safest states in the union.

We rank first for income growth.

We have delivered more tax relief per capita than any other state.

Idaho is one of the most fiscally responsible states, and we're recognized for our ability to withstand any economic downturn.

We're number one for economic momentum.

We're a top ten state for best economy, rivaling Florida and Texas.

In fact, Florida, Texas, and Idaho are the top three best states for small businesses.

And on issues where it's important to take a stand, Idaho has led the charge.

Idaho was the first state to ban critical race theory in our schools. We're taking a stand that we should NOT divide our children.

We introduced a new history curriculum for Idaho schools, one that teaches students to appreciate and respect our country.

And we are a leader in education freedom. Idaho is a top ten state for charter schools, and I'm bringing a bill this session to cut more red tape to support charter schools while providing taxpayers the transparency they deserve. We get more bang for our buck as the number one state for return on investment in education. We offer parents resources to support their children's

education outside the classroom. And Idaho came in first for best new open enrollment law because we expanded opportunities for parents to choose the public school that is best for their child regardless of their zip code.

I will continue to support a fair, responsible, transparent, and accountable approach to expanding school choice in Idaho - one that does not draw resources away from our public schools.

We also banned diversity statements in university hiring. Our academic freedom policies protect free speech on campus while barring hateful, dangerous threats against the Jewish people.

And we're pushing back on China. I banned Tik Tok in state government to protect our information from the Chinese government's sinister motives, and Idaho land cannot be sold to foreign governments that want to do us harm.

We successfully ended an illegal encampment on public property, right across the street from the People's House, a scene where drug use, sexual assault, violence, and destruction of property took place. We are showing Left Coast states how to stand up to activists who take advantage of the homeless and vulnerable.

I was also the first Governor to sign a bill defending integrity in women's sports, and we will keep up the fight.

All of these steps have been a collective effort between the executive and legislative branches, and I am proud to be a part of it.

Folks, what we are doing in Idaho is WORKING.

You've heard me say it before and I'll say it again and again - we are on a tremendous path, a powerful trajectory, and we need to keep it going.

We must continue to lead the nation in fiscal responsibility, tax relief, and strategic investments to keep up with record growth.

Idaho's record population growth and in-migration comes with both opportunities and challenges, and I get why people are flocking here from other places.

In fact, I can think of 3.7 billion reasons why people are coming here.

We are on pace to deliver \$3.7 billion in tax relief, and we're not done yet.

With the surplus eliminator passed last session, our budget this year includes up to \$150 million in new property tax relief, on top of the hundreds of millions in property tax relief we've already deployed to date.

People are coming here because what we are doing is WORKING.

Let me show you some of what we have gotten done together. TOGETHER.

Start video.

Governor Little narration:

One of the basic roles of government is to ensure a safe, connected system of roads and bridges. The continued prosperity of our businesses, including our farmers, ranchers, and loggers in rural Idaho, depends on their ability to get their products to market.

Unwilling to put the time and safety of Idahoans - and the maintenance of our state's roads and bridges - at the whims of the feds, in Idaho, we have taken control of transportation.

Instead of looking to Washington, D.C., to solve our problems, we are funding known gaps with NO NEW TAXES, and providing long-term funding for long-term needs.

This means we are tackling projects that have been on the wait list for years.

Senate President Pro Tempore Chuck Winder narration:

I'm here to attest to the historic investment the Legislature has provided for our local and state system.

Transportation projects are needs, not merely wants.

Working with Governor Little, ITD, and each of you as members of the Legislature, we have met most of these needs without raising taxes.

Let's continue our good work while protecting our loved ones and helping Idaho's economy to grow.

Idaho is working, together.

Governor Little narration:

Water is the foundation of public health, economic prosperity, outdoor recreation, a strong agricultural sector, and Idahoans' overall quality of life.

Idaho must maintain our water sovereignty and not turn out like other western states in the Colorado River Basin, such as California, where the federal government stepped in to supersede the state's control of its water.

Since I took office, I have recommended and the Legislature has approved more than \$1 billion in additional funding for water-related infrastructure projects.

We've dedicated roughly half of that to improve drinking water and wastewater treatment systems at the local level so Idahoans have safe water to drink and use.

We put the other half of the \$1 billion to modernize water infrastructure statewide - much of which is a century old and in dire need of replacement or repair.

We've made a lot of progress but we still have work to do, and I appreciate all the partners who continually demonstrate that IDAHO, not the feds, can best determine the fate of our water.

There is perhaps no greater responsibility of the State of Idaho than providing a strong system of public schools for Idaho families.

Why?

Because it's one of the duties most plainly written in the Idaho Constitution.

As elected leaders, it is not just our constitutional obligation but our moral obligation as well to prioritize and strengthen public schools.

In 2019, I assembled a task force to provide recommendations on what the State of Idaho can do to better to meet the needs of our public schools.

In just five years, we have delivered.

We increased funding for literacy 500 percent because there is no better investment in a child than establishing early on the fundamentals of reading.

We also provided a record level of flexible funds so local schools can meet local needs.

And we made the teaching profession more competitive by increasing starting teacher pay. We brought Idaho up from the bottom 10 nationally five years ago to now the top 10 for starting teacher pay.

We increased pay for teachers at all levels of experience and boosted health insurance benefits so teachers and staff can keep more of their earnings in their pockets.

As state leaders, we cannot ignore this fact: the people of Idaho strongly support public schools.

We must continue to prioritize and improve public schools not just because the constitution requires it but because the people we serve demand it.

Beyond K through 12 education, we are also taking unprecedented steps to prepare our young people for a lifetime of prosperity.

The State of Idaho has always offered support for the careers that require a four-year university degree, but we've historically fallen short in providing equal support to other skilled workers, jobs like trucking, linemen, firefighters, welders, plumbers, and a host of other professions that make the world go 'round. These are good paying jobs that require specialized training.

Our new LAUNCH grants cover 80 percent of the cost, up to \$8,000, to enroll in an education or training program after high school that aligns with an in-demand career. There are hundreds of career paths to choose from.

We want IDAHO kids to STAY in Idaho and WORK in Idaho.

We don't want our employers to import workers from other places when we can train our own kids right here at home.

LAUNCH has been extremely popular so far, blowing away everyone's expectations. Many of these kids would never have considered going on to a training program after high school.

Let's hear from a few of them.

Eight students on camera sharing how they will use their LAUNCH grant.

Governor Little narration:

I am so darn proud of all these kids for taking the initiative to apply for LAUNCH. It is a real game changer for so many young Idahoans.

So, how is that Idaho is able to provide RECORD tax relief while making so many meaningful investments in our future?

Simple.

It's how we manage our budget.

We often talk about "kitchen table economics."

But what does that mean?

We live within our means, just like any Idaho family must.

We maintain a structurally balanced budget, meaning there aren't costs in our budget that we cannot sustain, and we pass budgets on time, not at the 11th hour like Congress, creating certainty, not instability.

We have ample money in reserves so we can weather any economic uncertainty.

We make investments where they count.

And we give back whatever we can to the taxpayers to keep families and businesses thriving.

It's that easy.

So easy, in fact, that it makes you wonder why Washington, D.C., can't figure it out!

Our hardworking Idaho Congressional Delegation persistently stands up for reining in federal spending and using Idaho as the example for the feds to follow.

U.S. Representative Russ Fulcher narration:

When I came to Washington, I quickly learned that Congress had a bad habit of "legislating by crisis," where critical work gets delayed, leading to 11th hour bills packed with unrelated policies.

It's not the way to do business, and I'll continue to fight to change the practice.

That's just one of many ways that Washington, D.C., needs to be more like Idaho.

Here's another: The United States carries nearly \$34 trillion in debt and has no meaningful monetary reserves.

But thanks to you all, Idaho balances its budget annually, with responsible levels of reserves in the event of an economic downturn.

Unbridled federal spending is crippling American families with high inflation and unsustainable energy prices.

But in Idaho, leaders are looking for and delivering tax relief, while sustainably meeting the needs of a growing state.

For these and other reasons, many of my congressional colleagues envy what I have in Idaho. I

I am so proud to represent this state and appreciate your commonsense approach to budgeting and governance.

Washington, D.C., can learn from what is RIGHT in Idaho. Idaho is winning!

Governor Little narration:

Russ is right. Idaho is setting the example not just for Washington, D.C., but every other state.

And one area where we shine is tax relief.

Idaho is in the top 10 for the lowest taxes in the nation.

We have the third lowest property taxes in the country, and we just deployed another \$300 million in relief to Idaho property owners last year.

No other state in the country has given more tax relief per capita than Idaho.

House Speaker Mike Moyle narration:

The historic tax relief we have championed in each of the past few years is helping thousands of Idaho families and small businesses across our state.

But crushing inflation and skyrocketing interest rates under the Biden administration are holding Idahoans back.

And the Idaho Legislature year after year stepped up to provide meaningful tax relief.

This is not our money. It's yours. And we need to understand that and remember it.

And it's because of this and other reasons such as our historic investments in education and roads, many people continue to move to Idaho to live the kind of lives that they used to be able to live in other parts of the country.

What we are doing in Idaho is working.

And we want your help to keep it that way.

Governor Little narration:

What Idaho is doing IS WORKING, and we're just getting started.

End video.

Before we get too far, I would like to congratulate the more than 12,500 students who applied for LAUNCH.

Lt. Governor Scott Bedke and I traveled the state extensively over the past year to visit with many of these students.

The interest in LAUNCH far exceeded everyone's expectations, and we're excited for these young Idahoans.

Looking ahead, we have a plan to keep Idaho strong - it is called IDAHO WORKS.

What we're doing is working and the results speak for themselves, but we must never get complacent.

IDAHO WORKS is all about taking what we know has contributed to our state's tremendous success and not just prioritizing its continuation but ramping up our efforts.

We will work to raise the bar even higher because it's what our citizens expect and it's what they deserve from their elected leaders.

But we must do so responsibly.

We all see the trend - the economy is returning to normal.

Idaho is still seeing revenue growth but at pre-pandemic levels.

That means we can't do it all.

This session should be about priorities.

We must invest in those matters that are most pressing for Idahoans.

And keeping up with the transportation needs of a growing state are among the most pressing for our people.

Other states think their transportation infrastructure has been "solved" by one-time federal funds.

Idahoans know, however, that we must take control of our own transportation needs. We cannot put the federal government in the driver's seat.

And we will not raise taxes or fees to clear out our transportation backlog.

Building off of what we've done in recent years, let's go big!

Our IDAHO WORKS plan proposes another \$50 million ongoing to bond for an additional \$800 million in new transportation infrastructure so we can save Idahoans their precious time on the road.

We'll put the \$800 million toward the highest priority, highest value projects that have been in the queue for way too long.

Our IDAHO WORKS plan also calls for the repair or replacement of the last one-third of dilapidated bridges throughout our state.

Nine hundred bridges in Idaho have been rated poor or predate the moon landing.

We have put \$400 million into this effort in the past few years, and it's time to buckle up and finish the job!

Let's continue to facilitate commerce with added transportation investments, especially in rural Idaho, and remember, this is property tax relief, too.

Let's prioritize the transportation projects that will benefit generations of Idahoans so we can keep Idahoans safe and enjoy more of what we love.

Speaking of infrastructure, we put \$1 billion to improve water quality and quantity in recent years, and our IDAHO WORKS plan also calls for the continued expansion of water infrastructure so we can ensure a stable water supply during both the good water years and the bad ones.

This is especially important now.

We have been blessed with "good" water years of late but we may be headed into prolonged drought again, and prudence dictates we prepare.

We had quite a scare this year when we discovered invasive quagga mussels in the Snake River. Quagga mussels clog pipes that deliver water for drinking, energy, agriculture, and recreation, debilitating our state's economy and costing taxpayers hundreds of millions of dollars annually.

The team at the State Department of Agriculture put 15 years of preparation into action and deployed a treatment plan quickly and effectively to protect our water.

Idaho got done in six weeks what took other states six months to get done.

And we must finish the fight.

Our IDAHO WORKS plan continues our state's response to this highly destructive invasive species.

Our plan also further expands access to outdoor recreation because we know Idahoans' quality of life depends greatly on their ability to explore and unwind in our vast open spaces.

We all agree the safety and protection of our children is paramount.

Protecting our youth and communities from harm is all our responsibility, especially when it comes to the scourge of fentanyl.

In the past year, Idaho began a successful public education campaign that reached people in Idaho 60 million times in a few short months.

And now, teens and young adults are more aware of fentanyl. They're more concerned about their peers using it than ever before and, importantly, they are talking about it more with their friends.

As we march on, armed with better information about fentanyl, we've taken many other steps to reduce the supply and distribution of drugs on our streets.

Much of our fentanyl battle grew out of Operation Esto Perpetua, our crime-fighting crew that has helped us stay laser-focused on strategies to combat this deadly drug.

And now, it is time for us to expand its focus.

In the coming weeks, I will issue an executive order to formally establish Operation Esto Perpetua, and I am adding another directive for the group - to assess the threat of human trafficking and our open border.

We will work even harder to address the open border and its impacts because of the failure of the Biden-Harris administration to admit it's even a problem.

Human trafficking is modern day slavery. The cartel and other bad actors are taking advantage of our open border to manipulate and abuse the most vulnerable, including children.

To help curb human trafficking, my IDAHO WORKS plan calls for sending two more teams of Idaho State Police troopers to train and act as a force multiplier at our lawless southern border, as we did with fentanyl twice before.

Only now, the troopers will learn the best tactics to respond to those who smuggle and abuse vulnerable people.

They will come back to Idaho with better knowledge to stop these perpetrators in our state and, as they did before, our troopers will debrief and train their law enforcement colleagues around the state when they return.

Our children need our protection in all aspects of their lives, including their personal lives.

We know young people today face greater levels of distress and isolation than any other generation before them.

To help keep our children well, IDAHO WORKS doubles the funding for school advisors. These are the professionals on the front lines in talking to students about their futures as well as their current personal struggles.

IDAHO WORKS also proposes a new Statewide Student Behavioral Health Initiative for additional suicide prevention.

We know prevention measures work.

Here's an example from juvenile corrections - the progress we've made in standing up youth crisis centers and safe teen assessment centers around the state has contributed to a reassuring trend. Over the last five years, even with a growing population, the number of juveniles in state custody has dropped by half.

This goes to show that when we invest in prevention and intervention efforts to support every kid's success, we improve lives.

And there's more we can do to protect our kids online.

The dominance of social media in the past decade is an obvious reason for the decline in youth mental health.

Social media is addicting. It creates a forum for cyberbullying. It replaces quality time with kids' friends and loved ones, and it makes them compare themselves to impossible, artificial standards for looks and lifestyles.

To that end, I am asking my partners in the Legislature to pass meaningful reforms this session - like the legislative bodies in Arkansas, Utah, and other states have done - to better protect our children from the harms of social media.

Of course, one subject has taken up the largest share of our attention - public education.

Together, we've improved teacher take home pay and boosted literacy.

The improvements are making a difference, but we are far from meeting our obligation to "maintain a general, uniform and thorough system of public, free common schools," as required by the Idaho Constitution.

One area in particular needs work - and that's school facilities.

We've all seen the pictures and videos of some Idaho schools that are neglected - crumbling, leaking, falling apart.

In one school I visited, raw sewage is seeping into a space under the cafeteria.

Folks, we can do better.

The can we're kicking is getting heavier and we're running out of road.

Let's make this priority number one.

My IDAHO WORKS plan proposes the largest investment EVER in school facility construction and our maintenance match - \$2 billion.

Not only will we make learning environments more productive for students, but we get a two-fer!

This \$2 billion investment in school facilities is \$2 billion in long term property tax relief.

Let me say that again - let's pass \$2 billion in long-term property tax relief!

While other states are digging themselves into record deficits and grabbing another shovel, we can invest \$2 billion to modernize and improve school facilities in every district in every corner of the state while delivering another \$2 billion in property tax relief to Idaho citizens.

But we must do it right.

We must provide for both new facility construction and the maintenance needs for existing facilities.

We should not punish those that have stepped up and invested in their facilities locally nor should we disproportionately reward those communities that have chosen not to upkeep their school buildings.

And we can't wait years or decades.

The cost of construction is skyrocketing, and the deferred maintenance backlog grows daily.

Let's also ensure we include ALL public schools - my proposal includes record funding for our charter school facilities, too.

Let's dedicate the \$2 billion in school facilities NOW to modernize school infrastructure and address unmet critical maintenance.

In my speech before you last year, I mentioned that one of my friends told me I used the word "historic" more than any other word to describe what we've accomplished.

It's true.

When we look back at what we've done over the past six years, I can't believe it was ever possible.

We made decisions that positioned our state to propel ahead in our economic performance. We strategically and thoughtfully deployed relief funds and we balanced the needs of our growing state with returning more money back to the people of Idaho than ever before.

And we did it all while passing a balanced budget every year.

As revenue normalizes from pandemic highs, our IDAHO WORKS plan continues fiscal prudence so that we're ready for any economic conditions that come our way.

IDAHO WORKS outlines the most fiscally conservative budget since the Great Recession.

It bolsters rainy-day funds to the max.

It leaves a surplus in both budgeted years for added cushion in case the economy slows.

More importantly, we are proposing to spend LESS this year than last - about 200 million fewer dollars to be exact.

Let me repeat that - my IDAHO WORKS budget proposed spending about \$200 million LESS this year than last year.

And, as I said earlier, we are on track to deliver even MORE property tax relief this year - up to \$150 million this year PLUS the \$2 billion for school facilities over the next decade.

If Idaho can do it, Washington, D.C., SHOULD do it.

To that end, I am signing on as a member of the Governors Debt Council for a Balanced Budget Amendment to the U.S. Constitution.

The runaway freight train of federal spending has got to stop.

It's not right.

It's not what the founders envisioned for our great country.

The U.S. Constitution gives the states the power to propose a Balanced Budget Amendment, and in the coming weeks I will announce new steps we'll take to force Congress to live within the people's means.

Folks, what Idaho is doing is WORKING.

There's no need to change course.

But we must raise the bar and never rest on our laurels.

History may not remember all our names and faces but we have an opportunity while we're here to create a lasting legacy of good government.

I'd like to end by quoting one of my good friends and mentors.

Perhaps not known for his patience, he recounted his first week as a legislator in this chamber, in which he reportedly stood and said, "Mr. Speaker, let's get this show on the road."

That, of course, was Governor Phil Batt.

We lost Phil last year.

He was the epitome of a public servant.

His legacy is distinguished by his unrelenting human rights leadership, determined fiscal conservatism, and enduring love of Idaho.

So let me close with an ode to Governor Batt and say emphatically, "Let's get this show on the road."

Let's get to work for the people of Idaho.

Let's focus on the big things.

And let us all aspire to leave a legacy like Governor Batt - a legacy that will outlive us all.

God bless Idaho.

The Speaker thanked Governor Little for his message.

The committees came forward and escorted the Governor, the Supreme Court Justices, Appellate Court Judges, and the elected officials to their chambers and offices respectively, and were, on their return, thanked and discharged by the Speaker.

On motion by Representative Blanksma, seconded by Representative Rubel, by voice vote the State of the State and Budget Address was ordered spread upon the pages of the House and Senate Journals.

On motion by Representative Blanksma, seconded by Representative Rubel, by voice vote the Joint Session was dissolved.

The appointed committee came forward and escorted the Senators from the House Chamber.

The members of the Senate returned to the Senate Chamber.

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 1:59 p.m. until the hour of 11 a.m., Tuesday, January 9, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

September 12, 2023

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**SECOND LEGISLATIVE DAY  
TUESDAY, JANUARY 9, 2024**

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Owen Allen, 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 8, 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 Eighth Order of Business.

**Messages from the Governor**

Senator Grow was recorded present at this order of business.

September 12, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Carolyn Lodge of Boise, Idaho, was reappointed to the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2023, and expiring April 10, 2027.

This appointment is subject to confirmation by the Senate, and 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.

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Cally Roach of Fairfield, Idaho, was reappointed to the State Board of Education to serve a term commencing July 1, 2023, and expiring July 1, 2028.

This appointment is subject to confirmation by the Senate, and 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.

September 12, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that John Bush of Boise, Idaho, was appointed to the Idaho Judicial Council to serve a term commencing July 1, 2023, and expiring July 1, 2027.

This appointment is subject to confirmation by the Senate, and 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.

September 12, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Liz Chavez of Lewiston, Idaho, was reappointed to the Idaho Judicial Council to serve a term commencing July 1, 2023, and expiring July 1, 2027.

This appointment is subject to confirmation by the Senate, and 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.

September 12, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Representative Kenny Wroten of Nampa, Idaho, was appointed to the Idaho Endowment Fund Investment Board to serve a term commencing April 11, 2023, and expiring April 11, 2027.

This appointment is subject to confirmation by the Senate, and 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.

September 12, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Lewis Stoddard of Boise, Idaho, was appointed as the State Athletic Commissioner to serve a term commencing June 2, 2023, and expiring October 1, 2026.

This appointment is subject to confirmation by the Senate, and 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.

September 12, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Mary Pat Thompson of Boise, Idaho, was appointed to the Idaho Endowment Fund Investment Board to serve a term commencing July 18, 2023, and expiring April 11, 2027.

This appointment is subject to confirmation by the Senate, and 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.

October 10, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Aaron White of Meridian, Idaho, was reappointed to the Idaho Industrial Commission to serve a term commencing January 13, 2023, and expiring January 13, 2029.

This appointment is subject to confirmation by the Senate, and 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.

October 10, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that LTC Peter Koehler of Caldwell, Idaho, was appointed to the Public Charter School Commission to serve a term commencing May 31, 2023, and expiring May 12, 2027.

This appointment is subject to confirmation by the Senate, and 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.

October 10, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that R. Todd Garbett of Montpelier, Idaho, was appointed to the Idaho Judicial Council to serve a term commencing July 1, 2023, and expiring July 1, 2026.

This appointment is subject to confirmation by the Senate, and 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.

October 10, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Jason Kreizenbeck of Boise, Idaho, was appointed to the Idaho Judicial Council to serve a term commencing July 1, 2023, and expiring July 1, 2026.

This appointment is subject to confirmation by the Senate, and 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.

October 10, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Paul Woods of Boise, Idaho, was appointed to the State Tax Commission to serve a term commencing August 28, 2023, and expiring March 8, 2029.

This appointment is subject to confirmation by the Senate, and 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.

October 10, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Tammy Overacker of Salmon, Idaho, was reappointed to the Idaho Outfitters and Guides Licensing Board to serve a term commencing April 20, 2023, and expiring April 20, 2026.

This appointment is subject to confirmation by the Senate, and 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.

October 10, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Jeff Agenbroad of Nampa, Idaho, was appointed to the Idaho Energy Resources Authority to serve a term commencing March 13, 2023, and expiring June 30, 2026.

This appointment is subject to confirmation by the Senate, and 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.

October 12, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Clayton Steele of Lewiston, Idaho, was appointed to the Board of Environmental Quality to serve a term commencing May 18, 2023, and expiring July 1, 2025.

This appointment is subject to confirmation by the Senate, and 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.

October 12, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Erik Lehtinen of Boise, Idaho, was appointed to the State Public Defense Commission to serve a term commencing September 25, 2023, and expiring July 1, 2024.

This appointment is subject to confirmation by the Senate, and 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.

October 24, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Heidi Hart of Meridian, Idaho, was reappointed to the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2023, and expiring April 10, 2027.

This appointment is subject to confirmation by the Senate, and 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.

October 24, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that the Honorable Charles L. Winder of Boise, Idaho, was reappointed to the Idaho Endowment Fund Investment Board to serve a term commencing April 11, 2023, and expiring April 11, 2027.

This appointment is subject to confirmation by the Senate, and 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.

October 24, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Hyrum Erickson of Rexburg, Idaho, was reappointed to the Idaho Commission on

Human Rights to serve a term commencing July 1, 2023, and expiring July 1, 2026.

This appointment is subject to confirmation by the Senate, and 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.

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 11:29 a.m. until the hour of 11 a.m., Wednesday, January 10, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

November 2, 2023

SECOND REGULAR SESSION
SIXTY-SEVENTH LEGISLATURE

THIRD LEGISLATIVE DAY
WEDNESDAY, JANUARY 10, 2024

Senate Chamber

President Bedke 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 Naomi Foster, 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 9, 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 Eighth Order of Business.

Messages from the Governor

November 2, 2023

The Honorable Scott Bedke
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Jennifer Reibe of
Caldwell, Idaho, was appointed to the Oil and Gas Conservation
Commission to serve a term commencing April 25, 2022, and
expiring July 1, 2025.

This appointment is subject to confirmation by the Senate,
and 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.

The Honorable Scott Bedke
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Jennifer F. Reibe of
Caldwell, Idaho, was reappointed to the Oil and Gas Conservation
Commission to serve a term commencing July 1, 2023, and
expiring July 1, 2027.

This appointment is subject to confirmation by the Senate,
and 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.

November 2, 2023

The Honorable Scott Bedke
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Eric Fredericksen of
Boise, Idaho, was appointed as the State Public Defender to serve
a term commencing September 25, 2023, and expiring December
31, 2026.

This appointment is subject to confirmation by the Senate,
and 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.

November 7, 2023

The Honorable Scott Bedke
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Marc Haws of New
Plymouth, Idaho, was appointed to the Oil and Gas Conservation
Commission to serve a term commencing September 18, 2023,
and expiring July 1, 2027.

This appointment is subject to confirmation by the Senate,
and 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.

November 7, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that David Kim of Boise, Idaho, was appointed to the Idaho Commission on Human Rights to serve a term commencing October 31, 2023, and expiring July 1, 2026.

This appointment is subject to confirmation by the Senate, and 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.

November 9, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that John Sigler of Pocatello, Idaho, was reappointed to the Board of Environmental Quality to serve a term commencing July 1, 2023, and expiring July 1, 2027.

This appointment is subject to confirmation by the Senate, and 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.

November 9, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Patrick Purdy of Boise, Idaho, was appointed to the Board of Environmental Quality to serve a term commencing November 7, 2023, and expiring July 1, 2027.

This appointment is subject to confirmation by the Senate, and 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.

November 9, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Jim Yost of Meridian, Idaho, was appointed to the Idaho Energy Resources Authority to serve a term commencing October 12, 2023, and expiring June 30, 2028.

This appointment is subject to confirmation by the Senate, and 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.

November 16, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Robert Cuoio of Pocatello, Idaho, was appointed to the Idaho Health Insurance Exchange Board to serve a term commencing September 11, 2023, and expiring April 10, 2025.

This appointment is subject to confirmation by the Senate, and 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.

November 16, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Jon Weber of Rexburg, Idaho, was appointed to the State Insurance Fund Board to serve a term commencing February 10, 2023, and expiring November 30, 2024.

This appointment is subject to confirmation by the Senate, and 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.

November 16, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Chad Henggeler of Fruitland, Idaho, was reappointed to the State Board of Health and Welfare to serve a term commencing January 1, 2023, and expiring January 1, 2027.

This appointment is subject to confirmation by the Senate, and 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.

November 16, 2023

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that James Hoff of Idaho Falls, Idaho, was appointed to the Aeronautics Advisory Board to serve a term commencing April 1, 2023, and expiring January 31, 2028.

This appointment is subject to confirmation by the Senate, and 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.

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 11:14 a.m. until the hour of 11 a.m., Thursday, January 11, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SEVENTH LEGISLATURE

FOURTH LEGISLATIVE DAY
THURSDAY, JANUARY 11, 2024

Senate Chamber

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

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

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 January 10, 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 Tenth Order of Business.

Motions and Resolutions

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

- Admin. Assistant to President Pro Tem .....Rellie Wisdom
Assistant to the Majority Leader ..... Peggy Moyer
Assistant to the Asst. Maj. Leader ..... Kay Maurin
Assistant to the Majority Caucus Chairman ....Gaye Bennett
Secretary to the Secretary of the Senate ..... Jim Hickey
Journal Clerk .....Jacob Watkins
Minutes Editor/Assistant Clerk .....Sawyer Crenshaw
Sergeant-at-Arms ..... Sarah Jane McDonald
Assistant Sergeant-at-Arms .....Jerry Csutoras
Doorkeeper ..... Jim Montgomery
Senate Chaplain ..... Doug Armstrong

Committee Secretaries:

- Agricultural Affairs .....Melissa Price
Commerce and Human Resources .....Linda Kambeitz
Education .....Lisa Stein
Finance .....Linsy Heiner
Health and Welfare .....Lena Amoah

- Judiciary and Rules ..... Sharon Pennington
Local Government and Taxation ..... Meg Lawless
Resources and Environment ..... Shelly Johnson
State Affairs ..... Peggy Caraway
Transportation ..... Alicia Fowler-Rynearson

Majority Staff Assistants:

- Majority Staff Assistant .....Olivia McDonald
Majority Staff Assistant ..... Debra Mulligan
Majority Staff Assistant ..... Madison Schrader
Majority Staff Assistant ..... Daniel Uribe

Minority Chief of Staff .....Erin Miller

Minority Staff Assistants:

- Minority Staff Assistant ..... Victoria Fitzpatrick
Minority Staff Assistant .....Crystal Ivie
Minority Staff Assistant .....Nick Schofield

Pages:

- Owen Allen, Boise
Naomi Foster, Boise
Zack Holt, Nampa
Draycen Lamm, Wendell
Liberty McGuire, Meridian
Sydney Newton, Fairfield
Caitlyn Ross, Meridian
Simon Salisbury, Moscow
Abigail Spiers, Filer
Regan Ybarra, Boise

The question being, Shall the motion prevail?

Roll call resulted as follows:

AYES-Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS-None.

Absent and excused-Taylor. Total - 1.

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.

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

Reading of Communications

October 17, 2023

The Honorable Scott Bedke
Lieutenant Governor
Statehouse Mail

Dear Mr. President:



This is to advise you that the Idaho Fish and Game Commission, at its meeting in Jerome, Idaho on May 11, 2023, reappointed Brad Compton to serve as its representative to the Idaho Outfitters and Guides Licensing Board (IOGLB), subject to Senate consent. The term of appointment is three years, ending on June 1, 2026.

Brad joined the Idaho Department of Fish and Game (IDFG) in 1987 and over the next 33 years worked throughout the State including Kamiah, Lewiston, Bonners Ferry, Pocatello, Idaho Falls, Boise, and Nampa. Brad's positions have included Technician, Research Biologist, Regional Biologist, Regional Manager, State Game Manager, Assistant Chief of Wildlife, and Regional Supervisor for the Southwest Region. Since 2002, Brad has been the IDFG liaison to both the IOGLB and the Idaho Outfitters and Guides Association. Brad retired from IDFG in August 2020.

Brad's experience with IDFG and IOGLB served him well in his first term. I am confident Brad's service to the State of Idaho will continue to promote an excellent relationship and communication among IOGLB, the Idaho Fish and Game Commission, and the Department of Fish and Game.

Sincerely,

/s/ Dan Ebert, Chairman  
/s/ Jim Fredericks, Secretary

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

The Idaho Fish and Game Commission's appointment of Brad Compton to the Idaho Outfitters and Guides Licensing Board was referred to the Resources and Environment Committee.

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

#### Messages from the Governor

January 2, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Amy Bloem of Hayden, Idaho, was appointed to the Idaho Lottery Commission to serve a term commencing August 28, 2023, and expiring January 1, 2028.

This appointment is subject to confirmation by the Senate, and 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 2, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Dr. John MacMillan of Twin Falls, Idaho, was reappointed to the Board of Environmental Quality to serve a term commencing July 1, 2023, and expiring July 1, 2027.

This appointment is subject to confirmation by the Senate, and 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 2, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Michael Ross of Meridian, Idaho, was reappointed to the Commission of Pardons and Parole to serve a term commencing January 1, 2024, and expiring January 1, 2027.

This appointment is subject to confirmation by the Senate, and 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 10, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Keely Duke of Boise, Idaho, was appointed to the Idaho Judicial Council to serve a term commencing July 1, 2023, and expiring July 1, 2027.

This appointment is subject to confirmation by the Senate, and 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 10, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Mathew Weaver of Boise, Idaho, was appointed as the Director of the Idaho Department of Water Resources to serve a term commencing August 10, 2023, and continuing at the pleasure of the Governor.

This appointment is subject to confirmation by the Senate, and 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.

The Senate advanced to the Ninth Order of Business.

#### **Messages from the House**

January 10, 2024

Dear Mr. President:

I transmit herewith Enrolled [HCR 19](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [HCR 19](#) and ordered it 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 Wintrow, by voice vote, the Senate adjourned at 11:19 a.m. until the hour of 11 a.m., Friday, January 12, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**FIFTH LEGISLATIVE DAY**  
**FRIDAY, JANUARY 12, 2024**

Senate Chamber

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

Roll call showed all members present except Senators Adams, Lent, Ricks, and Taylor, absent and formally excused by the Chair; and Senators Burtenshaw, Carlson, and Ruchti, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Draycen Lamm, 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 11, 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.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

January 11, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President,

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

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

Sincerely,  
/s/ Phil McGrane  
Secretary of State

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 Eighth Order of Business.

### Messages from the Governor

Senator Burtenshaw was recorded present at this order of business.

January 11, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Erik Lehtinen of Boise, Idaho, was appointed as the State Appellate Public Defender to serve a term commencing January 7, 2024, and expiring August 1, 2026.

This appointment is subject to confirmation by the Senate, and 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 11, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Don Ebert of Weippe, Idaho, was reappointed to the Idaho Fish and Game Commission to serve a term commencing June 30, 2023, and expiring June 30, 2027.

This appointment is subject to confirmation by the Senate, and 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 11, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Mark Ciavarella of Meridian, Idaho, was reappointed to the State Building Authority to serve a term commencing January 1, 2022, and expiring January 1, 2027.

This appointment is subject to confirmation by the Senate, and 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.

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 1216  
BY TRANSPORTATION COMMITTEE  
AN ACT**

RELATING TO MOTOR VEHICLE DRIVER'S LICENSES; AMENDING SECTION 49-303, IDAHO CODE, TO PROVIDE THAT A DRIVER'S LICENSE SHALL BE REVOKED OR CANCELED UNDER CERTAIN CIRCUMSTANCES AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1217  
BY TRANSPORTATION COMMITTEE  
AN ACT**

RELATING TO ABANDONMENT AND VACATION OF COUNTY HIGHWAYS OR PUBLIC RIGHTS-OF-WAY; AMENDING SECTION 40-203, IDAHO CODE, TO PROVIDE THAT COMMISSIONERS SHALL ACCEPT CERTAIN EVIDENCE, TO ESTABLISH A PROVISION REGARDING REPLACEMENT RIGHTS-OF-WAY TO PROVIDE ACCESS TO PUBLIC LANDS OR WATERS, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1218  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO POLITICAL CAMPAIGNS; AMENDING SECTION 67-6607, IDAHO CODE, TO REMOVE CERTAIN MINIMUM CAMPAIGN CONTRIBUTION AMOUNTS REQUIRING DISCLOSURE; AMENDING SECTION 67-6610, IDAHO CODE, TO REMOVE MINIMUM CAMPAIGN CONTRIBUTION AMOUNTS REQUIRING DISCLOSURE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-6628, IDAHO CODE, TO REMOVE CERTAIN MINIMUM CONTRIBUTION AMOUNTS REQUIRING DISCLOSURE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1219  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE PERSONNEL SYSTEM; AMENDING CHAPTER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5344, IDAHO CODE, TO ESTABLISH CERTAIN REQUIREMENTS FOR STATE EMPLOYEE TELEWORK, TO PROVIDE CERTAIN LIMITATIONS, TO PROVIDE FOR AN EXCEPTION, AND TO DEFINE TERMS; AMENDING CHAPTER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION

67-5345, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR SALARY ADJUSTMENTS AND SAVINGS; AND DECLARING AN EMERGENCY.

**S 1220  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE TERRORIST CONTROL ACT; AMENDING SECTION 18-8101, IDAHO CODE, TO REVISE THE LEGISLATIVE PURPOSE; AMENDING SECTION 18-8102, IDAHO CODE, TO REMOVE A DEFINITION, TO DEFINE TERMS, TO REVISE A DEFINITION, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-8103, IDAHO CODE, TO REVISE A PROVISION REGARDING PROHIBITED ACTIVITIES, TO PROVIDE FOR THE CRIME OF DOMESTIC TERRORISM, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-8106, IDAHO CODE, TO PROVIDE FOR DOMESTIC TERRORISTS; AMENDING SECTION 18-4003, IDAHO CODE, TO PROVIDE FOR DOMESTIC TERRORISM AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 19-401, IDAHO CODE, TO PROVIDE FOR DOMESTIC TERRORISM; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1221  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO SCHOOL LIBRARIES; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-512E, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE SELECTION, REVIEW, AND RECONSIDERATION OF SCHOOL LIBRARY MATERIALS; AMENDING SECTION 33-512, IDAHO CODE, TO REVISE PROVISIONS REGARDING SCHOOL LIBRARIES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1216](#), [S 1217](#), [S 1218](#), [S 1219](#), [S 1220](#), and [S 1221](#) 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 Wintrow, by voice vote, the Senate adjourned at 11:18 a.m. until the hour of 11 a.m., Monday, January 15, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**EIGHTH LEGISLATIVE DAY**  
**MONDAY, JANUARY 15, 2024**

Senate Chamber

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

Roll call showed all members present except Senators Adams, Anthon, and Rabe, absent and formally excused by the Chair; and Senator Lenney, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Liberty McGuire, 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, 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.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

January 13, 2024

Dear President Pro Tempore,

I have the honor to inform you that pursuant to Title 67-412, I have designated Darl Bruner, of Nampa, Idaho 83686 as a qualified substitute for Legislative District 12, Canyon County, State of Idaho.

The appointment is effective Monday, January 15, 2024, and will continue until January 17, 2024

Sincerely,  
/s/ Senator Ben Adams

The President announced that the Oath of Office had been administered previously to Acting Senator Bruner, and he was recorded not present at this order of business.

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

Senator Lenney was recorded present at this order of business.

The Senate advanced to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SCR 109 BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE  
COMMENDING THE NATIONAL CONFERENCE OF STATE  
LEGISLATURES FOR ITS SUPERB LEADERSHIP AND ITS  
COMMITMENT TO THE LEGISLATIVE INSTITUTION.

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

WHEREAS, the Idaho Legislature recognizes and commends the National Conference of State Legislatures on its 50th anniversary in 2025; and

WHEREAS, the National Conference of State Legislatures (NCSL) was founded in 1975 and has evolved during the past half-century to become the premier organization solely dedicated to serving state and territorial legislators and legislative staff; and

WHEREAS, NCSL was created from the merger of three organizations that served or represented state legislatures and that shared the belief that legislative service is one of democracy's worthiest pursuits; and

WHEREAS, NCSL is a bipartisan organization with three objectives: to advance the effectiveness, independence, and integrity of state legislatures; to foster interstate communication and cooperation; and to ensure that states have a strong, cohesive voice in the federal system; and

WHEREAS, our nation's state legislatures are America's laboratories of democracy and have continually shown that they are the bodies to tackle emerging challenges. State legislatures are where people from very different backgrounds, representing very different communities, can come together and find common ground, and NCSL has facilitated the exchange of ideas, provided critical research and information, and encouraged a rigorous review of complex issues confronting our communities, states, and nation. NCSL strives to strengthen the bonds between America's state legislatures and the international community; and

WHEREAS, Idaho Legislative members and staff have a rich history with NCSL; and

WHEREAS, current Pro Tempore, Senator Chuck Winder, serves on the NCSL Federalism Work Group; and

WHEREAS, former Speaker of the House, Representative Scott Bedke, was President of NCSL from 2022 to 2023; and

WHEREAS, former Pro Tempore, Senator Brent Hill, served on NCSL's Executive Committee from 2015 to 2018; and

WHEREAS, Representative Megan Blanksma served on NCSL's Executive Committee from 2021 to 2023; and

WHEREAS, the following former members served on the Executive Committee spanning 1980 to 2015: senators John Andreason, Denton Darrington, Bart Davis, Mark Riggs, Jerry Twigs, and John Goedde, along with former representatives Peggy Bunting and Douglas Jones; and

WHEREAS, Legislative Services Director, Terri Kondeff, currently serves on the NCSL Executive Committee and on the Legislative Staff Coordinating Committee; and

WHEREAS, Special Projects Coordinator, Michelle O'Brien, currently serves as President of National Services and Security Association and on the Legislative Staff Coordinating Committee; and

WHEREAS, Senior IT Specialist, Soren Jacobsen, served as President of NALIT and serves on the Legislative Staff Coordinating Committee; and

WHEREAS, Secretary of the Senate, Jennifer Novak, currently serves on the Mason's Manual Commission; and

WHEREAS, the Office of Performance Evaluation has won the Notable Document awards 15 times since 2006.

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 we recognize and commend the National Conference of State Legislatures for its superb leadership and its commitment to the legislative institution as it celebrates its 50th anniversary in 2025.

BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed to transmit a copy of this resolution to the National Conference of State Legislatures.

[SCR 109](#) 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 15, 2024

The JUDICIARY AND RULES Committee reports that [S 1216](#), [S 1217](#), [S 1218](#), [S 1219](#), [S 1220](#), and [S 1221](#) have been correctly printed.

LAKEY, Chairman

[S 1216](#) and [S 1217](#) were referred to the Transportation Committee.

[S 1218](#), [S 1219](#), [S 1220](#), and [S 1221](#) were referred to the State Affairs Committee.

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 1222 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO CHILDREN'S DEVICE PROTECTION; AMENDING TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 21, TITLE 48, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A DECLARATION OF POLICY, TO DEFINE TERMS, TO REQUIRE INTERNET FILTERING ON CERTAIN DEVICES, TO ESTABLISH PROVISIONS REGARDING MANUFACTURER LIABILITY, TO PROVIDE FOR INDIVIDUAL LIABILITY, TO PROVIDE FOR ATTORNEY GENERAL PROCEEDINGS, TO PROVIDE FOR CIVIL ACTION BY A PARENT OR LEGAL GUARDIAN, AND TO PROVIDE FOR CRIMINAL PENALTIES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1223 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE STATE PROCUREMENT ACT; AMENDING SECTION 67-9208, IDAHO CODE, TO REVISE A PROVISION REGARDING NOTICE OF A SOLICITATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1224 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE STATE PROCUREMENT ACT; AMENDING SECTION 67-9211, IDAHO CODE, TO REVISE PROVISIONS REGARDING MULTIPLE AWARDS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1225 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO STATE GOVERNMENT; AMENDING SECTION 67-2332A, IDAHO CODE, TO REVISE PROVISIONS REGARDING INTERAGENCY CONTRACTS WITH STATE INSTITUTIONS OF HIGHER EDUCATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1226 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO SPACE FORCE; AMENDING SECTION 49-102, IDAHO CODE, TO REVISE A DEFINITION, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-415D, IDAHO CODE, TO PROVIDE FOR THE SPACE FORCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 65-502, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 67-9403, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1226](#) 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 Wintrow, by voice vote, the Senate adjourned in honor of Martin Luther King Jr. at 11:21 a.m. until the hour of 11 a.m., Tuesday, January 16, 2024.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**NINTH LEGISLATIVE DAY**  
**TUESDAY, JANUARY 16, 2024**

Senate Chamber

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.

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

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

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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TENTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 17, 2024

Senate Chamber

President Pro Tempore Winder called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Carlson and Grow, absent and excused.

President Bedke assumed the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Caitlyn Ross, 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 16, 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 Tenth Order of Business.

### Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, President Bedke appointed a committee consisting of Senator Lakey, Chairman, and Senators Toews and Wintrow to escort Chief Justice G. Richard Bevan into the Senate Chamber where he delivered the following **State of the Judiciary Address**:

I am honored to stand here before you for a fourth time as Chief Justice. And really, I don't stand here on my own. Also standing here are our 159 trial and appellate judges — including newly appointed Justice Cynthia K.C. Meyer, who I hope you all get a chance to meet. Welcome, Justice Meyer!

I also represent, as the face of the judiciary, our hundreds of court clerks, our various court administrators, law clerks, court reporters, court assistance officers and all the many others who help us to accomplish the important work of Idaho's Judicial Branch of government.

And I stand here on the foundation built by those who came before us — including our recently retired Justice John Stegner. I was honored to work closely with Justice Stegner for his years

on the Supreme Court, and I wish him the best in the next stage of his career.

A couple of months ago I spent an evening in Twin Falls sharing with an audience why I do what I do. These were everyday folks out on a Monday evening on a college campus, eager to learn. This represented the kind of opportunity I always enjoy as a judge — to help people see how Idaho's judges advance our grand civics experiment as part of Idaho's state government.

But there is a gap in the public's understanding, as I suspect you'd tell me of a gap in public understanding of the legislative branch and the executive. People are aware of courts, but they don't necessarily think of what courts mean. And they certainly don't think of what would happen without us.

What is our Judicial Branch? It is fairly simple: Courts provide a fair and peaceful way to resolve disputes, impartially and under an equal rule of law. The law comes from the people in the form of the state and federal constitutions. It comes from those of you in this room, in the form of the laws you write, as well as local ordinances and regulations. Judges apply this wide array of laws to family matters — like adoptions and divorces — to business disputes and property disagreements, to cases for personal injury as well as criminal proceedings. We resolve these cases based on this body of law, together with the facts developed through a trial or discovery process.

That last part is essential to the work we perform. John Adams said that the "very definition of a Republic is 'an Empire of Laws and not of men.'" Our branch is the embodiment of the American ideal that everyone answers to the law and answers equally. The rule of law is a fundamental cornerstone without which our society would flounder.

There are several ways to describe the rule of law. I have heard it put as the reason we will stop at a red light late in the evening, with no one around. Why do we stop? Because the rule of law is so entrenched in most of us that we don't give it a second thought. The rule of law doesn't mean that the police are in charge; it means that we all answer to the same laws.

The rule of law is visible when we pay our taxes on time or when divorced parents throughout this state shuttle their children across town to fulfill custody arrangements. The people who follow judges' orders in these cases may not agree with them. But they follow those orders anyway because they respect the laws and the courts that enforce them. As Dwight D. Eisenhower said, "[T]he rule of law does more than ensure freedom from high-handed action by rulers. It ensures justice between man and man however humble the one and however powerful the other." Really, the rule of law is the glue that keeps us all functioning as one, that helps us navigate life with our neighbors.

In the Judicial Branch, our patriotic purpose in coming to work each day is to build on the centuries of solid evidence that an independent court system is best equipped to impartially decide questions of law — and then equally apply the law "without sale, denial, delay, or prejudice," to quote Article I, Section 18 of the Idaho Constitution.

We have seen elsewhere in the world what happens if the rule of law is subverted. U.S. Supreme Court Justice Felix Frankfurter once wrote that "[t]here can be no free society without law administered through an independent judiciary. If one man can be allowed to determine for himself what is law, every man can. That means first chaos, then tyranny."

Each year that I come here, it is to partner with you to uphold and sustain this rule of law. Truly, the fates of our public duties are tied together. If the rule of law falters in our courts, it also falters in this statehouse.

But nothing is simple these days, is it? The people whom we serve and the society in which we operate have become more fractured. People have forgotten the nature of the broad social contract that allowed us to form this state, this nation.

The issues that become high-profile wedges in our society have successfully distracted us from the many things we agree on. My hope, then, is to focus today on our joint obligation to maintain our rule of law.

It is an eventful time to work in the judiciary, for many reasons. Just the sheer volume of work can be a challenge to convey.

We've been frank with you in recent years about our case filing trends — both here and nationally, the overall trend is a small decline in civil cases. But we still handle more than 140,000 new court cases a year across one of the most geographically spread-out states in the Union. Those cases are often more complex, and they are drawing more attention — look, for example, at the national followings for some of our recent criminal proceedings.

Even everyday cases require more focus than before. In Idaho, we maintain audio recordings of all court hearings as part of the official court record — the record my colleagues and I rely on when reviewing a case on appeal. That audio is kept in a dedicated system devoted to this purpose. In 2023, that system received nearly 62,000 hours of court audio. That's a nearly 10% increase from the same time period four years before. While Idaho has gained judges in that time, we are also seeing more court filings involving arguments that require more courtroom time to resolve.

Our courts perform this work amid a backdrop of increased agitation toward government institutions. I spoke to you at length last year about the security threats our judges and court staff face. That situation has not improved.

Our courts in 2023 handled 60,000 newly filed criminal cases, 23,000 cases involving family law, 14,000 probate cases, 5,000 juvenile cases, plus those carried over from previous years. Many of these cases resolve quickly with little fanfare. Some become incredibly contentious. Underlying many of these cases are issues of mental health, substance abuse, homelessness, and neglect.

All it takes is one person making a bad choice in one of these situations for the unthinkable to occur. Thank goodness that we are not among states like Maryland or Wisconsin where judges or their family members were murdered in recent years, or Nevada where a judge was violently attacked in the courtroom just this month. But I still fear we are not far from that point.

Even so, we carry on undaunted. Enter one of our courts and you'll find a devoted workforce accomplishing feats I personally find incredible. Our judges must pivot from case to case and issue to issue while remaining fully present in each. Our clerks not only keep the whole system moving, they are our public face, helping users of the court system — and often managing interactions colored by those personal crises I just described.

Supporting these groups behind the scenes is another invaluable team. Here in Boise and across each of our judicial districts, Judicial Branch employees offer technological, financial

and other administrative support to all of our individual courts. Their work isn't always easy to see — but it would be obvious if they were missing. I am endlessly grateful for their own contributions to maintaining our rule of law.

By Constitution and statute, counties shoulder much of the burden of maintaining local courts. This constitutional partnership — done for budget savings in 1889 — is somewhat unique among courts nationwide. We take it seriously.

For example, we have relaunched a committee to provide elected clerks with more of a voice on court technology. As we work to better secure our digital systems, we are shaping our approach around the counties, acknowledging their unique processes and needs.

The bulk of our state-employed IT support is centralized in Boise while the counties themselves make their own arrangements for local IT. The counties' needs go beyond just the court system, of course. But starting in the last fiscal year, with your help, we placed an additional court-focused field technician in each judicial district to deploy new technology, solve technical issues and train both county and state employees who provide work for the courts. Feedback to this program across the board has been encouragingly positive and we are working to expand it — it's hard for a single tech to be both in Benewah and Boundary counties at the same time.

We also now offer a jury management system for counties. Again, managing jurors — summoning them, screening them, providing the information necessary for their work — largely happens at the county level. But through offering this state-funded system, we can provide jurors in any county that signs up with flexible, easy-to-use tools and timely information as they fulfill their own obligation to the rule of law: jury service.

We partner in other contexts — for example, to provide state agencies and even this Legislature with data needed to perform other work. Some of that data can be sensitive. Child protection cases, mental commitments, and even people's personal financial records require protection. Recently, we've worked to improve our data comprehension, both expanding the types and functionality of our reports and, in situations where law requires sensitive data be provided to an outside partner, creating a more secure way to deliver that data.

Our statewide IT team supports not only court operations, but also court users. That number encompasses about 2,900 people, including law enforcement and Idaho Department of Correction employees, who use our system daily to access court records they are entitled to as part of their jobs. Another example: our team helped the Nampa Police Department as that department migrated to using the statewide electronic ticketing system for electronic citations. Examples such as these show the courts' willingness to partner with others across government for public service. We look forward to continuing these partnerships in 2024.

As you've heard in previous years, so much of the fundamental work of the courts now involves computerized records and digital tools — and Idahoans expect that. In the same way that computers allow anyone to watch the full proceedings of this Legislature, both the public and our many court partners expect and rely on the conveniences of our modern times.

Videoconferencing in the courts has been invaluable in terms of the public's access to justice and our ability to quickly coordinate court proceedings and court management across this state. Court hearings of public interest may be livestreamed, allowing anyone to observe them. Administrative meetings

held over Zoom encourage statewide participation from court stakeholders. This improves the range of voices who are able to participate in determining how we operate while minimizing travel and related costs.

Electronic filing and digital court recordings create efficiencies for both our courts and those who use them. Right now, we are developing a new court records portal — offering access to public court documents right from your computer at home — without the need for a physical trip to a courthouse. This will increase transparency into the workings of our courts for the people of Idaho.

This brings me to my next topic — the sustainability of our systems.

Judicial Branch technology, including many of the employees who help maintain it, has primarily been supported through the Court Technology Fund. Established by this Legislature, that fund gets its revenue through legislatively established fees imposed in both criminal and civil court cases.

I understand the logic of such a self-funding approach, but in practice this model falls short. Court fine and fee receipts for the fund declined an average of 2.1% per year in the past five years. Meanwhile, overall technology costs rose an average of 7% each year — a cumulative 35%. This ongoing disparity in funding makes our current system unsustainable.

The courts have been thrifty stewards of this resource, leveraging fund reserves to support ongoing operations and deferring expenditures over the past several years. As you'll read in the annual report we provided you, we are below the national average in our spending per user on technology.

But as I explained last year, we have had to make tradeoffs. Last month we passed down to civil court filers a \$5 fee on electronic filing required by our software vendor. We hope that the benefits of having digital court documents sent to you and of filing from the comfort of one's home or office — without the need to run between county courthouses — balances the financial demand of the fee.

In speaking to you about these issues before, I have shared our efforts to build a sustainable future for our modern courts. As I promised last year, after extensive work with an independent consultant who evaluated our systems and staffing, I am pleased to present our solution based on their recommendation.

These steps are twofold. First, technology has substantially changed since we first implemented digital court records, giving us more options to host and secure our systems. The Judicial Branch has begun work to establish a statewide court computer network and to transition most services to a cloud-based network structure rather than traditional, local information hosting.

This move will alter both our costs and staffing needs throughout the state. And so, the second step will be a request to you to close the gap between our current technology funding and what the courts need for long-term success. I ask that you please give this funding your full support — it will make the difference in what services we can keep available to your constituents.

For these systems are not nice bonuses. They're not bells and whistles. They are what technologically running a third branch of government requires — and what the public expects from a modern court system.

This funding includes recognizing the burgeoning demands of cybersecurity — and what a time we live in for that. In just

the month of December, our systems blocked 209,000 attacks on our court websites and 57,000 critical and high-security threats to our network firewalls. They also turned aside 124,000 copies of spam emails and messages with malicious intent.

These figures are not unusual. They are the status quo. They are evidence of coordinated efforts calculated to disrupt American governments. In the Judicial Branch, we stay vigilant to prevent their success. But vigilance and protecting the people's records is not an inexpensive endeavor.

We come to you this year also hoping to renew the conversation about fair compensation for our judges. This is not just a conversation about pay, it's about retention and recruitment.

I just passed my 20th year as a judge. I'm among a handful of our active judges who have served that long or longer. But our average judge has been on the bench for much less time — roughly 7 ½ years — and our experienced judges are increasingly choosing alternate employment or retirement over staying in the judiciary.

A former magistrate judge gave a news interview last month about her departure from the bench that I feel is particularly illuminating. Judge Michelle Mallard gave exemplary service to the state of Idaho for 12 years.

Her comments in the interview reflect concerns we also hear from attorneys. For an experienced attorney in their prime, service as a judge comes with a significant financial sacrifice by way of a pay cut. And judges are never off the clock. A judge must limit friendships, and the job includes a growing amount of harassment and threats directed not just at the judge, but at her family and children.

Former Judge Mallard said her husband would sleep with a gun by their bed following certain cases. No one should have to do this as a result of public service. And it's not an environment conducive to recruiting the best and the brightest to serve as judges.

These concerns reflect even more notably on our district judges, where we especially see recruitment challenges. District judges handle felony criminal cases and high-value civil cases. In 2022, we averaged just five applicants for each of our district court openings, a number I previously described to you as "inadequate" and one which is almost a 50% decrease from just seven years ago.

Last year, that average dropped below five — and for openings in our First and Sixth Judicial Districts, only three attorneys applied, the minimum number the Idaho Judicial Council is now required to provide the Governor for his selection. Once again, with no disrespect to those who applied, this trend is heading in an alarming direction.

Idahoans deserve judges who are at the prime of their careers and at the top of their game. But we don't get there by making judicial service painful and undercompensated. At the very least, let's pay our judges a fairer wage, something that reflects the market value of their education and expertise.

For a full branch of government — one of only three branches — our full budget proposal still only touches a little more than 1% of the general fund. Thank you for giving it your consideration.

By necessity I must focus my remarks on the challenges before us. But make no mistake, Idaho has a strong and accomplished judiciary.

Our work with treatment courts, restoring people to being productive members of society, continues to set national standards. This is deeply meaningful work for our branch. 2,800 people participated in Idaho treatment court programs in fiscal year 2023. Twenty-one drug-free babies were born to the participants — as a father and grandfather, that is a number that makes me proud.

The Judicial Branch worked this past year to improve our approach to domestic violence courts, which connect victims with advocacy and other services while holding offenders accountable. We maintained a focus on mediation — resolving custody disputes, producing criminal plea deals, and making more courtroom time for the truly intractable disputes that require a judge's in-court focus and management.

In November, courts across our state celebrated the many foster child adoptions that take place year-round in our courtrooms. Adoption hearings are among the most personally meaningful events our judges participate in. These are yet another reminder of the many ways our courts touch people's lives.

And again, in each of these situations we are, piece by piece, keeping the rule of law present in Idahoans' lives.

So, it is with a sense of optimism that I leave you today. Each year during these remarks, I have shared my strong belief that working together, our branches can truly improve life for the people of this state. The power to keep Idaho exceptional lies with us — the people our voters have entrusted with our most sacred government systems.

This is a unique state, a state I was born and raised in, a state where I have raised my five children, and a state where I have been proud to serve as a judge for two decades. I am proud of and respect all who labor in Idaho's judiciary. I thank you for working with us to keep it that way.

The President thanked Chief Justice Bevan for his remarks and Senator Lakey, Chairman, and Senators Toews, and Wintrow escorted Chief Justice Bevan from the Chamber, and the Committee was discharged.

On request by Senator Anthon, granted by unanimous consent, the State of the Judiciary Address was ordered spread upon the pages of the Journal.

Senators Carlson and Grow were recorded present at this order of business.

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

### Reports of Standing Committees

January 17, 2024

The JUDICIARY AND RULES Committee reports that [SCR 110](#), [S 1227](#), [S 1228](#), [S 1229](#), [S 1230](#), [S 1231](#), and [S 1232](#) have been correctly printed.

LAKEY, Chairman

[SCR 110](#), [S 1227](#), [S 1228](#), [S 1229](#), and [S 1230](#) were referred to the State Affairs Committee.

[S 1231](#) was referred to the Resources and Environment Committee.

[S 1232](#) was referred to the Judiciary and Rules Committee.

January 16, 2024

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:

Aaron White to the Idaho Industrial Commission, term to expire January 13, 2029.

COOK, 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 17, 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:

Jim Yost to the Idaho Energy Resources Authority, term to expire June 30, 2028.

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 Eighth Order of Business.

### Messages from the Governor

January 15, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Michael Brassey of Boise, Idaho, was appointed to the Idaho Personnel Commission to serve a term commencing July 1, 2023, and expiring July 1, 2029.

This appointment is subject to confirmation by the Senate, and 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 15, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Julie Ann Triepke of Meridian, Idaho, was appointed to the Idaho Health Insurance

Exchange Board to serve a term commencing January 7, 2024, and expiring April 10, 2025.

This appointment is subject to confirmation by the Senate, and 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.

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 1233**

**BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE**  
AN ACT

RELATING TO TRADE PRACTICES AND FRAUDS; AMENDING SECTION 41-1328B, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-1328D, IDAHO CODE, TO REVISE A DISCLOSURE REQUIREMENT AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1234**

**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; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1235**

**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PUBLIC LIBRARY DISTRICT TRUSTEES; AMENDING SECTION 33-2715, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TERMS OF OFFICE FOR PUBLIC LIBRARY DISTRICT TRUSTEES; AMENDING SECTION 33-2718, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TERMS OF OFFICE FOR PUBLIC LIBRARY DISTRICT TRUSTEES USING TRUSTEE ZONES; AND PROVIDING AN EFFECTIVE DATE.

**S 1236**

**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO BINGO AND RAFFLES; AMENDING SECTION 67-7701, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL

CORRECTION; AMENDING SECTION 67-7702, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 67-7703, IDAHO CODE, RELATING TO THE ESTABLISHMENT OF THE BINGO-RAFFLE ADVISORY BOARD; REPEALING SECTION 67-7704, IDAHO CODE, RELATING TO THE MEMBERS OF THE BINGO-RAFFLE ADVISORY BOARD; REPEALING SECTION 67-7705, IDAHO CODE, RELATING TO MEETINGS OF THE BINGO-RAFFLE ADVISORY BOARD; REPEALING SECTION 67-7706, IDAHO CODE, RELATING TO THE POWERS AND DUTIES OF THE BINGO-RAFFLE ADVISORY BOARD; AMENDING SECTION 67-7709, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACCOUNTING AND USE OF BINGO PROCEEDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7710, IDAHO CODE, TO REVISE PROVISIONS REGARDING RAFFLES AND DUCK RACES; AMENDING SECTION 67-7711, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7715, IDAHO CODE, TO REVISE PROVISIONS REGARDING VENDORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7716, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7717, IDAHO CODE, TO REVISE PROVISIONS REGARDING MANUFACTURING AND DISTRIBUTION REQUIREMENTS; AMENDING SECTION 67-7718, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7719, IDAHO CODE, TO REVISE PROVISIONS REGARDING ELECTRONIC BINGO DEVICES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1233](#), [S 1234](#), [S 1235](#), and [S 1236](#) 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 Wintrow, by voice vote, the Senate adjourned at 11:11 a.m. until the hour of 11 a.m., Thursday, January 18, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**ELEVENTH LEGISLATIVE DAY  
THURSDAY, JANUARY 18, 2024**

Senate Chamber

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

Roll call showed all members present except Senators Rabe, Ruchti, and Zuiderveld, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Simon Salisbury, 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 17, 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.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

January 17, 2024

Dear President Pro Tempore,

I have the honor to inform you that pursuant to Title 67-412, I have designated Mark Stinson, of Garden City, Idaho 83703 as a qualified substitute for Legislative District 16, Ada County, State of Idaho.

This appointment is effective Thursday, January 18, 2024, and will continue until Monday, January 22, 2024.

Sincerely,  
/s/ Senator Ali Rabe

The President announced that the Oath of Office had been administered previously to Acting Senator Stinson, and he was recorded present at this order of business.

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 Sixth Order of Business.

### Reports of Standing Committees

January 18, 2024

The JUDICIARY AND RULES Committee reports that [S 1233](#), [S 1234](#), [S 1235](#), and [S 1236](#) have been correctly printed.

LAKEY, Chairman

[S 1233](#) and [S 1234](#) were referred to the Commerce and Human Resources Committee.

[S 1235](#) and [S 1236](#) were referred to the State Affairs Committee.

January 17, 2024

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:

Mathew Weaver as the Director of the Idaho Department of Water Resources, term to continue at the pleasure of the Governor.

BURTENSHAW, 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 17, 2024

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:

Eric Fredericksen as the State Public Defender, term to expire December 31, 2026;

John Bush to the Idaho Judicial Council, term to expire July 1, 2027;

Liz Chavez to the Idaho Judicial Council, term to expire July 1, 2027.

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 17, 2024

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, 2027.

VANORDEN, 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 17, 2024

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:

LTC Peter Koehler to the Public Charter School Commission, term to expire May 12, 2027.

LENT, 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 18, 2024

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:

Clayton Steele to the Board of Environmental Quality, term to expire July 1, 2025;

John Sigler to the Board of Environmental Quality, term to expire July 1, 2027.

VANORDEN, 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

January 17, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. 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

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

January 17, 2024

Dear Mr. President:

I transmit herewith [H 385](#), which has passed the House.

MCGINNIS, Chief Clerk

[H 385](#) was filed for first reading.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

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

On motion by Senator Guthrie, seconded by Senator Wintrow, the Gubernatorial reappointment of the Honorable Charles Winder as a member of the Idaho Endowment Fund Investment 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.

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

Moved by Senator Lee, seconded by Senator Wintrow, that the report of the State Affairs Committee be adopted. The question being, "Shall the motion prevail?"

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Foreman, and was supported by Senators Carlson and Herndon.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Ricks, Schroeder, Semmelroth, Stinson (Rabe), Taylor, Toews, Trakel, VanOrden, Winder, Wintrow.  
Total - 26.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols.  
Total - 6.

Absent and excused—Ruchti, Ward-Engelking, Zuiderveld.  
Total - 3.

Total - 35.

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 the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Aaron White 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 Aaron White as a member of the Idaho Industrial 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 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 the State Affairs Committee report relative to the Gubernatorial appointment of Jim Yost was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bernt, seconded by Senator Semmelroth, the Gubernatorial appointment of Jim Yost as a member of the Idaho Energy Resources Authority 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.

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 1237  
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 AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5902, IDAHO CODE, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5909, IDAHO CODE, TO PROHIBIT DISCRIMINATION AGAINST A PERSON BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1237](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 385](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation 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 Wintrow, by voice vote, the Senate adjourned at 11:34 a.m. until the hour of 11 a.m., Friday, January 19, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**TWELFTH LEGISLATIVE DAY**  
**FRIDAY, JANUARY 19, 2024**

Senate Chamber

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

Roll call showed all members present except Senators Lakey, Ward-Engelking, and Zuiderveld, absent and formally excused by the Chair; and Senator Hart, absent and excused.

Prayer was offered by Senator Burtenshaw.

The Pledge of Allegiance was led by Abigail Spiers, 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 18, 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

January 19, 2024

The JUDICIARY AND RULES Committee reports that [S 1237](#) has been correctly printed.

LAKEY, Chairman

[S 1237](#) was referred to the State Affairs Committee.

January 19, 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:

David Kim to the Idaho Commission on Human Rights, term to expire July 1, 2026;

Mary Pat Thompson to the Idaho Endowment Fund Investment Board, term to expire April 11, 2027;

Representative Kenny Wroten to the Idaho Endowment Fund Investment Board, term to expire April 11, 2027.

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.

January 19, 2024

The STATE AFFAIRS Committee reports out [S 1220](#) and [S 1226](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[S 1220](#) and [S 1226](#) 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

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

On motion by Senator Burtenshaw, seconded by Senator Semmelroth, the Gubernatorial appointment of Mathew Weaver as the Director of the Idaho Department of Water Resources 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.

On request by Senator Anthon, granted by unanimous consent, the committee report relative to the Gubernatorial appointment of Eric Fredericksen retained its place on the calendar for Friday, January 26, 2024.

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

On motion by Senator Wintrow, seconded by Senator Anthon, the Gubernatorial appointment of John Bush as a member of the Idaho Judicial 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 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 the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Liz Chavez was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ruchti, seconded by Senator Anthon, the Gubernatorial reappointment of Liz Chavez as a member of the Idaho Judicial 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 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 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 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 the Education Committee report relative to the Gubernatorial appointment of LTC Peter Koehler was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Trakel, seconded by Senator Semmelroth, the Gubernatorial appointment of LTC Peter Koehler 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 appointment confirmation for his 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 committee report relative to the Gubernatorial appointment of Clayton Steele retained its place on the calendar for one legislative day.

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

On motion by Senator Ruchti, seconded by Senator Harris, the Gubernatorial reappointment of John Sigler 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 his 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 1238  
BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE  
AN ACT**

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-713, IDAHO CODE, TO REMOVE PROVISIONS REGARDING NOTICE OF HEARING BY PERSONAL SERVICE OR BY REGISTERED OR CERTIFIED MAIL IN CERTAIN CIRCUMSTANCES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1239  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO SCHOOL BOARDS OF TRUSTEES; AMENDING SECTION 33-510, IDAHO CODE, TO REVISE A PROVISION REGARDING THE MAJORITY REQUIREMENT FOR A QUORUM AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1240  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO MILITARY AND MILITIA; REPEALING SECTION 46-802, IDAHO CODE, RELATING TO UNORGANIZED ASSOCIATIONS; AMENDING CHAPTER 8, TITLE 46, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 46-802, IDAHO CODE, TO PROHIBIT CITIES AND TOWNS FROM SUPPORTING CERTAIN MILITARY COMPANIES OR ORGANIZATIONS AND TO PROVIDE EXCEPTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1241  
BY NICHOLS  
AN ACT**

RELATING TO THE IDAHO YOUNG ENTREPRENEURS ACT; AMENDING CHAPTER 3, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-307A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE IDAHO YOUNG ENTREPRENEURS ACT; AMENDING SECTION 63-3622K, IDAHO CODE, TO PROVIDE AN EXEMPTION FOR CERTAIN BUSINESSES FROM THE DUTY TO COLLECT AND REMIT SALES TAXES; AND PROVIDING AN EFFECTIVE DATE.

[S 1238](#), [S 1239](#), [S 1240](#), and [S 1241](#) 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 Wintrow, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11 a.m., Monday, January 22, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

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OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**FIFTEENTH LEGISLATIVE DAY**  
**MONDAY, JANUARY 22, 2024**

Senate Chamber

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

Roll call showed all members present except President Pro Tempore Winder and Senators Burtenshaw, Cook, Grow, Lent, and VanOrden, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Regan Ybarra, 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, 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.

President Pro Tempore Winder and Senators Cook and Grow were 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

**SJR 104**  
**BY STATE AFFAIRS COMMITTEE**  
A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 23, ARTICLE III OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO LIMITING THE LENGTH OF ANY EXTRAORDINARY OR SPECIAL SESSION 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 104](#) 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

Senators Burtenshaw, Lent, and VanOrden were recorded present at this order of business.

January 22, 2024

The JUDICIARY AND RULES Committee reports that [S 1238](#), [S 1239](#), [S 1240](#), and [S 1241](#) have been correctly printed.

LAKEY, Chairman

[S 1238](#) was referred to the Commerce and Human Resources Committee.

[S 1239](#) was referred to the Education Committee.

[S 1240](#) was referred to the State Affairs Committee.

[S 1241](#) was referred to the Local Government and Taxation Committee.

January 22, 2024

The STATE AFFAIRS Committee reports out [S 1223](#), [S 1225](#), and [S 1236](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[S 1223](#), [S 1225](#), and [S 1236](#) 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

January 19, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Steven Bailey of Boise, Idaho, was appointed as the Director of the Department of Administration to serve a term commencing September 6, 2023, and continuing at the pleasure of the Governor.

This appointment is subject to confirmation by the Senate, and 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 19, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Patrick McDonald of Boise, Idaho, was reappointed to the Commission of Pardons and

Parole to serve a term commencing January 1, 2024, and expiring January 1, 2027.

This appointment is subject to confirmation by the Senate, and 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 19, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Ed Schriever of Boise, Idaho, was reappointed to the Northwest Power and Conservation Council to serve a term commencing January 15, 2024, and expiring January 15, 2027.

This appointment is subject to confirmation by the Senate, and 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 19, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Betty Coppersmith of Eagle, Idaho, was reappointed to the Oil and Gas Conservation Commission to serve a term commencing July 1, 2023, and expiring July 1, 2027.

This appointment is subject to confirmation by the Senate, and 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 19, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Margaret Chipman of Weiser, Idaho, was appointed to the Oil and Gas Conservation Commission to serve a term commencing August 15, 2023, and expiring July 1, 2026.

This appointment is subject to confirmation by the Senate, and 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 19, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Mitchell Watkins of Twin Falls, Idaho, was appointed to the Idaho Transportation Board to serve a term commencing January 31, 2024, and expiring January 31, 2030.

This appointment is subject to confirmation by the Senate, and 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.

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 the Health and Welfare Committee report relative to the Gubernatorial appointment of Clayton Steele was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Carlson, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Clayton Steele 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 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 the State Affairs Committee report relative to the Gubernatorial appointment of David Kim was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Anthon, the Gubernatorial appointment of David Kim

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 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 the State Affairs Committee report relative to the Gubernatorial appointment of Mary Pat Thompson 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 Ward-Engelking, the Gubernatorial appointment of Mary Pat Thompson as a member of the Idaho Endowment Fund Investment 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 the State Affairs Committee report relative to the Gubernatorial appointment of Representative Kenny Wroten was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Semmelroth, the Gubernatorial appointment of Representative Kenny Wroten as a member of the Idaho Endowment Fund Investment 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 Senate advanced to the Eleventh Order of Business.

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

**S 1242**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO POSTSECONDARY EDUCATION; AMENDING CHAPTER 59, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5909B, IDAHO CODE, TO PROHIBIT THE REQUIREMENT OF STATEMENTS REGARDING DIVERSITY AS A CONDITION OF EMPLOYMENT IN POSTSECONDARY EDUCATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1242](#) 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 1220](#) and [S 1226](#), by State Affairs Committee, were 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 Wintrow, by voice vote, the Senate adjourned at 11:28 a.m. until the hour of 11 a.m., Tuesday, January 23, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

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SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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SIXTEENTH LEGISLATIVE DAY  
TUESDAY, JANUARY 23, 2024

Senate Chamber

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

Roll call showed all members present except Senator Anthon, absent and formally excused by the Chair; and President Pro Tempore Winder and Senator Guthrie, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Owen Allen, 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, 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 Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

January 23, 2024

The JUDICIARY AND RULES Committee reports that [SJR 104](#) and [S 1242](#) have been correctly printed.

LAKEY, Chairman

[SJR 104](#) and [S 1242](#) were referred to the State Affairs Committee.

January 22, 2024

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:

Jason Kreizenbeck to the Idaho Judicial Council, term to expire July 1, 2026;

R. Todd Garbett to the Idaho Judicial Council, term to expire July 1, 2026.

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 23, 2024

The JUDICIARY AND RULES Committee reports out [S 1232](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [S 1232](#) was referred to the Fourteenth Order of Business, General Calendar.

President Pro Tempore Winder and Senator Guthrie were recorded present at this order of business.

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

### Messages from the House

January 22, 2024

Dear Mr. President:

I transmit herewith [H 387](#), which has passed the House.

MCGINNIS, Chief Clerk

[H 387](#) was 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 1243

#### BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO GRAZING; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 3, TITLE 58, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 58-303, IDAHO CODE, TO PROVIDE FOR CERTAIN GRAZING PERMITS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1244

#### BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 18-2318, IDAHO CODE, TO PROHIBIT ELECTIONEERING AT CERTAIN POLLING PLACES, TO PROVIDE CERTAIN EXCEPTIONS, TO PROVIDE PROVISIONS FOR ENFORCEMENT, AND TO REVISE PROVISIONS REGARDING PENALTIES FOR VIOLATIONS; AND DECLARING AN EMERGENCY.

[S 1243](#) and [S 1244](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 387](#), 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**

[S 1223](#), [S 1225](#), and [S 1236](#), 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 Lee, granted by unanimous consent, [S 1220](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1226](#) 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—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1226](#) passed, title was approved, and the bill ordered transmitted to the House.

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 Wintrow, by voice vote, the Senate adjourned at 11:19 a.m. until the hour of 11 a.m., Wednesday, January 24, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary



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SECOND REGULAR SESSION  
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SEVENTEENTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 24, 2024

Senate Chamber

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

Roll call showed all members present except Senators Okuniewicz, Semmelroth, and Trakel, absent and formally excused by the Chair; and Senator Guthrie, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Naomi Foster, Page.

The Senate advanced to the Third Order of Business.

Senator Guthrie was recorded present at this order of business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 23, 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.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

January 19, 2024

Dear President Pro Tempore,

I have the honor to inform you that pursuant to Title 67-412, I have designated Megan Egbert of Boise, Idaho, as a qualified substitute for Legislative District 17, Ada County, State of Idaho.

This appointment is effective Wednesday, January 24, 2024, and will continue until Friday, January 26, 2024.

Sincerely,  
/s/ Senator Semmelroth  
District 17

The President announced that the Oath of Office had been administered previously to Acting Senator Egbert, and she was recorded present at this order of business.

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 Sixth Order of Business.

### Reports of Standing Committees

January 24, 2024

The JUDICIARY AND RULES Committee reports that [S 1243](#) and [S 1244](#) have been correctly printed.

LAKEY, Chairman

[S 1243](#) was referred to the Resources and Environment Committee.

[S 1244](#) was referred to the Judiciary and Rules Committee.

January 23, 2024

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:

Jon Weber to the State Insurance Fund Board, term to expire November 30, 2024.

COOK, 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 23, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 385](#) with the recommendation that it do pass.

RICKS, Chairman

[H 385](#) was filed for second reading.

January 23, 2024

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

Dr. John MacMillan to the Board of Environmental Quality, term to expire July 1, 2027.

VANORDEN, Chairman

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

January 23, 2024

The TRANSPORTATION Committee reports out [S 1216](#) with the recommendation that it do pass.

OKUNIEWICZ, Chairman

[S 1216](#) was filed for second reading.

January 23, 2024

The TRANSPORTATION 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 Hoff to the Aeronautics Advisory Board, term to expire January 31, 2028.

OKUNIEWICZ, 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

January 23, 2024

Dear Mr. President:

I transmit herewith [H 409](#), which has passed the House.

MCGINNIS, Chief Clerk

[H 409](#) was filed for first reading.

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 Jason Kreizenbeck was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Ruchti, the Gubernatorial appointment of Jason Kreizenbeck as a member of the Idaho Judicial 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 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 the Judiciary and Rules Committee report relative to the Gubernatorial appointment of R. Todd Garbett was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Wintrow, the Gubernatorial appointment of R. Todd Garbett as a member of the Idaho Judicial 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 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 Senate advanced to the Eleventh Order of Business.

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

##### S 1245

#### BY COMMERCE AND HUMAN RESOURCES COMMITTEE

##### AN ACT

RELATING TO PESTICIDES; AMENDING CHAPTER 34, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-3427, IDAHO CODE, TO PROVIDE THAT CERTAIN LABELS SHALL BE SUFFICIENT TO SATISFY ANY REQUIREMENTS FOR A WARNING REGARDING

HEALTH OR SAFETY OR ANY OTHER PROVISION OR DOCTRINE OF STATE LAW; AMENDING CHAPTER 6, TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 48-620, IDAHO CODE, TO PROVIDE THAT CERTAIN LABELS SHALL BE SUFFICIENT TO SATISFY ANY REQUIREMENTS FOR A WARNING REGARDING HEALTH OR SAFETY OR ANY OTHER PROVISION OR DOCTRINE OF STATE LAW; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1246

#### BY COMMERCE AND HUMAN RESOURCES COMMITTEE

##### AN ACT

RELATING TO BOARD OF EDUCATION OPTIONAL RETIREMENT PROGRAM; AMENDING SECTION 33-107A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE BOARD'S OPTIONAL RETIREMENT PROGRAM, TO ALLOW CERTAIN EMPLOYEES A ONETIME ELECTION TO REMAIN MEMBERS OF A CERTAIN RETIREMENT PROGRAM, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1247

#### BY HEALTH AND WELFARE COMMITTEE

##### AN ACT

RELATING TO HEALTH; AMENDING TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 19, TITLE 56, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING EMERGENCY PROTECTIVE PLACEMENT OF PERSONS WITH A MAJOR NEUROCOGNITIVE DISORDER, AND TO REQUIRE REPORTING OF INSTANCES OF EMERGENCY PROTECTIVE PLACEMENT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1245](#), [S 1246](#), and [S 1247](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 409](#), 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

On request by Senator Anthon, granted by unanimous consent, [S 1220](#), [S 1225](#), and [S 1236](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1223](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Egbert (Semmelroth), Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Rabe, Ricks, Ruchti, Schroeder, Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Okuniewicz, Trakel. Total - 2.

Total - 35.

Whereupon the President declared [S 1223](#) 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 11:30 a.m. until the hour of 11 a.m., Thursday, January 25, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**EIGHTEENTH LEGISLATIVE DAY**  
**THURSDAY, JANUARY 25, 2024**

Senate Chamber

President Bedke 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 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 January 24, 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

January 25, 2024

The JUDICIARY AND RULES Committee reports that [S 1245](#), [S 1246](#), and [S 1247](#) have been correctly printed.

LAKEY, Chairman

[S 1245](#) and [S 1246](#) were referred to the Commerce and Human Resources Committee.

[S 1247](#) was referred to the Health and Welfare Committee.

January 24, 2024

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:

Keely Duke to the Idaho Judicial Council, term to expire July 1, 2027.

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.

January 24, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [S 1231](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BURTENSHAW, Chairman

There being no objection, [S 1231](#) 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

January 24, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Lisa Odom of Coeur d'Alene, Idaho, was appointed to the Idaho Health Insurance Exchange Board to serve a term commencing November 27, 2023, and expiring April 10, 2025.

This appointment is subject to confirmation by the Senate, and 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 24, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Claire Sharp of Meridian, Idaho, was appointed to the Idaho Industrial Commission to serve a term commencing February 5, 2024, and expiring January 13, 2027.

This appointment is subject to confirmation by the Senate, and 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 24, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Jeff McCray of Burley, Idaho, was appointed to the Multistate Tax Commission to serve a term commencing January 11, 2023, and continuing at the pleasure of the Governor.

This appointment is subject to confirmation by the Senate, and 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 24, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Ray Hinchcliff of Driggs, Idaho, was reappointed to the Oil and Gas Conservation Commission to serve a term commencing July 1, 2023, and expiring July 1, 2027.

This appointment is subject to confirmation by the Senate, and 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**

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

On motion by Senator Ricks, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Jon Weber 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 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 the Health and Welfare Committee report relative to the Gubernatorial reappointment of Dr. John MacMillan was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Zuiderveld, seconded by Senator Taylor, the Gubernatorial reappointment of Dr. John

MacMillan 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 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 the Transportation Committee report relative to the Gubernatorial appointment of James Hoff was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hart, seconded by Senator Just, the Gubernatorial appointment of James Hoff 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 his 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 1248**

#### **BY JUDICIARY AND RULES COMMITTEE**

##### **AN ACT**

RELATING TO SEXUAL OFFENDERS; AMENDING SECTION 18-8303, IDAHO CODE, TO REMOVE A DEFINITION AND TO REVISE DEFINITIONS; REPEALING SECTION 18-8312, IDAHO CODE, RELATING TO THE SEXUAL OFFENDER MANAGEMENT BOARD; REPEALING SECTION 18-8313, IDAHO CODE, RELATING TO REMOVAL OF BOARD MEMBERS; AMENDING SECTION 18-8314, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF CORRECTION SHALL HAVE CERTAIN POWERS AND DUTIES, TO REMOVE A PROVISION REGARDING A PROCESSING FEE, TO PROVIDE A CODE REFERENCE, TO AUTHORIZE CREATION OF AN ADVISORY PANEL, TO PROVIDE FOR MEMBERSHIP OF THE PANEL, TO PROVIDE FOR A CHAIR OF THE PANEL, TO PROVIDE THAT THE DEPARTMENT OF JUVENILE CORRECTIONS SHALL BE INCLUDED IN THE DEVELOPMENT AND APPROVAL OF CERTAIN STANDARDS, POLICIES, AND RULES, AND TO PROVIDE FOR CERTIFICATIONS IN GOOD STANDING; REPEALING SECTION 18-8315, IDAHO CODE, RELATING TO COMPLIANCE WITH OPEN MEETINGS; AMENDING SECTION 18-8316, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF CORRECTION SHALL COMPILE A ROSTER OF CERTIFIED EVALUATORS AND TO PROVIDE THAT THE DEPARTMENT OF CORRECTION SHALL ESTABLISH CERTAIN STANDARDS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1248](#) 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 385](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1216](#), by Transportation 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 1220](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 27.

NAYS—Egbert (Semmelroth), Foreman, Just, Rabe, Ruchti, Taylor, Ward-Engelking, Wintrow. Total - 8.

Total - 35.

Whereupon the President declared [S 1220](#) 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 12:12 p.m. until the hour of 9:30 a.m., Friday, January 26, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

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**NINETEENTH LEGISLATIVE DAY**  
**FRIDAY, JANUARY 26, 2024**

Senate Chamber

President Bedke called the Senate to order at 9:30 a.m.

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Draycen Lamm, 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 25, 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

January 26, 2024

The JUDICIARY AND RULES Committee reports that [S 1248](#) has been correctly printed.

LAKEY, Chairman

[S 1248](#) was referred to the Judiciary and Rules Committee.

January 25, 2024

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:

Carolyn Lodge to the Idaho Health Insurance Exchange Board, term to expire April 10, 2027;

Heidi Hart to the Idaho Health Insurance Exchange Board, term to expire April 10, 2027;

Robert Cuoio to the Idaho Health Insurance Exchange Board, term to expire April 10, 2025.

COOK, 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 26, 2024

The STATE AFFAIRS Committee reports out [SJR 104](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[SJR 104](#) was filed for second reading.

Senator Hart 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 1249

#### BY EDUCATION COMMITTEE AN ACT

RELATING TO SCHOOL FUNDS; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-912, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING TEACHER SPENDING ACCOUNTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1250

#### BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO LIQUOR; AMENDING SECTION 23-948, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSES FOR WATERFRONT RESORTS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

#### S 1251

#### BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES; AMENDING SECTION 67-6602, IDAHO CODE, TO REVISE A DEFINITION; AND DECLARING AN EMERGENCY.

#### S 1252

#### BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE NATIONAL GUARD; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2360, IDAHO CODE, TO PROVIDE FOR THE DEFEND THE GUARD ACT; AND DECLARING AN EMERGENCY.

[S 1249](#), [S 1250](#), [S 1251](#), and [S 1252](#) 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

Having been held, [S 1225](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Egbert (Semmelroth), Foreman, Grow, Guthrie, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Rucht, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Harris. Total - 1.

Total - 35.

Whereupon the President declared [S 1225](#) passed, title was approved, and the bill ordered transmitted to the House.

Having been held, [S 1236](#) 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?"

Pursuant to Senate Rule 39(H), Senator Okuniewicz disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Egbert (Semmelroth), Foreman, Guthrie, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Rucht, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Grow, Lenney. Total - 2.

Absent and excused—Harris. Total - 1.

Total - 35.

Whereupon the President declared [S 1236](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 385](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Egbert (Semmelroth), Foreman, Grow, Guthrie, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Rucht, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Harris. Total - 1.

Total - 35.

Whereupon the President declared [H 385](#) 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 Wintrow, by voice vote, the Senate adjourned at 10 a.m. until the hour of 11 a.m., Monday, January 29, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary



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**TWENTY-SECOND LEGISLATIVE DAY**  
**MONDAY, JANUARY 29, 2024**

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Liberty McGuire, 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, 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

January 29, 2024

The JUDICIARY AND RULES Committee reports that [S 1249](#), [S 1250](#), [S 1251](#), and [S 1252](#) have been correctly printed.

LAKEY, Chairman

[S 1249](#) was referred to the Education Committee.

[S 1250](#), [S 1251](#), and [S 1252](#) were referred to the State Affairs Committee.

January 29, 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:

Amy Bloem to the Idaho Lottery Commission, term to expire January 1, 2028.

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 Eleventh Order of Business.

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

#### S 1253

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO CHILDREN'S DEVICE PROTECTION; AMENDING TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 21, TITLE 48, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A DECLARATION OF POLICY, TO DEFINE TERMS, TO REQUIRE INTERNET FILTERING ON CERTAIN DEVICES, TO ESTABLISH PROVISIONS REGARDING MANUFACTURER LIABILITY, AND TO PROVIDE FOR ATTORNEY GENERAL PROCEEDINGS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1254

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO FIREFIGHTER'S DAY; AMENDING CHAPTER 1, TITLE 73, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 73-108D, IDAHO CODE, TO ESTABLISH MARCH 26 AS FIREFIGHTER'S DAY IN IDAHO; AND DECLARING AN EMERGENCY.

#### S 1255

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO PEACE OFFICER'S DAY; AMENDING CHAPTER 1, TITLE 73, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 73-108E, IDAHO CODE, TO ESTABLISH MARCH 13 AS PEACE OFFICER'S DAY IN IDAHO; AND DECLARING AN EMERGENCY.

#### S 1256

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO ELECTED PUBLIC OFFICIALS; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 4, TITLE 74, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 74-408, IDAHO CODE, TO ESTABLISH PROVISIONS FOR THE DISQUALIFICATION FROM OFFICE OF ELECTED PUBLIC OFFICIALS CONVICTED OF CERTAIN CRIMES WHILE IN OFFICE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1253](#), [S 1254](#), [S 1255](#), and [S 1256](#) 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

[SJR 104](#), 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 Winrow, by voice vote, the Senate adjourned at 11:13 a.m. until the hour of 11 a.m., Tuesday, January 30, 2024.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

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**TWENTY-THIRD LEGISLATIVE DAY**  
**TUESDAY, JANUARY 30, 2024**

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 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 29, 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

January 30, 2024

The JUDICIARY AND RULES Committee reports that [S 1253](#), [S 1254](#), [S 1255](#), and [S 1256](#) have been correctly printed.

LAKEY, Chairman

[S 1253](#), [S 1254](#), [S 1255](#), and [S 1256](#) were referred to the State Affairs Committee.

January 29, 2024

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:

Erik Lehtinen as the State Appellate Public Defender, term to expire August 1, 2026;

Erik Lehtinen to the State Public Defense Commission, term to expire July 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.

January 29, 2024

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:

Don Ebert to the Idaho Fish and Game Commission, term to expire June 30, 2027.

BURTENSHAW, 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 29, 2024

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Idaho Department of Fish and Game appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Brad Compton to the Idaho Outfitters and Guides Licensing Board, term to expire June 1, 2026.

BURTENSHAW, Chairman

The Idaho Department of Fish and Game 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 29, 2024

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:

Patrick Purdy to the Board of Environmental Quality, term to expire July 1, 2027.

VANORDEN, 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 29, 2024

The EDUCATION Committee reports out [S 1239](#) with the recommendation that it do pass.

LENT, Chairman

[S 1239](#) 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 29, 2024

Dear Mr. President:

I transmit herewith [H 406](#), which has passed the House.

MCGINNIS, Chief Clerk

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

January 30, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 385](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President Pro Tempore signed Enrolled [H 385](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

#### **Motions and Resolutions**

On request by Senator Anthon, granted by unanimous consent, [SCR 109](#) was recommitted to the State Affairs Committee.

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

On motion by Senator Anthon, seconded by Senator Ruchti, the Gubernatorial appointment of Eric Fredericksen as the State Public Defender 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 the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Keely Duke was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Lakey disclosed a possible conflict of interest under applicable law.

On motion by Senator Wintrow, seconded by Senator Lee, the Gubernatorial appointment of Keely Duke as a member of the Idaho Judicial 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 appointment confirmation for his 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 Senate advanced to the Eleventh Order of Business.

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

##### **S 1257**

#### **BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT**

RELATING TO NAVIGATIONAL ENCROACHMENTS; AMENDING SECTION 58-1312, IDAHO CODE, TO DEFINE A PHRASE AND TO REVISE A PROVISION REGARDING CERTAIN DOCUMENTATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1257](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 406](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

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 Wintrow, by voice vote, the Senate adjourned at 11:32 a.m. until the hour of 11 a.m., Wednesday, January 31, 2024.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**TWENTY-FOURTH LEGISLATIVE DAY**  
**WEDNESDAY, JANUARY 31, 2024**

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Caitlyn Ross, 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 30, 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

January 31, 2024

The JUDICIARY AND RULES Committee reports that [S 1257](#) has been correctly printed.

LAKEY, Chairman

[S 1257](#) was referred to the Resources and Environment Committee.

January 30, 2024

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

Mitchell Watkins to the Idaho Transportation Board, term to expire January 31, 2030.

OKUNIEWICZ, 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 31, 2024

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:

Julie Ann Triepke to the Idaho Health Insurance Exchange Board, term to expire April 10, 2025;

Michael Brassey to the Idaho Personnel Commission, term to expire July 1, 2029.

COOK, 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 31, 2024

The STATE AFFAIRS Committee reports out [S 1250](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[S 1250](#) 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

January 29, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Todd Lakey of Nampa, Idaho, was reappointed to the State Insurance Fund Board to serve a term commencing January 20, 2023, and expiring January 20, 2025.

This appointment is subject to confirmation by the Senate, and 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 29, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Janelle White of Boise, Idaho, was appointed as the Administrator of the Division of Human Resources to serve a term commencing January 14, 2024, and continuing at the pleasure of the Governor.

This appointment is subject to confirmation by the Senate, and 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.

The Senate advanced to the Ninth Order of Business.

#### **Messages from the House**

January 30, 2024

Dear Mr. President:

I transmit herewith [H 390](#) and [H 422](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 390](#) and [H 422](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

#### **Motions and Resolutions**

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Carolyn Lodge was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Lee, the Gubernatorial reappointment of Carolyn Lodge as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore 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.

On request by Senator Anthon, granted by unanimous consent, the committee report relative to the Gubernatorial appointment of Heidi Hart retained its place on the calendar for Monday, February 5, 2024.

On request by Senator Anthon, granted by unanimous consent, the committee report relative to the Gubernatorial appointment of Robert Cuoio retained its place on the calendar for one legislative day.

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

On motion by Senator Toews, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Amy Bloem as a member of the Idaho Lottery Commission was confirmed by voice vote.

The President Pro Tempore 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.

On request by Senator Anthon, granted by unanimous consent, the committee report relative to the Gubernatorial appointments of Erik Lehtinen retained its place on the calendar for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the committee report relative to the Gubernatorial appointment of Don Ebert retained its place on the calendar for one legislative day.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Patrick Purdy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Taylor, seconded by Senator Bernt, the Gubernatorial appointment of Patrick Purdy as a member of the Board of Environmental Quality was confirmed by voice vote.

The President Pro Tempore 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.

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 1258**

##### **BY TRANSPORTATION COMMITTEE**

##### **AN ACT**

RELATING TO ABANDONMENT AND VACATION OF COUNTY HIGHWAYS OR PUBLIC RIGHTS-OF-WAY; AMENDING SECTION 40-203, IDAHO CODE, TO REVISE PROVISIONS REGARDING ABANDONMENT OF CERTAIN RIGHTS-OF-WAY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### **S 1259**

##### **BY COMMERCE AND HUMAN RESOURCES COMMITTEE**

##### **AN ACT**

RELATING TO DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF LABOR; AMENDING SECTION 72-1382, IDAHO CODE, TO PROVIDE FOR SECRET BALLOT ELECTIONS AND OTHER REQUIREMENTS FOR AN EMPLOYER TO RECOGNIZE, CERTIFY, OR COLLECTIVELY BARGAIN WITH A REPRESENTATIVE OF EMPLOYEES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### **S 1260**

##### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO CITY ELECTIONS; AMENDING SECTION 50-405, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN CITY ELECTIONS FOR UNOPPOSED OFFICES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1261**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO STATE EMPLOYEE TELEWORK; AMENDING CHAPTER 10, TITLE 59, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 59-1027, IDAHO CODE, TO ESTABLISH CERTAIN REQUIREMENTS FOR STATE EMPLOYEE TELEWORK POLICY AND SCHEDULES, TO DEFINE TERMS, AND TO REQUIRE CERTAIN REPORTING; AND DECLARING AN EMERGENCY.

[S 1258](#), [S 1259](#), [S 1260](#), and [S 1261](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 390](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 422](#), 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**

[S 1239](#), by Education 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 Wintrow, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 11 a.m., Thursday, February 1, 2024.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**TWENTY-FIFTH LEGISLATIVE DAY**  
**THURSDAY, FEBRUARY 1, 2024**

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 Simon Salisbury, 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 31, 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 1, 2024

The JUDICIARY AND RULES Committee reports that [S 1258](#), [S 1259](#), [S 1260](#), and [S 1261](#) have been correctly printed.

LAKEY, Chairman

[S 1258](#) was referred to the Transportation Committee.

[S 1259](#) was referred to the Commerce and Human Resources Committee.

[S 1260](#) and [S 1261](#) were referred to the State Affairs Committee.

January 31, 2024

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:

Ed Schriever to the Northwest Power and Conservation Council, term to expire January 15, 2027.

BURTENSHAW, 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 31, 2024

The JUDICIARY AND RULES Committee reports out [S 1244](#) with the recommendation that it do pass.

LAKEY, Chairman

[S 1244](#) was filed for second reading.

January 31, 2024

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:

Michael Ross to the Commission of Pardons and Parole, term to expire January 1, 2027;

Patrick McDonald to the Commission of Pardons and Parole, term to expire January 1, 2027.

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.

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

### Messages from the House

January 31, 2024

Dear Mr. President:

I transmit herewith [H 415](#), which has passed the House.

MCGINNIS, Chief Clerk

[H 415](#) was filed for first reading.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

Having been held, the President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Robert Cuoio was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ruchti, seconded by Senator Schroeder, the Gubernatorial appointment of Robert Cuoio as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore 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.



Having been held, the President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Erik Lehtinen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Ruchti, the Gubernatorial appointment of Erik Lehtinen as the State Appellate Public Defender was confirmed by voice vote.

The President Pro Tempore 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.

Having been held, the President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Erik Lehtinen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Ruchti, the Gubernatorial appointment of Erik Lehtinen as a member of the State Public Defense Commission was confirmed by voice vote.

The President Pro Tempore 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.

Having been held, the President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Don Ebert was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hart, seconded by Senator Just, the Gubernatorial reappointment of Don Ebert as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President Pro Tempore 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.

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Idaho Department of Fish and Game reappointment of Brad Compton was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bernt, seconded by Senator Ruchti, the Idaho Fish and Game reappointment of Brad Compton as a member of the Idaho Outfitters and Guides Licensing Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Idaho Department of Fish and Game Commission informing them 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 1262**

**BY JUDICIARY AND RULES COMMITTEE**

**AN ACT**

RELATING TO COMMUNICATIONS SECURITY; AMENDING SECTION 18-6710, IDAHO CODE, TO PROVIDE FOR THE USE OF TELECOMMUNICATION, EMAIL, TEXT MESSAGE, AND OTHER FORMS OF ELECTRONIC COMMUNICATION, TO REVISE A DEFINITION, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1263**

**BY JUDICIARY AND RULES COMMITTEE**

**AN ACT**

RELATING TO LIENS FOR PERFORMANCE OF FUTURE OBLIGATIONS; AMENDING SECTION 45-108, IDAHO CODE, TO PROVIDE FOR OBLIGATIONS SECURED BY DEEDS OF TRUST AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1264**

**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 1265**

**BY LOCAL GOVERNMENT AND TAXATION  
COMMITTEE**

**AN ACT**

RELATING TO AUDITS OF LOCAL GOVERNMENTAL ENTITIES; AMENDING SECTION 67-450B, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MINIMUM REQUIREMENTS FOR AN AUDIT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1266**

**BY FINANCE COMMITTEE**

**AN ACT**

RELATING TO APPROPRIATIONS TO PUBLIC SAFETY FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2025;

APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE APPROPRIATION FROM SPECIFIC PROGRAM TRANSFER LIMITATIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE TREATMENT OF HEPATITIS C; PROVIDING FOR ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1267**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO APPROPRIATIONS TO THE CONSTITUTIONAL OFFICERS FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE APPROPRIATION TO THE EXECUTIVE OFFICE OF THE GOVERNOR FROM EXPENSE CLASS AND PROGRAM TRANSFER LIMITATIONS; EXEMPTING THE APPROPRIATION TO THE ATTORNEY GENERAL FROM EXPENSE CLASS AND PROGRAM TRANSFER LIMITATIONS; EXEMPTING THE APPROPRIATION TO THE OFFICE OF THE LIEUTENANT GOVERNOR FROM EXPENSE CLASS TRANSFER LIMITATIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE DATA PROCESSING SERVICES FUND; PROVIDING REAPPROPRIATION AUTHORITY FOR THE GENERAL FUND FOR BEHAVIORAL HEALTH REPORTING; PROVIDING REQUIREMENTS REGARDING PAYMENT OF BANK SERVICE FEES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1268**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO HEALTH AND HUMAN SERVICES; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF CHILD WELFARE, SERVICES FOR THE DEVELOPMENTALLY DISABLED, SERVICE INTEGRATION, DIVISION OF WELFARE, DIVISION OF MEDICAID, PUBLIC HEALTH SERVICES, LICENSING AND CERTIFICATION, SUBSTANCE ABUSE TREATMENT AND PREVENTION, MENTAL HEALTH SERVICES, PSYCHIATRIC HOSPITALIZATION, INDEPENDENT COUNCILS, AND THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2025; 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; CLARIFYING THE RESPONSIBILITY FOR THE EDUCATION OF CERTAIN CHILDREN IN STATE CARE; DIRECTING THE USE

OF CHILD ABUSE PROTECTION TREATMENT ACT FUNDS; PROHIBITING THE TRANSFER OF PERSONNEL COSTS; REQUIRING MONTHLY MEDICAID TRACKING REPORTS; ALLOWING FOR TRANSFER OF APPROPRIATIONS BETWEEN MEDICAID PROGRAMS; REQUIRING A REPORT ON MEDICAID MANAGED CARE IMPLEMENTATION; REQUIRING COST-SHARING FOR SERVICES; PROVIDING REQUIREMENTS FOR BUDGET INTEGRITY FOR MEDICAID; DIRECTING THE USE OF MONEYS FOR SUICIDE PREVENTION AND AWARENESS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE COOPERATIVE WELFARE FUND TO THE RURAL PHYSICIAN INCENTIVE FUND; ALLOCATING FUNDING FOR THE HOME VISITATION PROGRAM; DIRECTING THE USE OF MONEYS FOR PROJECT ECHO; ALLOCATING FUNDING FOR SMOKING CESSATION; DIRECTING EXPENDITURES FOR PROJECT FILTER; REQUIRING REPORTS ON FACILITY LICENSING AND CERTIFICATION; LIMITING THE TRANSFER OF LEGISLATIVE APPROPRIATIONS BETWEEN MENTAL HEALTH SERVICES AND PSYCHIATRIC HOSPITALIZATION; DIRECTING AN INTERAGENCY PAYMENT FOR A JUVENILE DETENTION CLINICIANS CONTRACT; REQUIRING REPORTS REGARDING FUNDING FOR BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS; PROVIDING EXEMPTIONS FROM TRANSFER LIMITATIONS FOR THE COMMUNITY HOSPITALIZATION PROGRAM; PROVIDING FOR ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1269**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO APPROPRIATIONS TO NATURAL RESOURCES; APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE ENDOWMENT FUND INVESTMENT BOARD FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REMEDIATION PROJECT REPORTING REQUIREMENTS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE WATER POLLUTION CONTROL FUND TO THE ENVIRONMENTAL REMEDIATION BASIN FUND FOR FISCAL YEAR 2025; PROVIDING REQUIREMENTS FOR THE WATER POLLUTION CONTROL FUND; PROVIDING REAPPROPRIATION AUTHORITY FOR THE ARPA STATE FISCAL RECOVERY FUND; PROVIDING REQUIREMENTS FOR THE USE OF THE ARPA STATE FISCAL RECOVERY FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY (GENERAL) FUND TO THE AGRICULTURAL BEST MANAGEMENT PRACTICES FUND FOR FISCAL YEAR 2025; PROVIDING A CONTINUOUS APPROPRIATION FOR CERTAIN COSTS FOR THE ENDOWMENT FUND INVESTMENT BOARD; PROVIDING REQUIREMENTS FOR THE TRANSFER

OF MONEYS FROM EARNINGS RESERVE FUNDS TO INCOME FUNDS; EXEMPTING THE APPROPRIATION FOR THE FOREST AND RANGE FIRE PROTECTION PROGRAM FROM EXPENSE CLASS TRANSFER LIMITATIONS; EXEMPTING THE APPROPRIATION FOR THE CAPITAL DEVELOPMENT PROGRAM FROM PROGRAM TRANSFER LIMITATIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE CAPITAL DEVELOPMENT PROGRAM; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT, AND IMPLEMENTATION FUND FOR FISCAL YEAR 2025; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER MANAGEMENT FUND FOR FISCAL YEAR 2025; PROVIDING FOR ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1270**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO APPROPRIATIONS TO ECONOMIC DEVELOPMENT; APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE COMMISSION ON HISPANIC AFFAIRS FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE OFFICE OF THE STATE PUBLIC DEFENDER FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE OFFICE OF ADMINISTRATIVE HEARINGS FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REQUIREMENTS REGARDING THE WATERCRAFT INSPECTION PROGRAM FOR THE DEPARTMENT OF AGRICULTURE; PROVIDING REQUIREMENTS FOR TRUSTEE AND BENEFIT PAYMENTS DISTRIBUTION FOR THE SOIL AND WATER CONSERVATION COMMISSION; PROVIDING REAPPROPRIATION AUTHORITY FOR THE IDAHO BROADBAND FUND FOR THE DEPARTMENT OF COMMERCE; PROVIDING REAPPROPRIATION

AUTHORITY FOR THE ARPA CAPITAL PROJECTS FUND FOR THE DEPARTMENT OF COMMERCE; PROVIDING REAPPROPRIATION AUTHORITY FOR THE FEDERAL GRANT FUND FOR THE DEPARTMENT OF COMMERCE; PROVIDING REAPPROPRIATION AUTHORITY FOR THE AMERICAN RESCUE PLAN FUND FOR THE DEPARTMENT OF COMMERCE; DIRECTING THE USE OF BROADBAND GRANTS FOR THE DEPARTMENT OF COMMERCE; PROVIDING FOR CONTINUOUS APPROPRIATION FOR THE MORTGAGE RECOVERY FUND FOR THE DEPARTMENT OF FINANCE; REAFFIRMING STATUTORY COMPLIANCE REGARDING TELEHEALTH FACILITIES FOR THE IDAHO COMMISSION FOR LIBRARIES; PROVIDING CONTINUOUS APPROPRIATION AUTHORITY FOR CERTAIN EXPENDITURES FOR THE IDAHO STATE LOTTERY; PROVIDING AN EXEMPTION FROM PROGRAM TRANSFER LIMITATIONS FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; PROVIDING A CONTINUOUS APPROPRIATION FOR CERTAIN EXPENDITURES FOR THE IDAHO TRANSPORTATION DEPARTMENT; PROVIDING FOR ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1262](#), [S 1263](#), [S 1264](#), [S 1265](#), [S 1266](#), [S 1267](#), [S 1268](#), [S 1269](#), and [S 1270](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 415](#), 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 1250](#), 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 1216](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Harris, Hart, Hartgen, Herndon, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 26.

NAYS—Guthrie, Just, Lee, Rabe, Ruchti, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 9.

Total - 35.

Whereupon the President Pro Tempore declared [S 1216](#) passed, title was approved, and the bill ordered transmitted to the House.

[SJR 104](#) 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 resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Bjerke, Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Zuiderveld. Total - 10.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared [SJR 104](#) 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 Wintrow, by voice vote, the Senate adjourned at 11:57 a.m. until the hour of 11 a.m., Friday, February 2, 2024.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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TWENTY-SIXTH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 2, 2024

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Abigail Spiers, 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, 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 Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SCR 111

#### BY AGRICULTURAL AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE STATE BOARD OF EDUCATION TO INVESTIGATE OPPORTUNITIES AND COMMENCE PRELIMINARY CONVERSATIONS WITH THE STATE OF UTAH TO ESTABLISH AN OPERATING AGREEMENT FOR IDAHO STUDENTS TO PARTICIPATE IN UTAH'S VETERINARY PROGRAM SIMILAR TO THE EXISTING PROGRAM WITH WASHINGTON STATE UNIVERSITY.

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

WHEREAS, the Idaho Legislature recognizes the value of the livestock industries to the state's economy, communities, and families; and

WHEREAS, the combined revenues of the largest sectors of the state's livestock industry exceeds 6.4 billion dollars, with an even larger overall economic impact throughout the state; and

WHEREAS, many of the supporting sectors and other crop commodities that are produced in the state go to serve the needs of the state's livestock industry; and

WHEREAS, the need and availability of animal care professionals and veterinarian services remain a top concern for the animal agricultural industry in the state; and

WHEREAS, the lack of available livestock veterinary services in the state's most rural areas is also of significant concern; and

WHEREAS, the state of Idaho does not have a veterinarian school; and

WHEREAS, the state of Idaho already has an operating agreement with Washington State University to allow Idaho students to participate in its veterinary training program; and

WHEREAS, the state of Utah will soon open its new veterinary medicine school at Utah State University to start training students; and

WHEREAS, the University of Idaho, College of Agriculture and Life Sciences held a workgroup made up of industry representatives, university professionals, and state leaders to research the needs of the livestock industry in the state and the opportunities that the state might pursue to help address the needs for trained veterinarians in the state; and

WHEREAS, the possibility of pursuing an interstate veterinary training program with the state of Utah was one of the items identified by the workgroup as a possible consideration.

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 we authorize the State Board of Education to investigate opportunities and commence preliminary conversations with the state of Utah to establish an operating agreement for Idaho students to participate in Utah's veterinary program similar to the existing program with Washington State University.

BE IT FURTHER RESOLVED that the State Board of Education report back to the Legislature their findings and outcomes from the conversations with the state of Utah and Utah State University.

[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

February 2, 2024

The JUDICIARY AND RULES Committee reports that [S 1262](#), [S 1263](#), [S 1264](#), [S 1265](#), [S 1266](#), [S 1267](#), [S 1268](#), [S 1269](#), and [S 1270](#) have been correctly printed.

LAKEY, Chairman

[S 1262](#) and [S 1263](#) were referred to the Judiciary and Rules Committee.

[S 1264](#) and [S 1265](#) were referred to the Local Government and Taxation Committee.

[S 1266](#), [S 1267](#), [S 1268](#), [S 1269](#), and [S 1270](#) were referred to the Finance Committee.

February 1, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1234](#) with the recommendation that it do pass.

COOK, Chairman

[S 1234](#) was filed for second reading.

February 2, 2024

The STATE AFFAIRS Committee reports out [S 1218](#), [S 1235](#), and [S 1251](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[S 1218](#), [S 1235](#), and [S 1251](#) 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 1, 2024

Dear Mr. President:

I transmit herewith [H 402](#), [H 404](#), and [H 410](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 402](#), [H 404](#), and [H 410](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

#### **Motions and Resolutions**

On request by Senator Anthon, granted by unanimous consent, the committee report relative to the Gubernatorial appointment of Mitchell Watkins retained its place on the calendar for one legislative day.

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

On motion by Senator Bernt, seconded by Senator Taylor, the Gubernatorial appointment of Julie Ann Triepke as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore 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 Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Michael Brassey was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Lakey, the Gubernatorial reappointment of Michael Brassey as a member of the Idaho Personnel Commission was confirmed by voice vote.

The President Pro Tempore 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.

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Ed Schriever was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burtenshaw, seconded by Senator Semmelroth, the Gubernatorial reappointment of Ed Schriever as a member of the Northwest Power and Conservation Council was confirmed by voice vote.

The President Pro Tempore 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.

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 1271**

#### **BY COMMERCE AND HUMAN RESOURCES COMMITTEE**

##### **AN ACT**

RELATING TO THE DEPARTMENT OF COMMERCE; REPEALING SECTION 67-4725, IDAHO CODE, RELATING TO THE IDAHO GLOBAL ENTREPRENEURIAL MISSION GRANT FUND; REPEALING SECTION 67-4726, IDAHO CODE, RELATING TO THE IDAHO GLOBAL ENTREPRENEURIAL MISSION COUNCIL; REPEALING SECTION 67-4729, IDAHO CODE, RELATING TO THE DEPARTMENT OF COMMERCE AND IGEN COUNCIL; REPEALING SECTION 67-4730, IDAHO CODE, RELATING TO IDAHO GLOBAL ENTREPRENEURIAL MISSION RESEARCH; REPEALING SECTION 67-4731, IDAHO CODE, RELATING TO COMMERCIALIZATION REVENUE DISTRIBUTION; PROVIDING THAT CERTAIN ADMINISTRATIVE RULES SHALL BE NULL, VOID, AND OF NO FORCE AND EFFECT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### **S 1272**

#### **BY HEALTH AND WELFARE COMMITTEE**

##### **AN ACT**

RELATING TO THE IDAHO SAFE HAVEN ACT; AMENDING SECTION 39-8202, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-8203, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING NEWBORN SAFETY DEVICES; AMENDING SECTION 39-8205, IDAHO CODE, TO PROVIDE FOR NEWBORN SAFETY DEVICES; AMENDING SECTION 39-8206, IDAHO CODE, TO PROVIDE FOR NEWBORN SAFETY DEVICES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### **S 1273**

#### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO ELECTION VOTER GUIDES; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 8, TITLE 34, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING CERTAIN DUTIES OF THE SECRETARY OF STATE, TO ESTABLISH CONTENT AND FORM REQUIREMENTS FOR VOTERS' GUIDES, AND TO PROVIDE REQUIREMENTS REGARDING THE DISTRIBUTION OF VOTERS' GUIDES; AMENDING SECTION 34-1812C, IDAHO CODE, TO SPECIFY CERTAIN COMPLIANCE REQUIREMENTS REGARDING THE PREPARATION OF VOTER PAMPHLETS BY THE

SECRETARY OF STATE AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**S 1274**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO POSTSECONDARY EDUCATION; AMENDING CHAPTER 59, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5909B, IDAHO CODE, TO PROHIBIT THE REQUIREMENT OF STATEMENTS REGARDING DIVERSITY AS A CONDITION OF EMPLOYMENT IN POSTSECONDARY EDUCATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1275**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO PARTIES TO ACTIONS; AMENDING SECTION 5-341, IDAHO CODE, TO PROVIDE IMMUNITY FOR EMPLOYERS WHO ALLOW OR DO NOT PROHIBIT EMPLOYEES TO LAWFULLY CARRY FIREARMS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1271](#), [S 1272](#), [S 1273](#), [S 1274](#), and [S 1275](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 402](#) and [H 404](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 410](#), 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 1244](#), by Judiciary and Rules 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 Wintrow, by voice vote, the Senate adjourned at 11:30 a.m. until the hour of 11 a.m., Monday, February 5, 2024.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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TWENTY-NINTH LEGISLATIVE DAY  
MONDAY, FEBRUARY 5, 2024

Senate Chamber

President Bedke 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 Regan Ybarra, 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, 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 5, 2024

The JUDICIARY AND RULES Committee reports that [SCR 111](#), [S 1271](#), [S 1272](#), [S 1273](#), [S 1274](#), and [S 1275](#) have 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.

[S 1271](#) was referred to the Commerce and Human Resources Committee.

[S 1272](#) was referred to the Health and Welfare Committee.

[S 1273](#), [S 1274](#), and [S 1275](#) were referred to the State Affairs Committee.

February 2, 2024

The FINANCE Committee reports out [S 1266](#), [S 1267](#), [S 1268](#), [S 1269](#), and [S 1270](#) with the recommendation that they do pass.

GROW, Chairman

[S 1266](#), [S 1267](#), [S 1268](#), [S 1269](#), and [S 1270](#) were filed for second reading.

February 5, 2024

The STATE AFFAIRS Committee reports out [S 1253](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[S 1253](#) was 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, the committee report relative to the Gubernatorial reappointment of Heidi Hart retained its place on the calendar for one legislative day.

On request by Senator Anthon, granted by unanimous consent, the committee report relative to the Gubernatorial appointment of Mitchell Watkins retained its place on the calendar for one legislative day.

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

On motion by Senator Wintrow, seconded by Senator Lee, the Gubernatorial reappointment 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 reappointment 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 the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Patrick McDonald was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hartgen, seconded by Senator Taylor, the Gubernatorial reappointment 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 reappointment confirmation for his 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 Twelfth Order of Business.

### Second Reading of Bills

[S 1234](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1218](#), [S 1235](#), and [S 1251](#), 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 1239](#) retained its place on the Third Reading Calendar for one legislative day.



[S 1250](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nichols 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, Carlson, Den Hartog, Guthrie, Harris, Hart, Hartgen, Just, Lakey, Lenney, Nichols, Okuniewicz, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 25.

NAYS—Burtenshaw, Cook, Foreman, Grow, Herndon, Lee, Lent, Ricks, Trakel, VanOrden. Total - 10.

Total - 35.

Whereupon the President declared [S 1250](#) 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 11:28 a.m. until the hour of 10:30 a.m., Tuesday, February 6, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

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## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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THIRTIETH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 6, 2024

Senate Chamber

President Pro Tempore Winder called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Anthon and Rucht, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Owen Allen, 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, 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 Lee, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SJR 105 BY EDUCATION COMMITTEE A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 9, ARTICLE IX OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO SCHOOL ATTENDANCE; 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 105](#) 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 5, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [S 1243](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[S 1243](#) was filed for second reading.

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

### Messages from the House

February 5, 2024

Dear Mr. President:

I transmit herewith [H 412](#), [H 413](#), [H 414](#), [H 428](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), and [H 433](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 412](#), [H 413](#), [H 414](#), [H 428](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), and [H 433](#) 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 1276

#### BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO PAYMENTS TO THE COURT; AMENDING SECTION 31-3221, IDAHO CODE, TO REVISE A PROVISION REGARDING AN ELECTRONIC PAYMENT CONVENIENCE FEE AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1277

#### BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO ADDRESS CONFIDENTIALITY FOR JUDICIAL OFFICERS; AMENDING SECTION 19-6001, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 179, LAWS OF 2023, TO REDESIGNATE THE SECTION, TO DEFINE A TERM, AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1278

#### BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 18-8005, IDAHO CODE, TO REVISE A PROVISION REGARDING AN IGNITION INTERLOCK SYSTEM AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1279

#### BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO NAVIGATIONAL ENCROACHMENTS; AMENDING SECTION 58-1312, IDAHO CODE, TO DEFINE A PHRASE AND TO REVISE A PROVISION REGARDING

CERTAIN DOCUMENTATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1280**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO ADOPTION PROCEEDINGS; AMENDING SECTION 16-1506, IDAHO CODE, TO PROVIDE AN EXCEPTION FOR RESIDENCY REQUIREMENTS IN ADOPTION PROCEEDINGS, TO PROVIDE THAT A CHILD MUST HAVE LIVED WITH AN ADOPTION PETITIONER FOR AT LEAST SIX MONTHS IN CERTAIN CASES, TO REVISE PROVISIONS REGARDING ADOPTION PROCEEDINGS, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1281**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO TEMPORARY CARE ASSISTANCE PROGRAMS; AMENDING SECTION 32-1805, IDAHO CODE, TO REVISE PROVISIONS REGARDING CRIMINAL HISTORY AND BACKGROUND CHECKS FOR POTENTIAL TEMPORARY CAREGIVERS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1276](#), [S 1277](#), [S 1278](#), [S 1279](#), [S 1280](#), and [S 1281](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 412](#), [H 413](#), and [H 414](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[H 428](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), and [H 433](#), 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 1266](#), [S 1267](#), [S 1268](#), [S 1269](#), and [S 1270](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1253](#), 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**

President Bedke assumed the Chair.

On request by Senator Lee, granted by unanimous consent, [S 1239](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1244](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen 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, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe,

Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 23.

NAYS—Bjerke, Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 12.

Paired and voting included in roll call:

AYE - Ruchti                                      NAY - Toews

Total - 35.

Whereupon the President declared [S 1244](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lee, granted by unanimous consent, [S 1234](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1218](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bjerke, Carlson, Guthrie, Herndon, Lenney, Schroeder, Taylor, Toews, Ward-Engelking, Wintrow, Zuiderveld. Total - 12.

NAYS—Adams, Bernt, Burtenshaw, Cook, Den Hartog, Foreman, Grow, Harris, Hart, Hartgen, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Semmelroth, Trakel, VanOrden, Winder. Total - 22.

Absent and excused—Ruchti. Total - 1.

Total - 35.

Whereupon the President declared that [S 1218](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1235](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Bjerke, Carlson, Den Hartog, Foreman, Grow, Guthrie, Hart, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 22.

NAYS—Bernt, Burtenshaw, Cook, Harris, Hartgen, Just, Rabe, Schroeder, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 12.

Absent and excused—Ruchti. Total - 1.

Total - 35.

Whereupon the President declared [S 1235](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1251](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 30.

NAYS—Carlson, Foreman, Hart, Herndon. Total - 4.

Absent and excused—Ruchti. Total - 1.

Total - 35.

Whereupon the President declared [S 1251](#) passed, title was approved, and the bill ordered transmitted to the House.

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 Wintrow, by voice vote, the Senate adjourned at 11:46 a.m. until the hour of 10:30 a.m., Wednesday, February 7, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

THIRTY-FIRST LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 7, 2024

Senate Chamber

President Pro Tempore Winder 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 Naomi Foster, 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 6, 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 7, 2024

The JUDICIARY AND RULES Committee reports that [SJR 105](#), [S 1276](#), [S 1277](#), [S 1278](#), [S 1279](#), [S 1280](#), and [S 1281](#) have been correctly printed.

LAKEY, Chairman

[SJR 105](#) was referred to the State Affairs Committee.

[S 1276](#), [S 1277](#), and [S 1278](#) were referred to the Judiciary and Rules Committee.

[S 1279](#) was referred to the Resources and Environment Committee.

[S 1280](#) and [S 1281](#) were referred to the Judiciary and Rules Committee.

February 6, 2024

The TRANSPORTATION Committee reports out [S 1258](#) with the recommendation that it do pass.

OKUNIEWICZ, Chairman

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

February 6, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1245](#) with the recommendation that it do pass.

COOK, Chairman

[S 1245](#) was filed for second reading.

February 6, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 410](#) and [S 1265](#) with the recommendation that they do pass.

RICKS, Chairman

[H 410](#) and [S 1265](#) were filed for second reading.

February 6, 2024

The HEALTH AND WELFARE Committee reports out [S 1247](#) with the recommendation that it do pass.

VANORDEN, Chairman

[S 1247](#) was filed for second reading.

February 7, 2024

The STATE AFFAIRS Committee reports out [S 1260](#) and [S 1261](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[S 1260](#) and [S 1261](#) 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 1282

#### BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO TEMPORARY VEHICLE REGISTRATION PERMITS; AMENDING SECTION 49-523, IDAHO CODE, TO REVISE A PROVISION REGARDING TEMPORARY VEHICLE REGISTRATION PERMITS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1283

#### BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1302, IDAHO CODE, TO REVISE A DEFINITION; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### S 1284

#### BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO HOSPITAL AND NURSING CARE LIENS; AMENDING SECTION 45-702, IDAHO CODE, TO REQUIRE COPIES OF CLAIMS AND LIENS TO BE SENT BY CERTIFIED MAIL AND TO MAKE TECHNICAL

CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1285**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO PAYDAY LOAN PROCEDURES; AMENDING SECTION 28-46-412, IDAHO CODE, TO PROVIDE A LIMITATION ON THE APR OF PAYDAY LOANS AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1286**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO HOMEOWNER'S ASSOCIATIONS; AMENDING CHAPTER 32, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-3213, IDAHO CODE, TO PROHIBIT HOMEOWNER'S ASSOCIATIONS FROM TAKING ANY ACTION TO REQUIRE GRASS LAWNS AND TO PROVIDE FOR CERTAIN RULES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1287**  
**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO HEALTH; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 73, TITLE 39, IDAHO CODE, TO PROHIBIT THE JURISDICTION OF CERTAIN HEALTH ORGANIZATIONS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

**S 1288**  
**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO YOUTH ATHLETES; AMENDING SECTION 33-1625, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING CHIROPRACTIC PHYSICIANS AND EVALUATION OF YOUTH ATHLETES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1289**  
**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO CHILDREN'S SCHOOL AND LIBRARY PROTECTION; AMENDING CHAPTER 15, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-1517B, IDAHO CODE, TO DEFINE TERMS, TO REQUIRE EVERY LIBRARY TO ESTABLISH A LIBRARY MATERIALS REVIEW COMMITTEE AND A POLICY FOR PROCESSING REQUESTS FOR THE RELOCATION OF CERTAIN LIBRARY MATERIALS, TO PROVIDE AN APPEAL PROCEDURE, TO PROVIDE FOR INJUNCTIVE RELIEF, TO PROHIBIT CERTAIN MATERIALS FROM BEING GIVEN OR MADE AVAILABLE TO A MINOR BY A SCHOOL OR PUBLIC LIBRARY, TO PROVIDE FOR A CIVIL CAUSE OF ACTION, TO PROVIDE FOR DAMAGES, AND TO PROVIDE FOR AFFIRMATIVE DEFENSES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1290**  
**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 1-2220, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FILING OF DECLARATIONS OF CANDIDACY BY MAGISTRATES; AMENDING SECTION 31-4306, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FILING OF DECLARATIONS OF INTENT BY CANDIDATES IN RECREATION DISTRICT ELECTIONS; AMENDING SECTION 33-2717A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FILING OF DECLARATIONS OF INTENT BY CANDIDATES IN LIBRARY DISTRICT TRUSTEE ELECTIONS; AMENDING SECTION 34-106, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN COUNTY AND RECALL ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-625, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DEADLINE TO FILE DECLARATIONS OF CANDIDACY IN HIGHWAY DISTRICT COMMISSIONER ELECTIONS; AMENDING SECTION 34-625A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TIME TO FILE DECLARATIONS OF CANDIDACY IN CERTAIN SINGLE COUNTYWIDE DISTRICT HIGHWAY DISTRICT COMMISSIONER ELECTIONS; AMENDING SECTION 34-704, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FILING OF CERTAIN DECLARATIONS OF CANDIDACY IN PRIMARY ELECTIONS, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-705, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FILING OF CERTAIN DECLARATIONS OF CANDIDACY IN COUNTY ELECTIONS; AMENDING SECTION 34-712, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DEADLINE CERTAIN SAMPLE FORM PRIMARY ELECTION BALLOTS MUST BE PROVIDED TO EACH COUNTY CLERK; AMENDING SECTION 34-717, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN CANDIDATE WITHDRAWALS; AMENDING SECTION 34-1205, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TIME WHEN THE COUNTY BOARD OF CANVASSERS MEETS; AMENDING SECTION 34-1211, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TIME WHEN THE STATE BOARD OF CANVASSERS MEETS; AMENDING SECTION 34-1404, IDAHO CODE, TO REVISE PROVISIONS REGARDING DECLARATIONS OF CANDIDACY; AMENDING SECTION 34-1405A, IDAHO CODE, TO REVISE PROVISIONS REGARDING DEADLINES FOR CERTAIN CANDIDATE WITHDRAWALS; AMENDING SECTION 34-1407, IDAHO CODE, TO REVISE PROVISIONS REGARDING WRITE-IN CANDIDATES; AMENDING SECTION 40-1305C, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DEADLINES TO FILE CERTAIN NOMINATING PETITIONS FOR CANDIDATES FOR HIGHWAY DISTRICT COMMISSIONER; REPEALING SECTION 42-3211a, IDAHO CODE, RELATING TO EXPIRATION OF TERM; AMENDING SECTION 50-407, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DEADLINES FOR FILING DECLARATIONS OF CANDIDACY AND PETITIONS OF CANDIDACY FOR CERTAIN MUNICIPAL ELECTIONS; AMENDING SECTION 50-410, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FILING OF DECLARATIONS OF CANDIDACY FOR CERTAIN CITY ELECTIONS; AMENDING SECTION 67-4911, IDAHO

CODE, TO REVISE PROVISIONS REGARDING THE FILING OF NOMINATIONS FOR AUDITORIUM DISTRICT BOARD ELECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1291**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO STATE GOVERNMENT AND STATE AFFAIRS; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2347A, IDAHO CODE, TO PROHIBIT CONTRACTS WITH COMPANIES BOYCOTTING CERTAIN SECTORS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), [S 1288](#), [S 1289](#), [S 1290](#), and [S 1291](#) 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**

[S 1243](#), by Resources and Environment 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 Pro Tempore 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 Pro Tempore called the Senate to order.

**Report of the Committee of the Whole**

Senator Lee, Chairman of the Committee of the Whole, reported out [S 1232](#), [S 1231](#), and [S 1239](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO S 1232**  
AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 32, following "department." insert: "Such notification shall state that if the safety of the child cannot be determined, the department may request assistance from a law enforcement agency or seek a court order."

**SENATE AMENDMENT TO S 1232**  
AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 18 and 19, and insert:

"(b) Obtain an attorney at their own expense, consult with such attorney, and have such attorney present during an investigation; provided, however, that the department is not authorized to appoint or obtain an attorney for such parents, guardians, or persons;"

**SENATE AMENDMENT TO S 1231**  
AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 3 through 8, and insert:

"(e) License Revocation. Any person entering a plea of guilty or being found guilty or convicted of violating any of the provisions of this title, ~~or who otherwise may, in addition to any other penalty assessed by the court, have his hunting, fishing, or trapping privileges revoked for such period of time as may be determined by the court not to exceed three (3) years. Any person who otherwise fails to comply with the requirements of a citation in connection with any such offense, may shall,~~ in addition to any other penalty assessed by the court, have his hunting, fishing, or trapping privileges revoked for such period of time as may be determined by the court not to exceed three (3)".

On page 3, in line 40, following "fines" insert: "or judgments of reimbursement or restitution"; and in line 42, following "permit." insert: "Lifetime licenses shall be suspended until all fines, reimbursements, and restitution are paid in full. The provisions of this subsection shall not apply to violators on court-approved time payment plans that are not ninety (90) days or more in arrears."

**AMENDMENT TO BILL**

On page 3, following line 42, insert:  
"SECTION 2. That Section 36-1404, Idaho Code, be, and the same is hereby amended to read as follows:

36-1404. UNLAWFUL KILLING, POSSESSION OR WASTE OF WILD ANIMALS, BIRDS AND FISH – REIMBURSABLE DAMAGES – SCHEDULE – ASSESSMENT BY MAGISTRATES – INSTALLMENT PAYMENTS – DEFAULT JUDGMENTS – DISPOSITION OF MONEYS. (a) In addition to the penalties provided for violating any of the provisions of title 36, Idaho Code, any person who pleads guilty, is found guilty of or is convicted of the illegal killing or the illegal possession or illegal waste of game animals or birds or fish shall reimburse the state for each animal so killed or possessed or wasted as follows:

1. Elk, seven hundred fifty dollars (\$750) per animal killed, possessed or wasted.
2. Caribou, bighorn sheep, mountain goat, grizzly bear and moose, one thousand five hundred dollars (\$1,500) per animal killed, possessed or wasted.
3. Any other species of big game, four hundred dollars (\$400) per animal killed, possessed or wasted.
4. Wild turkey and swan, two hundred fifty dollars (\$250) per bird killed, possessed or wasted.
5. Sturgeon, two hundred fifty dollars (\$250) per fish killed, possessed or wasted.
6. Bull trout, anadromous salmon and steelhead, one hundred fifty dollars (\$150) per fish killed, possessed or wasted.
7. Any other game bird, game fish or furbearer, fifty dollars (\$50.00) per animal killed, possessed or wasted.

Provided further, that any person who pleads guilty, is found guilty of, or is convicted of illegal killing, illegal possession or illegal waste of a trophy big game animal as defined in section 36-202(h), Idaho Code, shall reimburse the state for each animal so killed, possessed or wasted, as follows:

1. Trophy mule deer: two thousand dollars (\$2,000) per animal killed, possessed or wasted;
2. Trophy white-tailed deer: two thousand dollars (\$2,000) per animal killed, possessed or wasted;
3. Trophy elk: five thousand dollars (\$5,000) per animal killed, possessed or wasted;
4. Trophy bighorn sheep: ten thousand dollars (\$10,000) per animal killed, possessed or wasted;

5. Trophy moose: ten thousand dollars (\$10,000) per animal killed, possessed or wasted;
6. Trophy mountain goat: ten thousand dollars (\$10,000) per animal killed, possessed or wasted;
7. Trophy pronghorn antelope: two thousand dollars (\$2,000) per animal killed, possessed or wasted;
8. Trophy caribou: ten thousand dollars (\$10,000) per animal killed, possessed or wasted;
9. Trophy grizzly bear: ten thousand dollars (\$10,000) per animal killed, possessed or wasted.

For each additional animal of the same category killed, possessed or wasted during any twelve (12) month period, the amount to be reimbursed shall double from the amount for each animal previously illegally killed, possessed or wasted. For example, the reimbursable damages for three (3) elk illegally killed during a twelve (12) month period would be five thousand two hundred fifty dollars (\$5,250), calculated as follows: seven hundred fifty dollars (\$750) for the first elk; one thousand five hundred dollars (\$1,500) for the second elk; and three thousand dollars (\$3,000) for the third elk. In the case of three (3) trophy elk illegally killed in a twelve (12) month period, the reimbursable damages would be thirty-five thousand dollars (\$35,000) calculated as follows: five thousand dollars (\$5,000) for the first elk, ten thousand dollars (\$10,000) for the second elk, and twenty thousand dollars (\$20,000) for the third elk. Provided however, that wildlife possessing a fifty dollar (\$50.00) reimbursement value shall be figured at the same rate per each animal in violation, without compounding.

(b) In every case of a plea of guilty, a finding of guilt or a conviction of unlawfully releasing any fish species into any public body of water in the state, the court before whom the plea of guilty, finding of guilt, or conviction is obtained shall enter judgment ordering the defendant to reimburse the state for the cost of the expenses, not to exceed ten thousand dollars (\$10,000), incurred by the state to correct the damage caused by the unlawful release. For purposes of this subsection, "unlawfully releasing any fish species" means a release of any species of live fish, or live eggs thereof, in the state without the permission of the director of the department of fish and game; provided, that no permission is required when fish are being freed from a hook and released at the same time and place where caught or when crayfish are being released from a trap at the same time and place where caught.

(c) In every case of a plea of guilty, a finding of guilt or a conviction, the court before whom such plea of guilty, finding of guilt or conviction is obtained shall enter judgment ordering the defendant to reimburse the state in a sum or sums as hereinbefore set forth including postjudgment interest. If two (2) or more defendants are convicted of the illegal taking, killing or the illegal possession or wasting of the game animal, bird or fish, such judgment shall be declared against them jointly and severally.

(d) The judgment shall fix the manner and time of payment and may permit the defendant to pay the judgment in installments at such times and in such amounts as, in the opinion of the court, the defendant is able to pay. In no event shall any defendant be allowed more than two (2) years from the date judgment is entered to pay the judgment.

(e) A defaulted judgment or any installment payment thereof may be collected by any means authorized for the enforcement of a judgment under the provisions of the Idaho Code.

(f) All courts ordering such judgments of reimbursement shall order such payments to be made to the department, which shall deposit them with the state treasurer, and the treasurer shall place them in the state fish and game account.

(g) The court shall retain jurisdiction over the case. If at any time the defendant is in arrears ninety (90) days or more, the court ~~may~~ shall revoke the defendant's hunting, fishing or trapping privileges until the defendant completes payment of the judgment."; and renumber the subsequent section accordingly.

#### CORRECTION TO TITLE

On page 1, in line 4, following "PERMITS" insert: "; TO PROVIDE THAT CERTAIN VIOLATORS MAY HAVE THEIR HUNTING, FISHING, OR TRAPPING PRIVILEGES REVOKED, TO PROVIDE THAT CERTAIN VIOLATORS SHALL HAVE THEIR HUNTING, FISHING, OR TRAPPING PRIVILEGES REVOKED, TO PROVIDE AN EXCEPTION,"; and in line 5, following "CORRECTIONS," insert: "AMENDING SECTION 36-1404, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS SHALL HAVE THEIR HUNTING, FISHING, OR TRAPPING PRIVILEGES REVOKED,".

#### SENATE AMENDMENT TO S 1239

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 25, delete "~~members of~~" and insert: "members of the board, except that if any vacancy occurs on the board, from the time such vacancy occurs until one hundred twenty (120) days after such vacancy occurs, a quorum shall consist of the majority of the".

LEE, Chairman

On motion by Senator Lee, seconded by Senator Wintrow, the report was adopted by voice vote.

[S 1232](#), as amended, [S 1231](#), as amended, and [S 1239](#), 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.

The Senate advanced to the Fifteenth Order of Business.

#### Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Ward-Engelking, by voice vote, the Senate adjourned at 1:06 p.m. until the hour of 10:30 a.m., Thursday, February 8, 2024.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary



# 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

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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THIRTY-THIRD LEGISLATIVE DAY  
FRIDAY, FEBRUARY 9, 2024

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Draycen Lamm, 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, 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 Lee, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SJM 102 BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND 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 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 prevent illegal immigration, and to otherwise establish, regulate, and enforce the terms and conditions upon which aliens may enter the United States from foreign places and upon which they may remain in the United States, what activities aliens may engage in while present in the United States, terms of permanent residency, and the granting of citizenship, in addition to control of the United States border; and

WHEREAS, the Congress and President of the United States have failed to fulfill their constitutional responsibility as it pertains to immigration law and policy, have failed to provide a secure border, have failed to consistently and uniformly enforce existing immigration law, and have failed to provide a robust and efficient system for entry of guest workers to the United States capable of meeting the labor demands of United States businesses; and

WHEREAS, as a result of these failures of the federal government to prevent illegal immigration, tremendous challenges are placed upon state and local governments to provide for the general health and welfare of all persons within their jurisdictions, 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 federal government to prevent illegal immigration, the security of the United States and of the several states, including Idaho, is threatened and harmed by the unavailability of lawful labor needed to harvest, process, and transport the domestic food supply, to extract mineral, gas, oil, and timber resources, to build homes, businesses and highways, and to provide other basic life necessities, the lack of which leads to increased dependence on foreign production and threatens our national security; and

WHEREAS, as a further result of these failures of the federal government to prevent illegal immigration, the security of the United States and of the several states, including Idaho, is threatened and harmed by unlawful entry to the United States of those who seek to cause us harm, human traffickers, and drug traffickers; and

WHEREAS, the Department of Homeland Security estimates that there are approximately 11.4 million people present in the United States without lawful status, and data from the Census of Agriculture indicates that approximately 2.4 million of them are employed in agriculture; and

WHEREAS, data indicates that in the year 2021 approximately 7.8 million unauthorized immigrants were working in the United States performing labor-intensive jobs in agriculture, construction, food processing, hospitality, and other industries that are critical to economic prosperity; and

WHEREAS, the United States is facing a tremendous labor shortage despite the contribution to the workforce from unauthorized immigrants, and current data suggests that there are 1.7 million more jobs available in the United States than there are unemployed workers; and

WHEREAS, it is incumbent upon the Congress and President of the United States to strengthen our national security and the security of the several states, including Idaho, by adopting targeted, common sense, business-focused, market-driven immigration reform, which at its core must include the following in concert:

(1) An effective system of external and internal security at and within the borders of the United States that excludes from entry people who do not have lawful permission to enter the United States and that incorporates modern technology to prevent, deter, detect, and detain those who seek to enter the United States by unlawful means; and

(2) An effective guest worker program that meets the labor needs and demands of year-round agriculture, construction, hospitality, food processing, manufacturing, technology, and other market sectors, and in particular allows cyclical worker visas of adequate length to meet the labor demands of Idaho agriculture and business; and

(3) Not granting amnesty to those currently in the United States without legal status; and

WHEREAS, targeted immigration reform is of vital necessity to the citizens and businesses of the State of Idaho, and as such

it is incumbent upon the congressional delegation representing the State of Idaho in the Congress of the United States to be outspoken and fervent leaders and continue to be advocates for immigration reform consistent with the principles set forth in this Joint Memorial.

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 Idaho Legislature requests and calls upon the President of the United States and the Senate and the House of Representatives of the United States to take action with all deliberate speed to adopt and implement targeted immigration reform in a manner consistent with the principles 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 advocate for and introduce federal legislation implementing targeted immigration reform in a manner consistent with the principles set forth in this Joint Memorial.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Joint Memorial to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

[SJM 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

February 9, 2024

The JUDICIARY AND RULES Committee reports that [S 1292](#) and [S 1293](#) have been correctly printed.

LAKEY, Chairman

[S 1292](#) was referred to the Resources and Environment Committee.

[S 1293](#) was referred to the Local Government and Taxation Committee.

February 8, 2024

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:

Steven Bailey as the Director of the Department of Administration, term to continue at the pleasure of the Governor.

COOK, 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 8, 2024

The TRANSPORTATION Committee reports out [H 412](#) and [H 414](#) with the recommendation that they do pass.

OKUNIEWICZ, Chairman

[H 412](#) and [H 414](#) were filed for second reading.

February 8, 2024

The HEALTH AND WELFARE Committee reports out [S 1272](#) with the recommendation that it do pass.

VANORDEN, Chairman

[S 1272](#) was filed for second reading.

February 8, 2024

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

Jeff McCray to the Multistate Tax Commission, term to continue at the pleasure of the Governor.

RICKS, 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 9, 2024

The STATE AFFAIRS Committee reports out [S 1274](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[S 1274](#) was filed for second 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 1294

#### BY COMMERCE AND HUMAN RESOURCES COMMITTEE

##### AN ACT

RELATING TO THE DEPARTMENT OF COMMERCE; AMENDING SECTION 67-9002, IDAHO CODE, TO REVISE LEGISLATIVE FINDINGS; AMENDING SECTION 67-9004, IDAHO CODE, TO PROVIDE FOR MANAGEMENT OF THE IDAHO RURAL DEVELOPMENT PARTNERSHIP AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-9005, IDAHO CODE, TO REVISE A PROVISION REGARDING THE RESPONSIBILITIES OF THE IDAHO RURAL DEVELOPMENT PARTNERSHIP AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-9006, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE BOARD OF DIRECTORS AND TO REMOVE PROVISIONS REGARDING THE BOARD OF DIRECTORS; AMENDING SECTION 67-9007, IDAHO CODE, TO REMOVE PROVISIONS REGARDING DUTIES OF COCHAIRS; REPEALING SECTION 67-9008, IDAHO CODE, RELATING TO THE EXECUTIVE DIRECTOR OF THE IDAHO RURAL DEVELOPMENT PARTNERSHIP; REPEALING SECTION 67-9009, IDAHO CODE, RELATING TO GENERAL MEMBERSHIP OF THE IDAHO RURAL DEVELOPMENT PARTNERSHIP; REPEALING SECTION 67-9010, IDAHO CODE, RELATING TO PERFORMANCE EVALUATIONS OF STATE EMPLOYEES; REPEALING CHAPTER 90, TITLE 67, IDAHO CODE, RELATING TO THE IDAHO RURAL DEVELOPMENT PARTNERSHIP ACT; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

**S 1295**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO THE BARBER AND COSMETOLOGY SERVICES ACT; AMENDING SECTION 54-5802, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-5805, IDAHO CODE, TO PROVIDE A CERTAIN EXEMPTION FROM LICENSURE, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**S 1296**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO THE BITCOIN PROTECTION ACT; AMENDING TITLE 28, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 54, TITLE 28, IDAHO CODE, TO PROVIDE A SHORT TITLE AND LEGISLATIVE FINDINGS, TO DEFINE TERMS, TO PROVIDE FOR THE RIGHT TO MINE BITCOIN, TO PROHIBIT DISCRIMINATORY BITCOIN MINING RATEMAKING, TO PROVIDE FOR THE RIGHT TO SELF-CUSTODY AND USE OF BITCOIN, TO ESTABLISH PROVISIONS REGARDING BITCOIN TAXATION, AND TO PROVIDE FOR THE RIGHT TO RUN BITCOIN NODES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1297**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO LIENS OF MECHANICS AND MATERIALMEN; AMENDING SECTION 45-521, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RELEASE OF CERTAIN LIENS; AMENDING SECTION 45-522, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RELEASE OF LIENS ON REAL PROPERTY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1298**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO PLATS AND SURVEYS; AMENDING SECTION 50-1301, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 55-1902, IDAHO CODE, TO REVISE A DEFINITION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1299**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO LABOR; REPEALING SECTION 44-2012, IDAHO CODE, RELATING TO PROHIBITED ACTIVITY; AMENDING SECTION 44-2007, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 44-2008, IDAHO CODE, TO REMOVE A CODE REFERENCE; AND DECLARING AN EMERGENCY.

**S 1300**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO CHILD LABOR LAWS; PROVIDING LEGISLATIVE INTENT; REPEALING SECTION 44-1301, IDAHO CODE, RELATING TO RESTRICTIONS ON EMPLOYMENT OF CHILDREN UNDER FOURTEEN; REPEALING SECTION 44-1302, IDAHO CODE, RELATING TO EDUCATIONAL REQUIREMENTS FOR CHILDREN UNDER SIXTEEN; AMENDING SECTION 44-1303, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 44-1304, IDAHO CODE, RELATING TO WORKING HOURS FOR CHILDREN UNDER SIXTEEN; REPEALING SECTION 44-1305, IDAHO CODE, RELATING TO PENALTIES; AMENDING SECTION 44-1306, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 44-1307, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 44-1308, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1301**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO THE IDAHO CREDIT UNION ACT; AMENDING SECTION 26-2104, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 26-2105, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ORGANIZATION OF A CREDIT UNION; AMENDING SECTION 26-2106, IDAHO CODE, TO REVISE A PROVISION REGARDING THE AMENDMENT OF BYLAWS; AMENDING SECTION 26-2108, IDAHO CODE, TO REVISE A PROVISION REGARDING THE POWERS OF A CREDIT UNION; AMENDING SECTION 26-2110, IDAHO CODE, TO REVISE PROVISIONS REGARDING CREDIT UNION MEMBERSHIP; REPEALING SECTION 26-2112, IDAHO CODE, RELATING TO THE CREDIT UNION FISCAL YEAR; AMENDING SECTION 26-2127, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE INVESTMENT OF FUNDS; AMENDING SECTION 26-2145, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AUTHORITY TO EXERCISE FEDERAL POWERS; REPEALING SECTION 26-2146, IDAHO CODE, RELATING TO INVESTMENT IN SERVICE CORPORATIONS; REPEALING SECTION 26-2147, IDAHO CODE, RELATING TO CREDIT UNIONS JOINTLY HOLDING STOCK; REPEALING SECTION 26-2148, IDAHO CODE, RELATING TO THE DUTY OF CREDIT UNION SERVICE CORPORATIONS NOT TO DISCRIMINATE; REPEALING SECTION 26-2149, IDAHO CODE, RELATING TO PROHIBITED ACTIVITIES BY CREDIT UNION SERVICE CORPORATIONS; REPEALING SECTION 26-2150, IDAHO CODE, RELATING TO CUSTOMER-CREDIT UNION COMMUNICATION TERMINALS; AMENDING SECTION 26-2185, IDAHO CODE, TO REMOVE A PROVISION REGARDING THE CREDIT UNION FISCAL YEAR; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1302**  
**BY LOCAL GOVERNMENT AND TAXATION**  
**COMMITTEE**  
AN ACT

RELATING TO ANIMALS; AMENDING CHAPTER 35, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3514B, IDAHO CODE, TO PROVIDE FOR THE PROTECTION OF WORKING ANIMALS AND TO CLARIFY APPLICABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1303**  
**BY LOCAL GOVERNMENT AND TAXATION**  
**COMMITTEE**  
AN ACT

RELATING TO PURCHASING; AMENDING SECTION 59-514, IDAHO CODE, TO REVISE PROVISIONS REGARDING PERSONAL SERVICE CONTRACTS; AMENDING CHAPTER 28, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2810, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PERSONAL SERVICE CONTRACTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1304**  
**BY LOCAL GOVERNMENT AND TAXATION**  
**COMMITTEE**  
AN ACT

RELATING TO THE OPEN MEETINGS LAW; AMENDING CHAPTER 2, TITLE 74, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 74-204A, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT AND TO ESTABLISH PROVISIONS REGARDING PUBLIC TESTIMONY AT MEETINGS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1305**  
**BY LOCAL GOVERNMENT AND TAXATION**  
**COMMITTEE**  
AN ACT

RELATING TO URBAN AGRICULTURE; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 10, TITLE 22, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS AND TO DEFINE TERMS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1306**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1637, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PARENT-AS-TEACHER MODEL MICROSCHOOLS, TO DEFINE TERMS, AND TO ESTABLISH PROGRAM AND FUNDING REQUIREMENTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1307**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO ADOPTION; AMENDING SECTION 18-1511, IDAHO CODE, TO PROHIBIT PLACEMENT OF CHILDREN BY UNLICENSED ORGANIZATIONS AND TO MAKE

TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1308**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-142, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR ADOPTION EDUCATION; AMENDING SECTION 33-1608, IDAHO CODE, TO PROVIDE FOR ADOPTION RESOURCES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1309**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO ADOPTION; AMENDING SECTION 18-1511, IDAHO CODE, TO REVISE PROVISIONS REGARDING ALLOWABLE ADOPTION EXPENSES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1310**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO PROVIDE THAT THE RIGHT TO KEEP AND BEAR ARMS SHALL NOT BE LIMITED ON CERTAIN PROPERTY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1311**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO VETERANS CEMETERIES; AMENDING CHAPTER 1, TITLE 65, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 65-109, IDAHO CODE, TO PROVIDE ELIGIBILITY REQUIREMENTS, TO PROVIDE FOR A SERVICE, TO PROVIDE FOR ALLOTTED TIME OF SERVICE, AND TO PROVIDE FOR MILITARY BURIAL HONORS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1312**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO STATE BUDGETS; AMENDING SECTION 67-3502, IDAHO CODE, TO REVISE A PROVISION REGARDING THE PREPARATION AND FILING OF A BUDGET REQUEST AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1313**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE IDAHO COUNCIL ON INDIAN AFFAIRS; AMENDING SECTION 67-4005, IDAHO CODE, TO PROVIDE FOR THE ELECTION OF COCHAIRS AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

**S 1314**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE STATE TREASURER; AMENDING SECTION 67-1210, IDAHO CODE, TO PROVIDE THAT IDLE MONEYS MAY BE INVESTED IN PHYSICAL GOLD AND SILVER IN CERTAIN INSTANCES AND TO PROVIDE FOR STORAGE OF PHYSICAL GOLD AND SILVER; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1315**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1356, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE REEMPLOYMENT OF CERTAIN RETIRED MEMBERS; AND DECLARING AN EMERGENCY.

**S 1316**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO CEMETERY MAINTENANCE DISTRICTS; AMENDING SECTION 27-111, IDAHO CODE, TO REVISE A PROVISION REGARDING CEMETERY MAINTENANCE DISTRICT COMMISSIONER ELECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1317**  
**BY TRANSPORTATION COMMITTEE**  
AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 49-402D, IDAHO CODE, TO PROVIDE FOR THE STATE BOARD OF EDUCATION TO BE A PERMISSIBLE BENEFICIARY OF NEW SPECIALTY LICENSE PLATES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420S, IDAHO CODE, TO PROVIDE FOR DON'T TREAD ON ME LICENSE PLATES; AMENDING SECTION 33-1628, IDAHO CODE, TO ESTABLISH A FIREARMS SAFETY GRANT FUND AND PROGRAM FOR FIREARMS SAFETY EDUCATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1318**  
**BY TRANSPORTATION COMMITTEE**  
AN ACT

RELATING TO THE IDAHO BROADBAND DIG ONCE AND RIGHT-OF-WAY ACT; AMENDING SECTION 40-516, IDAHO CODE, TO REVISE PROVISIONS REGARDING LEGISLATIVE INTENT; AMENDING SECTION 40-517, IDAHO CODE, TO DEFINE TERMS AND TO REVISE DEFINITIONS; AMENDING SECTION 40-518, IDAHO CODE, TO REVISE PROVISIONS REGARDING DIG ONCE PROJECTS; REPEALING SECTION 40-519, IDAHO CODE, RELATING TO A BROADBAND PROVIDER AND FAIR MARKET VALUE; AMENDING SECTION 40-520, IDAHO CODE, TO REVISE PROVISIONS REGARDING REQUIREMENTS FOR RIGHTS-OF-WAY FOR BROADBAND; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1319**  
**BY TRANSPORTATION COMMITTEE**  
AN ACT

RELATING TO SPECIAL LICENSE PLATE PROGRAMS; AMENDING SECTION 49-402C, IDAHO CODE, TO REVISE A PROVISION REGARDING SPECIAL LICENSE PLATE ISSUANCE; AMENDING SECTION 49-403B, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-404, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-404A, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-405, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-407, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-408, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-408A, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-409, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-414, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-415, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-415A, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-415B, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-415D, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-416, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-417, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-417A, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-417B, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-417D, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-418, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-418A, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-418B, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-419, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-419A, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-419C, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-419E, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420A, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420B, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420C, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420D, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420E, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420J, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420K, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420L, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420M, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420N, IDAHO CODE, TO



REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420Q, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420P, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420Q, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AMENDING SECTION 49-420R, IDAHO CODE, TO REMOVE A WEIGHT RESTRICTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1294](#), [S 1295](#), [S 1296](#), [S 1297](#), [S 1298](#), [S 1299](#), [S 1300](#), [S 1301](#), [S 1302](#), [S 1303](#), [S 1304](#), [S 1305](#), [S 1306](#), [S 1307](#), [S 1308](#), [S 1309](#), [S 1310](#), [S 1311](#), [S 1312](#), [S 1313](#), [S 1314](#), [S 1315](#), [S 1316](#), [S 1317](#), [S 1318](#), and [S 1319](#) 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

Senator Hart requested unanimous consent that **H 406** be referred to the Finance Committee for a committee study on the fiscal note.

Senator Lakey objected.

Moved by Senator Hart, seconded by Senator Ruchti, that **H 406** be referred to the Finance Committee.

The President denied the request Pursuant to Joint Rule 18(b).

[H 406](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 422](#), by Education Committee, was read the second time at length and filed for third reading.

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

[S 1239](#), 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

[S 1267](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Lee, granted by unanimous consent, [S 1267](#) retained its place on the Third Reading Calendar.

[S 1268](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke 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, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 27.

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

Absent and excused—Schroeder. Total - 1.

Paired and voting included in roll call:

AYE - Anthon                      NAY - Ruchti

Total - 35.

Whereupon the President declared [S 1268](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1267](#), 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. Senator Herndon arose as sponsor of the bill and reopened 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, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 27.

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

Absent and excused—Schroeder. Total - 1.

Paired and voting included in roll call:

AYE - Anthon                      NAY - Ruchti

Total - 35.

Whereupon the President declared [S 1267](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1269](#) 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?"

Pursuant to Senate Rule 39(H), President Pro Tempore Winder disclosed a possible conflict of interest under applicable law.

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, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 27.

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

Absent and excused—Schroeder. Total - 1.

Paired and voting included in roll call:

AYE - Anthon                      NAY - Ruchti

Total - 35.

Whereupon the President declared [S 1269](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1270](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 27.

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

Absent and excused—Schroeder. Total - 1.

Paired and voting included in roll call:

AYE - Anthon                                      NAY - Ruchti

Total - 35.

Whereupon the President declared [S 1270](#) passed, title was approved, and the bill ordered transmitted to the House.

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 Wintrow, by voice vote, the Senate adjourned at 11:48 a.m. until the hour of 11 a.m., Monday, February 12, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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THIRTY-SIXTH LEGISLATIVE DAY  
MONDAY, FEBRUARY 12, 2024

Senate Chamber

President Bedke 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 Liberty McGuire, 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 9, 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 Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SCR 112

#### BY JUDICIARY AND RULES COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND MAKING A FORMAL APPLICATION TO CONGRESS TO CALL FOR A CONVENTION OF THE STATES UNDER ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES.

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

WHEREAS, the framers of the Constitution of the United States empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

WHEREAS, the federal government has created a crushing national debt through improper and imprudent spending; and

WHEREAS, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

WHEREAS, the federal government has ceased to function under a proper interpretation of the Constitution of the United States; and

WHEREAS, it is the solemn duty of the state to protect the liberty of our people, particularly for the generations to come,

by proposing amendments to the Constitution of the United States through a convention of the states under Article V of the Constitution of the United States for the purpose of restraining these and related abuses of power.

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 Legislature of the State of Idaho hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

BE IT FURTHER RESOLVED that the Secretary of State of Idaho is hereby directed to transmit copies of this application to the President and Secretary of the United States Senate and to the Speaker and Clerk of the United States House of Representatives, to the congressional delegation representing the State of Idaho in the Congress of the United States, and to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

BE IT FURTHER RESOLVED that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

[SCR 112](#) 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 12, 2024

The JUDICIARY AND RULES Committee reports that [SJM 102](#), [S 1294](#), [S 1295](#), [S 1296](#), [S 1297](#), [S 1298](#), [S 1299](#), [S 1300](#), [S 1301](#), [S 1302](#), [S 1303](#), [S 1304](#), [S 1305](#), [S 1306](#), [S 1307](#), [S 1308](#), [S 1309](#), [S 1310](#), [S 1311](#), [S 1312](#), [S 1313](#), [S 1314](#), [S 1315](#), [S 1316](#), [S 1317](#), [S 1318](#), and [S 1319](#) have been correctly printed.

LAKEY, Chairman

[SJM 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 1294](#), [S 1295](#), [S 1296](#), [S 1297](#), [S 1298](#), [S 1299](#), [S 1300](#), and [S 1301](#) were referred to the Commerce and Human Resources Committee.

[S 1302](#) was referred to the Local Government and Taxation Committee.

[S 1303](#) and [S 1304](#) were referred to the State Affairs Committee.

[S 1305](#) was referred to the Local Government and Taxation Committee.

[S 1306](#) was referred to the Education Committee.

[S 1307](#) was referred to the Judiciary and Rules Committee.

[S 1308](#) was referred to the Education Committee.

[S 1309](#) was referred to the Judiciary and Rules Committee.

[S 1310](#), [S 1311](#), [S 1312](#), [S 1313](#), and [S 1314](#) were referred to the State Affairs Committee.

[S 1315](#) was referred to the Commerce and Human Resources Committee.

[S 1316](#) was referred to the Local Government and Taxation Committee.

[S 1317](#), [S 1318](#), and [S 1319](#) were referred to the Transportation Committee.

February 9, 2024

The FINANCE Committee reports out [H 457](#) with the recommendation that it do pass.

GROW, Chairman

[H 457](#) 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 9, 2024

Dear Mr. President:

I transmit herewith [H 458](#), [H 459](#), [H 460](#), [H 397](#), [H 475](#), [H 449](#), [H 450](#), [H 452](#), [H 454](#), and [H 444](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 458](#), [H 459](#), [H 460](#), [H 397](#), [H 475](#), [H 449](#), [H 450](#), [H 452](#), [H 454](#), and [H 444](#) 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 1320

##### BY TRANSPORTATION COMMITTEE

##### AN ACT

RELATING TO DESIGNATION OF HIGHWAYS AND PUBLIC RIGHTS-OF-WAY; AMENDING SECTION 40-202, IDAHO CODE, TO PROVIDE THAT CERTAIN MAINTENANCE OF A PUBLIC RIGHT-OF-WAY SHALL NOT CONSTITUTE UPKEEP OR MAINTENANCE AS A HIGHWAY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1321

##### BY TRANSPORTATION COMMITTEE

##### AN ACT

RELATING TO DISABLED VETERAN LICENSE PLATES; AMENDING SECTION 49-403, IDAHO CODE, TO REVISE A PROVISION REGARDING DISABLED VETERAN LICENSE PLATES; AMENDING SECTION 49-403A, IDAHO CODE, TO REVISE A PROVISION REGARDING PURPLE HEART RECIPIENT AND DISABLED VETERAN LICENSE PLATES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1322

##### BY RESOURCES AND ENVIRONMENT COMMITTEE

##### AN ACT

RELATING TO INVASIVE SPECIES; AMENDING SECTION 22-1904, IDAHO CODE, TO REVISE A DEFINITION; AMENDING CHAPTER 19, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-1905A, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR LAUNCH AND TRANSPORT OF CONVEYANCES; AMENDING SECTION 22-1911, IDAHO CODE, TO PROVIDE THAT A PORTION OF ANNUAL REVENUE DEPOSITED IN THE INVASIVE SPECIES FUND MAY BE MADE AVAILABLE TO COUNTIES, CITIES, AND OTHER LOCAL ENTITIES FOR CERTAIN EQUIPMENT AND SUPPLIES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1323

##### BY RESOURCES AND ENVIRONMENT COMMITTEE

##### AN ACT

RELATING TO PUBLIC UTILITIES; AMENDING SECTION 61-104, IDAHO CODE, TO REVISE TERMINOLOGY AND TO CLARIFY THE MEANING OF A TERM; AMENDING SECTION 61-125, IDAHO CODE, TO REVISE TERMINOLOGY AND TO CLARIFY THE MEANING OF A TERM; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1324

##### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO THE ENTICING OF CHILDREN; AMENDING SECTION 18-1509, IDAHO CODE, TO REVISE A PENALTY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1325

##### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO THE UNIFORM PUBLIC EXPRESSION PROTECTION ACT; AMENDING TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 37, TITLE 6, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE SCOPE, TO PROVIDE FOR A SPECIAL MOTION FOR EXPEDITED RELIEF, TO PROVIDE FOR A STAY IN CERTAIN INSTANCES, TO PROVIDE FOR A HEARING, TO PROVIDE FOR PROOF TO BE CONSIDERED BY THE COURT, TO PROVIDE FOR THE DISMISSAL OF A CAUSE OF ACTION IN WHOLE OR PART, TO PROVIDE FOR WHEN A COURT SHALL RULE ON A MOTION, TO PROVIDE FOR AN APPEAL, TO PROVIDE FOR THE AWARDING OF COSTS, ATTORNEY'S FEES, AND EXPENSES, TO PROVIDE FOR STATUTORY CONSTRUCTION, TO PROVIDE FOR UNIFORMITY OF APPLICATION AND CONSTRUCTION, TO PROVIDE A TRANSITIONAL PROVISION, TO PROVIDE A SAVINGS CLAUSE, AND TO PROVIDE SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

##### S 1326

##### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 80, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-8006A, IDAHO CODE, TO PROVIDE FOR THE CRIME OF AGGRAVATED DRIVING WHILE RECKLESS,

TO PROVIDE PENALTIES, AND TO PROVIDE THAT EVIDENCE OF CONVICTION SHALL BE ADMISSIBLE IN A CIVIL ACTION FOR DAMAGES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1327**  
**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO UNLAWFUL DETAINER; AMENDING CHAPTER 3, TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 6-303A, IDAHO CODE, TO PROVIDE FOR THE SHIELDING OF CERTAIN RECORDS REGARDING UNLAWFUL DETAINER; AMENDING SECTION 74-105, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 108, LAWS OF 2023, SECTION 30, CHAPTER 218, LAWS OF 2023, AND SECTION 39, CHAPTER 220, LAWS OF 2023, TO PROVIDE THAT CERTAIN RECORDS SHALL BE EXEMPT FROM DISCLOSURE AND TO REMOVE SURPLUS VERBIAGE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1328**  
**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO RUNAWAY CHILDREN; AMENDING SECTION 18-1510, IDAHO CODE, TO PROVIDE AN EXEMPTION FOR CERTAIN VIOLATIONS FOR LICENSED CHILDREN'S RESIDENTIAL CARE FACILITIES AND BEHAVIORAL HEALTH YOUTH CRISIS CENTERS PROVIDING EMERGENCY RUNAWAY SERVICES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1320](#), [S 1321](#), [S 1322](#), [S 1323](#), [S 1324](#), [S 1325](#), [S 1326](#), [S 1327](#), and [S 1328](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 458](#), [H 459](#), and [H 460](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 397](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 475](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 449](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 450](#), [H 452](#), and [H 454](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 444](#), 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 412](#) and [H 414](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[S 1272](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1274](#), 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 returned 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 Lincoln Day Service.

The Lincoln Day Service was presented to the members of the Senate with Co-Chair Senator Rabe providing opening remarks. The prayer was offered by Senator Grow. "The Star-Spangled Banner" was performed by Mountain View High School Choir under the direction of Mr. Steve Danielson. Emily Fritchman-Mahaney, Professor of History, Boise State University, offered remarks on President Abraham Lincoln's life and legacy. "America the Beautiful" was performed by Mountain View High School Choir.

The Co-Chairs extended their 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 Thirteenth Order of Business.

**Third Reading of Bills**

On motion by Senator Anthon, seconded by Senator Wintrow, by voice vote the Senate recessed at 11:51 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 Bedke presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

[S 1253](#) 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:

AYES—Adams, Anthon, Bernt, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 23.

NAYS—Bjerke, Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 12.

Total - 35.

Whereupon the President declared [S 1253](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1243](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Zuiderveld. Total - 31.

NAYS—Rabe, Semmelroth, Taylor, Wintrow. Total - 4.

Total - 35.

Whereupon the President declared [S 1243](#) 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

#### SCR 113

#### BY RESOURCES AND ENVIRONMENT COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND DECLARING SUPPORT FOR THE DEVELOPMENT OF CLEAN AND SAFE NUCLEAR ADVANCED ENERGY TECHNOLOGIES.

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

WHEREAS, Idaho has a long history with nuclear energy research and is home of the first community powered by nuclear energy; and

WHEREAS, Idaho's legacy in nuclear power innovation has positioned the state and our communities to lead the world in achieving energy independence; and

WHEREAS, the development of advanced energy is a key component of long-term planning for Idaho communities that balances economic growth with responsible stewardship of natural resources; and

WHEREAS, it is vital to Idaho's future that our communities invest in long-term strategies for energy creation, as well as promote technological leadership and enhance national security; and

WHEREAS, the Idaho Legislature recognizes the newly created Idaho Advanced Energy Consortium (IAEC) and its regional commitment to advancing nuclear and clean energy with its related projects in Idaho and Wyoming; and

WHEREAS, IAEC seeks to be a technology innovation hub and lead the world in next-generation clean energy generation; and

WHEREAS, the Idaho National Laboratory, along with IAEC, is working with industry and world leaders to produce and support advanced energy technologies needed for a sustainable, safe, secure, and efficient energy future; and

WHEREAS, the development of advanced energy can support our rural communities through economic development and diversification efforts, infrastructure investment, and workforce training and development; and

WHEREAS, the Idaho Legislature supports efforts to improve safety, licensing, and regulation processes for nuclear reactors while deploying the next generation of advanced reactors to support an ever-increasing demand for clean, safe energy production; and

WHEREAS, the Idaho Legislature recommends that the United States Nuclear Regulatory Commission (NRC) utilize decades of experience to streamline processes associated with licensing, siting, construction, and oversight of advanced nuclear

reactor technologies while maintaining a high level of safety; and

WHEREAS, the Idaho Legislature supports efforts and policies that provide tools and resources to obtain or deliver affordable, reliable energy for our citizens, communities, businesses, and industries; and

WHEREAS, advanced energy is part of a diversified energy portfolio that eliminates energy dependence on foreign entities.

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 Legislature declares that domestic energy production is a national security issue and supports advanced energy research, while also supporting reforms to the process for new research and reactor licensing. The Legislature urges all citizens to recognize the importance of advanced energy to the state and to national security, the economy, and the environment.

#### SJM 103

#### BY RESOURCES AND ENVIRONMENT COMMITTEE

#### A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, 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 Second Regular Session of the Sixty-seventh Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Legislature of the State of Idaho recognizes the Columbia-Snake River and its tributaries are a multiuse system providing navigation, transportation, fish and wildlife habitat, recreation, hydropower generation, and irrigation to the citizens, municipalities, and industry of the Pacific Northwest; and

WHEREAS, the Columbia-Snake River System and its tributaries are a vital part of the state's economic well-being and the quality of life of its citizens; and

WHEREAS, the State of Idaho asserts 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; 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 a willing buyer, willing seller arrangement. The 2004 agreement provides protections to Idaho 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 and to the inland Northwest region, providing global competitiveness and connectivity for regional products, economic development investment, and multimodal transportation; and

WHEREAS, the Columbia-Snake River System is a top wheat export gateway in the United States, with approximately ten percent of all United States wheat exports barged through the four dams on the Snake River and about fifty percent of all

Idaho-grown wheat barged from Lewiston to Portland and then to export markets around the world; and

WHEREAS, barging is the most fuel-efficient, environmentally friendly mode of transportation; and

WHEREAS, hydropower is the most efficient, environmentally favorable form of electrical generation, with the combined lower four Snake River dams producing 1,000 megawatts of carbon-free, renewable energy annually and 3,000 megawatts for peak power emergencies and providing electricity to 22 rural Idaho utilities serving more than 140,000 Idahoans; and

WHEREAS, the recent agreement between the United States government and certain plaintiffs to the ongoing Columbia-Snake River litigation was developed without adequate Idaho stakeholder input; and

WHEREAS, the agreement attempts to create a pathway to removing the four lower Snake River dams, despite Congress having the sole authority to remove dams; and

WHEREAS, the Public Power Council's assessment of the proposed agreement shows major cost risk and uncertainty for Northwest communities and businesses with potentially significant rate increases of five to forty percent or more if the agreement is implemented; and

WHEREAS, the Legislature of the State of Idaho opposes any actions to degrade the functionality, in whole or in part, to remove or breach any dams on the Columbia-Snake River System or its tributaries, or to take water from the state for anadromous fish enhancement efforts. Such actions would inflict on Idaho citizens a loss in economic and trade opportunities, a loss of recharge waters for the state's aquifers, a loss of navigation and transportation, an increase in electrical rates, a shortfall in power generation, a loss of recreational opportunities, and a threatened quality of life.

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 Idaho opposes the removal or breaching of the dams on the Columbia-Snake River System and its tributaries, has sovereignty over 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 science-based, and supports the 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 United States, 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 114

##### BY JUDICIARY AND RULES COMMITTEE

###### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND MAKING A FORMAL APPLICATION TO CONGRESS TO CALL A CONVENTION LIMITED TO PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO SET A LIMIT ON THE NUMBER OF TERMS THAT A PERSON MAY BE ELECTED AS A MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES

AND TO SET A LIMIT ON THE NUMBER OF TERMS THAT A PERSON MAY BE ELECTED AS A MEMBER OF THE UNITED STATES SENATE.

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

WHEREAS, Article V of the Constitution of the United States mandates that upon the "Application of the Legislatures of two thirds of the several States" Congress shall "call a Convention for proposing Amendments"; and

WHEREAS, the Legislature deems an amendment to the Constitution of the United States setting a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and setting a limit on the number of terms that a person may be elected as a member of the United States Senate is necessary for the good of the American people.

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 Legislature of the State of Idaho hereby makes an application to Congress, as provided by Article V of the Constitution of the United States, to call a convention limited to proposing an amendment to the Constitution of the United States to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate.

BE IT FURTHER RESOLVED that the Secretary of State is hereby directed to transmit copies of this application to the President and Secretary of the Senate of the United States; to the Speaker, Clerk, and Judiciary Committee Chairman of the House of Representatives of the Congress of the United States; to Idaho's congressional delegation; and to the presiding officers of each of the legislative houses in the several states requesting their cooperation.

BE IT FURTHER RESOLVED that this application shall be considered as covering the same subject matter as the applications from other states to Congress to call a convention to set a limit on the number of terms that a person may be elected to the House of Representatives of the Congress of the United States and the Senate of the United States and that this application shall be aggregated with same for the purpose of attaining the two-thirds of states necessary to require Congress to call a limited convention on this subject, but shall not be aggregated with any other applications on any other subject.

BE IT FURTHER RESOLVED that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

#### SCR 115

##### BY JUDICIARY AND RULES COMMITTEE

###### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THAT CONGRESS EITHER PROPOSE A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES FOR RATIFICATION OR CALL A CONVENTION FOR PROPOSING AMENDMENTS UNDER ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES FOR THE PROPOSAL OF SUCH AN AMENDMENT.

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

WHEREAS, the United States Congress has run up a debt so massive that it has endangered the United States government,

the United States economy, United States national defense, and all 50 states; and

WHEREAS, America's founding fathers vested the states with the power to rein in the federal government via the authority to propose and ratify amendments to the Constitution of the United States; and

WHEREAS, Article V of the Constitution of the United States mandates that upon the "Application of the Legislatures of two thirds of the several States" Congress shall "call a convention for proposing amendments"; and

WHEREAS, historically when the states have come within one application of the two-thirds of the states, which is 34 out of the 50 states, necessary to call a convention to propose a specific amendment, Congress has acted to propose said amendment in order to prevent a convention from being called; and

WHEREAS, President Ronald Reagan advocated the use of a "thirty-three state strategy" to pressure Congress to propose a balanced budget amendment for ratification by the states; and

WHEREAS, the Legislature deems that an amendment to the Constitution of the United States that would require a balanced federal budget is necessary for the good of the American people.

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 Idaho Legislature requests that Congress prepare and submit to the several states for ratification an amendment to the Constitution of the United States requiring, in the absence of a national emergency, that the total of all federal outlays made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

BE IT FURTHER RESOLVED that, if Congress has not submitted the above described amendment to the several states for ratification by December 31, 2025, the Idaho Legislature applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that, in the absence of a national emergency, the total of all federal outlays made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

BE IT FURTHER RESOLVED that the Secretary of State is hereby directed to transmit copies of this application to the President and Secretary of the United States Senate, to the Speaker and Clerk of the United States House of Representatives, to Idaho's congressional delegation, and to the presiding officers of each of the legislative houses in the several states to request their cooperation.

BE IT FURTHER RESOLVED that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject, or until December 31, 2032, whichever occurs earlier. It supersedes all previous applications by this legislature on the same subject.

#### SCR 116

#### BY EDUCATION COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES AND DECLARING THE IMPORTANCE OF CIVICS EDUCATION AND TEACHING RESPONSIBLE CITIZENSHIP IN IDAHO PUBLIC SCHOOLS.

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

WHEREAS, a republican form of government depends on an informed and engaged citizenry; and

WHEREAS, civics education equips students with the knowledge and skills to be capable of self-government at the local, state, and national level; and

WHEREAS, declining history and civics scores for students across the country are worrisome for the future of our republic; and

WHEREAS, there is an urgent need for American history, social studies, and civics curriculum that fosters an understanding of American values and provides a factual history of our nation; and

WHEREAS, a strong social studies and civics curriculum offers valuable opportunities to integrate civic education and promote responsible American citizenship; and

WHEREAS, it is necessary to ensure the state's standards and curriculum align with our Idaho values of embracing patriotism and pride about the success of this great country.

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 Idaho Department of Education, through its social standards review process and work promoting the adoption of high-quality, supplementary curriculum at the local level, is hereby encouraged to:

1. Promote the importance of the history of western civilization, civics education, and responsible citizenship within applicable social studies, government, and U.S. history courses. Such promotion includes but is not limited to highlighting the origin of the country and the founding principles within American government, including the U.S. Constitution, individual rights, the separation of powers, and federalism; and

2. Emphasize the importance of civil discourse and responsible participation in civic life, including voting, volunteering, and community service, along with the critical skill of thinking independently.

BE IT FURTHER RESOLVED that the Legislature acknowledges the vital role of civics education in preparing students to be informed, engaged, and responsible citizens and expresses its commitment to supporting the Idaho Department of Education in its efforts to enhance civics education opportunities for all Idaho students.

[SCR 113](#), [SJM 103](#), [SCR 114](#), [SCR 115](#), and [SCR 116](#) 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 12, 2024

The STATE AFFAIRS Committee reports out [S 1289](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[S 1289](#) was filed for second reading.

February 12, 2024

The FINANCE Committee reports out [H 458](#), [H 459](#), [H 460](#), and [H 475](#) with the recommendation that they do pass.

GROW, Chairman

[H 458](#), [H 459](#), [H 460](#), and [H 475](#) were filed for second reading.



February 12, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [S 1279](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[S 1279](#) 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 1329**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO PARENTAL RIGHTS; AMENDING CHAPTER 10, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1015, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PARENTAL RIGHTS IN MEDICAL DECISION-MAKING, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING PARENTS' RIGHT TO ACCESS HEALTH INFORMATION, AND TO ESTABLISH PROVISIONS REGARDING A CAUSE OF ACTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1330**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC UTILITIES COMMISSION; APPROPRIATING MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1331**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO COMMISSION FOR LIBRARIES; APPROPRIATING MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR LIBRARY PROJECTS; PROVIDING REAPPROPRIATION AUTHORITY FOR DIGITAL ACCESS CAPACITY; REAFFIRMING STATUTORY COMPLIANCE REGARDING TELEHEALTH FACILITIES; PROVIDING FOR ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1332**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF DRUG POLICY; APPROPRIATING MONEYS TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY; PROVIDING FOR ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1333**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF ENERGY AND MINERAL RESOURCES; APPROPRIATING MONEYS TO THE OFFICE OF ENERGY AND MINERAL RESOURCES FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY; REAFFIRMING STATUTORY COMPLIANCE REGARDING RESILIENT GRID GRANTS; REQUIRING A REPORT ON ENERGY RESILIENCY SUBGRANTS; PROVIDING FOR ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1334**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE COMMISSION ON THE ARTS; APPROPRIATING MONEYS TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1335**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

**S 1336**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2025; APPROPRIATING MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1337**

**BY RESOURCES AND ENVIRONMENT COMMITTEE**

AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-712, IDAHO CODE, TO REVISE PROVISIONS REGARDING REDEMPTION OF LAND; AMENDING SECTION 43-716, IDAHO CODE, TO REVISE PROVISIONS REGARDING DELINQUENT ASSESSMENTS AND TAX DEEDS; AMENDING SECTION 43-1508, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DISPOSITION OF PROPERTIES ACQUIRED BY TAX TITLE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1338****BY RESOURCES AND ENVIRONMENT COMMITTEE  
AN ACT**

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-109, IDAHO CODE, TO PROVIDE FOR THE MODIFICATION OF BOUNDARIES OF DIVISIONS OF IRRIGATION DISTRICTS AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1339****BY RESOURCES AND ENVIRONMENT COMMITTEE  
AN ACT**

RELATING TO RIGHTS-OF-WAY; AMENDING SECTION 42-1102, IDAHO CODE, TO REVISE PROVISIONS REGARDING RIGHTS TO RIGHT-OF-WAY AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 42-1103, IDAHO CODE, RELATING TO OWNERS OF SPRINGS AND STREAMS; AMENDING SECTION 42-1104, IDAHO CODE, TO REVISE PROVISIONS REGARDING RIGHT-OF-WAY OVER STATE LANDS; REPEALING SECTION 42-1105, IDAHO CODE, RELATING TO RIGHT-OF-WAY FOR RIPARIAN PROPRIETORS; AMENDING CHAPTER 11, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1105, IDAHO CODE, TO PROVIDE FOR RIGHT-OF-WAY FOR DIVERSION WORKS; AMENDING SECTION 42-1106, IDAHO CODE, TO REVISE PROVISIONS REGARDING RIGHT OF EMINENT DOMAIN; REPEALING SECTION 42-1108, IDAHO CODE, RELATING TO THE RIGHT TO CROSS DITCHES; AMENDING SECTION 42-1201, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE OPERATION AND MAINTENANCE OF IRRIGATION CONVEYANCE FACILITIES; REPEALING SECTION 42-1202, IDAHO CODE, RELATING TO THE MAINTENANCE OF DITCHES; REPEALING SECTION 42-1203, IDAHO CODE, RELATING TO THE MAINTENANCE OF EMBANKMENTS; REPEALING SECTION 42-1204, IDAHO CODE, RELATING TO THE PREVENTION OF DAMAGE TO OTHERS; REPEALING SECTION 42-1205, IDAHO CODE, RELATING TO BRIDGES OVER DITCHES; REPEALING SECTION 42-1206, IDAHO CODE, RELATING TO THE REPAIR OF COMMUNITY DITCHES; AMENDING SECTION 42-1207, IDAHO CODE, TO REVISE PROVISIONS REGARDING RELOCATION AND PIPING OF IRRIGATION CONVEYANCE FACILITIES AND DRAINAGE FACILITIES; AMENDING SECTION 42-1209, IDAHO CODE, TO REVISE PROVISIONS REGARDING ENCROACHMENTS ON EASEMENTS AND RIGHTS-OF-WAY; REPEALING SECTION 18-4308, IDAHO CODE, RELATING TO THE CHANGE OF A DITCH, CANAL, LATERAL, DRAIN OR BURIED IRRIGATION CONDUIT; AMENDING CHAPTER 43, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-4308, IDAHO CODE, TO PROVIDE A PENALTY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1340****BY RESOURCES AND ENVIRONMENT COMMITTEE  
AN ACT**

RELATING TO FISH AND GAME; AMENDING SECTION 36-408, IDAHO CODE, TO PROVIDE THAT CERTAIN OUTFITTERS SHALL BE PROVIDED THE OPPORTUNITY TO PURCHASE AN ADDITIONAL BIGHORN SHEEP, MOUNTAIN GOAT, OR MOOSE TAG AND TO PROVIDE

CONDITIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1341****BY RESOURCES AND ENVIRONMENT COMMITTEE  
AN ACT**

RELATING TO WATER; AMENDING CHAPTER 2, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-233c, IDAHO CODE, TO CLARIFY THE LOCATION OF THE AREA HAVING A COMMON GROUND WATER SUPPLY, TO PROVIDE FOR THE EXPANSION OF THE AREA HAVING A COMMON GROUND WATER SUPPLY, TO PROVIDE FOR A PROCEDURE PRIOR TO ENTRY OF AN ORDER, TO PROVIDE FOR ENTRY OF AN ORDER, AND TO PROVIDE FOR APPEAL; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1342****BY RESOURCES AND ENVIRONMENT COMMITTEE  
AN ACT**

RELATING TO GRAZING LEASES; AMENDING SECTION 58-307, IDAHO CODE, TO PROVIDE THAT ALL STATE LANDS MAY BE LEASED FOR A PERIOD OF UP TO FORTY YEARS FOR GRAZING LEASES AND TO EXCLUDE GRAZING LEASES FROM CERTAIN HEARING REQUIREMENTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1343****BY JUDICIARY AND RULES COMMITTEE  
AN ACT**

RELATING TO FIREARMS, EXPLOSIVES, AND OTHER DEADLY WEAPONS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 18-3313, IDAHO CODE, TO REVISE A PROVISION REGARDING A FALSE REPORT OF EXPLOSIVES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3313A, IDAHO CODE, TO PROVIDE FOR THE CRIME OF FALSE REPORTS OF VIOLENCE OR EMERGENCY IN PUBLIC OR PRIVATE PLACES, TO PROVIDE PENALTIES, TO PROVIDE THAT A SENTENCE MAY NOT BE SUSPENDED, AND TO DEFINE TERMS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1344****BY JUDICIARY AND RULES COMMITTEE  
AN ACT**

RELATING TO PROSTITUTION; AMENDING SECTION 18-5613, IDAHO CODE, TO PROVIDE AN EXEMPTION IN ORDER TO PREVENT A CHILD FROM BEING CHARGED WITH PROSTITUTION, TO DEFINE A TERM, AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

**S 1345****BY JUDICIARY AND RULES COMMITTEE  
AN ACT**

RELATING TO PRIVATE PROPERTY; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 1, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-117, IDAHO CODE, TO PROHIBIT ENTRY ONTO PRIVATE PROPERTY BY LAW ENFORCEMENT UNLESS CERTAIN CONDITIONS ARE MET; AMENDING CHAPTER 13, TITLE 36, IDAHO CODE, BY THE ADDITION OF A

NEW SECTION 36-1306, IDAHO CODE, TO PROHIBIT ENTRY ONTO PRIVATE PROPERTY BY CONSERVATION OFFICERS UNLESS CERTAIN CONDITIONS ARE MET; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1346**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO THE TIME OF COMMENCING CRIMINAL ACTIONS; AMENDING SECTION 19-401, IDAHO CODE, TO PROVIDE THAT THERE SHALL BE NO STATUTE OF LIMITATIONS FOR THE CRIME OF INCEST; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1347**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO JUDGES; AMENDING SECTION 1-2001, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RETIREMENT OF JUDGES, TO PROVIDE THAT A JUDICIAL VACANCY SHALL REMAIN VACANT UNTIL THE NEXT JUDICIAL ELECTION IN CERTAIN INSTANCES, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1348**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO DEBTS OWED TO COURTS; AMENDING SECTION 19-4708, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING COLLECTION OF DEBTS OWED TO A COURT AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1349**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO THE UNIFORM GUARDIANSHIP, CONSERVATORSHIP, AND OTHER PROTECTIVE ARRANGEMENTS ACT; REPEALING CHAPTER 5, TITLE 15, IDAHO CODE, RELATING TO THE PROTECTION OF PERSONS UNDER DISABILITY AND THEIR PROPERTY; AMENDING TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 5, TITLE 15, IDAHO CODE, TO ESTABLISH GENERAL PROVISIONS, TO ESTABLISH PROVISIONS REGARDING GUARDIANSHIP OF A MINOR, TO ESTABLISH PROVISIONS REGARDING GUARDIANSHIP OF AN ADULT, TO ESTABLISH PROVISIONS REGARDING CONSERVATORSHIPS, TO ESTABLISH PROVISIONS REGARDING OTHER PROTECTIVE ARRANGEMENTS, TO PROVIDE FOR FORMS THAT MAY BE USED, AND TO ESTABLISH MISCELLANEOUS PROVISIONS; AMENDING SECTION 15-1-201, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 15-12-108, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 18-211, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 18-212, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 18-3302, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 19-2914A, IDAHO CODE, TO

PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 19-4204, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 19-4207, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 19-5703, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 19-6009, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 19-6010, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 31-3201G, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 32-1806, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-4504, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 56-214, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 59-1317, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 63-3022E, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-3025D, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 66-356, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 66-402, IDAHO CODE, TO REMOVE DEFINITIONS AND TO REVISE A DEFINITION; REPEALING SECTION 66-404, IDAHO CODE, RELATING TO PROCEEDINGS FOR APPOINTMENT OF GUARDIANS AND CONSERVATORS; REPEALING SECTION 66-404A, IDAHO CODE, RELATING TO TEMPORARY GUARDIANS; REPEALING SECTION 66-405, IDAHO CODE, RELATING TO AN ORDER IN PROTECTIVE PROCEEDINGS; AMENDING SECTION 66-408, IDAHO CODE, TO REMOVE PROVISIONS REGARDING GUARDIANSHIP AND CONSERVATORSHIP; AMENDING SECTION 66-415, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 66-416, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 66-417, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 68-1404, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1350**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO THE JUVENILE CORRECTIONS ACT; AMENDING SECTION 20-520, IDAHO CODE, TO PROVIDE FOR REQUIREMENTS REGARDING REPORTING; AND PROVIDING AN EFFECTIVE DATE.

**S 1351**

**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO PUBLIC HEALTH RECORDS; AMENDING SECTION 74-106, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING EXCEPTIONS FOR RESEARCH AND STATISTICAL ANALYSIS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1352**

**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO COUNSELORS AND THERAPISTS; AMENDING CHAPTER 34, TITLE 54, IDAHO CODE, BY

THE ADDITION OF A NEW SECTION 54-3416, IDAHO CODE, TO PROVIDE THAT NO PERSON PROVIDING COUNSELING OR THERAPY SERVICES SHALL BE REQUIRED TO COUNSEL OR SERVE A CLIENT IN SUPPORT OF GOALS, OUTCOMES, OR BEHAVIORS THAT CONFLICT WITH THE SINCERELY HELD RELIGIOUS, MORAL, OR ETHICAL PRINCIPLES OF THE COUNSELOR OR THERAPIST; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1353**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO MEDICAL RECORDS; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 73, TITLE 39, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE COSTS FOR REQUESTING COPIES OF MEDICAL RECORDS, TO DEFINE A TERM, TO PROVIDE AN EXCEPTION FOR SOCIAL SECURITY ACT BENEFITS, AND TO REQUIRE FULFILLMENT WITHIN AN ESTABLISHED TIMELINE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1354**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO HEALTH; AMENDING SECTION 16-2422, IDAHO CODE, TO CLARIFY PROVISIONS REGARDING INFORMED CONSENT; AMENDING SECTION 16-2423, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING ELECTROCONVULSIVE TREATMENT FOR CHILDREN AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1355**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-270, IDAHO CODE, TO ESTABLISH A MEDICAID LEGISLATIVE REVIEW PANEL; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1356**

**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-320, IDAHO CODE, TO REVISE PROVISIONS REGARDING A STRATEGIC PLAN; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-527, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING TRAINING FOR SCHOOL DISTRICT BOARD MEMBERS; AMENDING SECTION 33-1809, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACCOUNTABILITY AND STUDENT ACHIEVEMENT; AMENDING SECTION 33-1001, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 33-4804, IDAHO CODE, TO REVISE TERMINOLOGY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1357**

**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO HIGHER EDUCATION FAIRNESS; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 68, TITLE 33, IDAHO CODE, TO DEFINE TERMS, TO PROHIBIT DIVERSITY, EQUITY, AND INCLUSION IN HIGHER EDUCATION, TO PROHIBIT DIVERSITY TRAINING, TO PROHIBIT POLITICAL LOYALTY TESTS, TO PROVIDE FOR ATTORNEY GENERAL ENFORCEMENT, AND TO PROVIDE FOR A PRIVATE CAUSE OF ACTION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1358**

**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO STUDENT FUNDING; AMENDING SECTION 33-1030, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 33-1031, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EMPOWERING PARENTS GRANT PROGRAM; AMENDING SECTION 33-1032, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1359**

**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-4602, IDAHO CODE, TO PROVIDE FOR INCREASED ADVANCED OPPORTUNITIES FUNDING FOR CERTAIN PUBLIC SCHOOL STUDENTS, TO REMOVE A PROVISION REGARDING A LIMITATION ON APPRENTICESHIP COURSES, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-4603, IDAHO CODE, TO REVISE PROVISIONS REGARDING ADVANCED OPPORTUNITIES FUNDING FOR CERTAIN NONPUBLIC SCHOOL STUDENTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1360**

**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO SCHOOL FUNDS; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-912, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING TEACHER SPENDING ACCOUNTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1361**

**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-510, IDAHO CODE, TO REQUIRE SCHOOL DISTRICT BOARDS OF TRUSTEES TO ADOPT CERTAIN RULES OF PROCEDURE FOR BOARD MEETINGS; AMENDING SECTION 33-5206, IDAHO CODE, TO REQUIRE PUBLIC CHARTER SCHOOLS TO COMPLY WITH CERTAIN CODE PROVISIONS REGARDING BOARD OF TRUSTEES MEETINGS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1362**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-142, IDAHO CODE, TO ESTABLISH PROVISIONS REQUIRING PUBLIC SCHOOLS TO DISPLAY ONLY CERTAIN FLAGS ON SCHOOL PROPERTY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1329](#), [S 1330](#), [S 1331](#), [S 1332](#), [S 1333](#), [S 1334](#), [S 1335](#), [S 1336](#), [S 1337](#), [S 1338](#), [S 1339](#), [S 1340](#), [S 1341](#), [S 1342](#), [S 1343](#), [S 1344](#), [S 1345](#), [S 1346](#), [S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), [S 1353](#), [S 1354](#), [S 1355](#), [S 1356](#), [S 1357](#), [S 1358](#), [S 1359](#), [S 1360](#), [S 1361](#), and [S 1362](#) 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 Wintrow, by voice vote, the Senate adjourned at 6:05 p.m. until the hour of 11 a.m., Tuesday, February 13, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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THIRTY-SEVENTH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 13, 2024

Senate Chamber

President Bedke 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 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 February 12, 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 13, 2024

The JUDICIARY AND RULES Committee reports that [SCR 112](#), [SCR 113](#), [SJM 103](#), [SCR 114](#), [SCR 115](#), [SCR 116](#), [S 1320](#), [S 1321](#), [S 1322](#), [S 1323](#), [S 1324](#), [S 1325](#), [S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), [S 1330](#), [S 1331](#), [S 1332](#), [S 1333](#), [S 1334](#), [S 1335](#), [S 1336](#), [S 1337](#), [S 1338](#), [S 1339](#), [S 1340](#), [S 1341](#), [S 1342](#), [S 1343](#), [S 1344](#), [S 1345](#), [S 1346](#), [S 1347](#), [S 1348](#), [S 1349](#), [S 1350](#), [S 1351](#), [S 1352](#), [S 1353](#), [S 1354](#), [S 1355](#), [S 1356](#), [S 1357](#), [S 1358](#), [S 1359](#), [S 1360](#), [S 1361](#), and [S 1362](#) have been correctly printed.

LAKEY, Chairman

On request by Senator Lakey, granted by unanimous consent, [SCR 112](#) was referred to the Judiciary and Rules Committee.

[SCR 113](#), [SJM 103](#), [SCR 114](#), [SCR 115](#), and [SCR 116](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1320](#) and [S 1321](#) were referred to the Transportation Committee.

[S 1322](#) and [S 1323](#) were referred to the Resources and Environment Committee.

[S 1324](#), [S 1325](#), [S 1326](#), [S 1327](#), [S 1328](#), and [S 1329](#) were referred to the Judiciary and Rules Committee.

[S 1330](#), [S 1331](#), [S 1332](#), [S 1333](#), [S 1334](#), [S 1335](#), and [S 1336](#) were referred to the Finance Committee.

[S 1337](#), [S 1338](#), [S 1339](#), [S 1340](#), [S 1341](#), and [S 1342](#) were referred to the Resources and Environment Committee.

[S 1343](#), [S 1344](#), [S 1345](#), [S 1346](#), [S 1347](#), [S 1348](#), [S 1349](#), and [S 1350](#) were referred to the Judiciary and Rules Committee.

[S 1351](#), [S 1352](#), [S 1353](#), [S 1354](#), and [S 1355](#) were referred to the Health and Welfare Committee.

[S 1356](#) was referred to the Education Committee.

[S 1357](#) was referred to the State Affairs Committee.

[S 1358](#), [S 1359](#), [S 1360](#), [S 1361](#), and [S 1362](#) were referred to the Education Committee.

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

### Messages from the Governor

February 8, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that John D. Hayden Jr. of Boise, Idaho, was reappointed to the State Board of Correction to serve a term commencing January 1, 2023, and expiring January 30, 2029.

This reappointment is subject to confirmation by the Senate, and 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 9, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Brody Harshbarger of Ashton, Idaho, was appointed to the Idaho Fish and Game Commission to serve a term commencing January 24, 2024, and expiring June 30, 2027.

This appointment is subject to confirmation by the Senate, and 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.

February 12, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Paul Amador of Coeur d'Alene, Idaho, was appointed to the Public Charter School Commission to serve a term commencing November 7, 2023, and expiring May 12, 2024.

This appointment is subject to confirmation by the Senate, and 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.

February 12, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Susan Kerrick of Lewiston, Idaho, was reappointed to the Idaho Lottery Commission to serve a term commencing January 1, 2024, and expiring January 1, 2029.

This reappointment is subject to confirmation by the Senate, and 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.

February 12, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that McKenzie Kraemer of McCall, Idaho, was appointed to the Idaho Health Insurance Exchange Board to serve a term commencing January 7, 2024, and expiring April 10, 2027.

This appointment is subject to confirmation by the Senate, and 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.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

February 12, 2024

Dear Mr. President:

I transmit herewith [H 399](#), [H 445](#), [H 435](#), [H 417](#), and [H 455](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 399](#), [H 445](#), [H 435](#), [H 417](#), and [H 455](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Betty Coppersmith was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Grow, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Betty Coppersmith as a member of the Oil and Gas Conservation 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 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 the Resources and Environment Committee report relative to the Gubernatorial appointment of Jennifer Reibe was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Semmelroth, the Gubernatorial appointment of Jennifer Reibe as a member of the Oil and Gas Conservation 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 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 the Resources and Environment Committee report relative to the Gubernatorial reappointment of Jennifer F. Reibe was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Semmelroth, the Gubernatorial reappointment of Jennifer F. Reibe as a member of the Oil and Gas Conservation 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 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 the Resources and Environment Committee report relative to the Gubernatorial appointment of Marc Haws was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Taylor, the Gubernatorial appointment of Marc Haws as a member of the Oil and Gas Conservation 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 his 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**

[H 399](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 445](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 435](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 417](#) and [H 455](#), by State Affairs Committee, were 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 457](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1289](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 458](#), [H 459](#), [H 460](#), and [H 475](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1279](#), 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 Anthon, granted by unanimous consent, [S 1258](#) and [S 1245](#) retained their place on the Third Reading Calendar for one legislative day.

[H 410](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Just 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 410](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1265](#) and [S 1247](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1260](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared [S 1260](#) 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 11:49 a.m. until the hour of 11 a.m., Wednesday, February 14, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

**THIRTY-EIGHTH LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 14, 2024**

Senate Chamber

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

Roll call showed all members present except Senators Bjerke and Cook, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Caitlyn Ross, 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 13, 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 Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SJM 104

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

WHEREAS, the United States Congress has before it the Hearing Protection Act; and

WHEREAS, the Hearing Protection Act will reclassify suppressors to regulate them like a regular firearm; and

WHEREAS, the Act would benefit Idaho's recreational gun users and provide them better access to hearing protection equipment; and

WHEREAS, Idaho's Senator Jim Risch supports the Act and has commented that: "Idaho's sportsmen and women want to safely and legally enjoy recreational activities such as hunting and target shooting, but burdensome government regulations unfairly restrict access to suppressors. The Hearing Protection

Act will reclassify suppressors to allow Idaho's law-abiding gun owners to more easily protect their hearing and enjoy this pastime"; and

WHEREAS, Senator Mike Crapo has been the chief sponsor of the Hearing Protection Act since 2017 and Congressman Russ Fulcher is one of 52 original cosponsors of the Act in Congress; and

WHEREAS, suppressors are safety tools that reduce the sound of gunfire to a level that will not cause instant and permanent hearing loss. Suppressors enable more accurate marksmanship and allow shooting ranges to be better neighbors; and

WHEREAS, suppressor restrictions from the 1930s put the hearing health of gun owners at risk; and

WHEREAS, under current law, suppressors are regulated as heavily as machine guns under the prohibition-era National Firearms Act (NFA) of 1934. Any NFA firearm or suppressor carries a mandatory \$200 tax, for which a stamp is issued proving the payment of that tax once the application is approved. It is not uncommon to have to wait up to 270 days for the paperwork to be processed; and

WHEREAS, removing suppressors from the NFA would not pose a threat to public safety. It would reduce the Bureau of Alcohol, Tobacco and Firearms' workload and allow the agency to direct more resources to reducing violent crime, rather than processing paperwork.

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 we urge the United States Congress to pass the Hearing Protection Act.

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 delegation representing the State of Idaho in the Congress of the United States.

#### SR 101

#### BY STATE AFFAIRS COMMITTEE

##### A SENATE RESOLUTION

STATING FINDINGS OF THE SENATE AND PROVIDING FOR THE AMENDMENT OF RULE 3 OF THE RULES OF THE SENATE.

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

WHEREAS, the Senate deems it necessary and desirable that Rule 3 of the Rules of the Senate be amended.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the Second Regular Session of the Sixty-seventh Idaho Legislature, that Rule 3 of the Rules of the Senate shall be amended to read as follows:

#### RULE 3

Organization. – (A) At the first meeting of the Senate at which a quorum shall be present, the Senate shall proceed to elect a President Pro Tempore and a Secretary and shall adopt temporary rules which, unless otherwise specifically stated, shall be the permanent rules of the preceding session.

Seating. – (B) Following election of its leadership, the Senate shall be declared "at ease" and the Senators shall retire to the sides of the Senate and proceed to select their seats in the following manner:

(1) The President Pro Tempore, Majority and Assistant Majority Leader, Minority and Assistant Minority Leader, and Majority and Minority Caucus Chairman shall first select their seats, in the order listed.

(2) Former members of the Senate shall next select their seats and those with consecutive terms immediately prior to the present session shall have priority over those with the same or a greater number of nonconsecutive terms, and of those not having served immediately prior to the present session, priority shall be consistent with the total number of terms served in the Senate.

In the event two or more Senators, not having served a term immediately prior to the present session, shall have served an equal number of past terms, service in the House of Representatives shall be computed to determine priority as between them.

(3) Former members of the House of Representatives shall next select their seats and those having served the greatest number of terms in the House of Representatives shall have priority.

(4) The names of all remaining Senators shall be placed in a receptacle by the Secretary and by him withdrawn therefrom and as the name of each Senator is withdrawn, he shall proceed to the seat selected by him until the business of selecting seats shall be completed.

(5) The seating arrangements set forth in the preceding paragraph shall be subject to the provision that the members of each party shall be seated as nearly as possible in adjacent seats, and in the event one party has a majority which requires seating a portion of its members on the side of the Chamber occupied by the minority, such majority party shall have the right to select as many seats as may be necessary to accommodate its membership on the side closest to the regular seats of the majority party, subject only to Paragraph B(1) of this rule and the minority party shall be required to make such seats available to the members of the majority party.

(6) On and after December 1, 2024, prior substitution in either the House or Senate shall not count as time served for determining seniority.

Substitutes. – (C) A substitute shall exercise the powers and duties of a Senator while acting as a substitute, but the Senator shall retain the office.

[SJM 104](#) and [SR 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

Senator Bjerke was recorded present at this order of business.

February 13, 2024

The FINANCE Committee reports out [S 1330](#), [S 1331](#), [S 1332](#), [S 1333](#), [S 1334](#), [S 1335](#), and [S 1336](#) with the recommendation that they do pass.

GROW, Chairman

Senator Grow made a unanimous consent request, that [S 1330](#), [S 1331](#), [S 1332](#), [S 1333](#), [S 1334](#), [S 1335](#), and [S 1336](#) be recommitted to the Finance Committee.

Senator Wintrow objected.

Moved by Senator Grow, seconded by Senator Cook that [S 1330](#), [S 1331](#), [S 1332](#), [S 1333](#), [S 1334](#), [S 1335](#), and [S 1336](#) be recommitted back to the Finance Committee.

The President announced the motion carried by voice vote and [S 1330](#), [S 1331](#), [S 1332](#), [S 1333](#), [S 1334](#), [S 1335](#), and [S 1336](#) were recommitted to the Finance Committee.

February 13, 2024

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:

Claire Sharp to the Idaho Industrial Commission, term to expire January 13, 2027;

Janelle White as the Administrator of the Division of Human Resources, term to continue at the pleasure of the Governor;

Todd Lakey to the State Insurance Fund Board, term to expire January 20, 2025.

COOK, 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 13, 2024

The TRANSPORTATION Committee reports out [S 1282](#), [S 1317](#), and [S 1319](#) with the recommendation that they do pass.

OKUNIEWICZ, Chairman

[S 1282](#), [S 1317](#), and [S 1319](#) were filed for second reading.

February 13, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 444](#) and [H 449](#) with the recommendation that they do pass.

RICKS, Chairman

[H 444](#) and [H 449](#) were filed for second reading.

February 14, 2024

The STATE AFFAIRS Committee reports out [S 1290](#), [S 1291](#), [S 1311](#), [S 1312](#), and [S 1313](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[S 1290](#), [S 1291](#), [S 1311](#), [S 1312](#), and [S 1313](#) 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 13, 2024

Dear Mr. President:

I transmit herewith [H 465](#), [H 515](#), and [H 471](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 465](#), [H 515](#), and [H 471](#) were filed for first reading.

February 13, 2024

Dear Mr. President:

I return herewith [S 1266](#), which has passed the House.

MCGINNIS, Chief Clerk

[S 1266](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

Senator Cook was recorded present at this order of business.

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

On motion by Senator Lee, seconded by President Pro Tempore Winder, the Gubernatorial appointment of Margaret Chipman as a member of the Oil and Gas Conservation 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 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 the Resources and Environment Committee report relative to the Gubernatorial reappointment of Ray Hinchcliff was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Ray Hinchcliff as a member of the Oil and Gas Conservation 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 his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Lakey, granted by unanimous consent, [SCR 114 and SCR 115](#) were referred to the Judiciary and Rules Committee.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Tammy Overacker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burtenshaw, seconded by Senator Semmelroth, the Gubernatorial reappointment 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 reappointment confirmation for his 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

[H 465](#) and [H 515](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 471](#), 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

Having been held, [S 1258](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Hartgen, Lee. Total - 2.

Total - 35.

Whereupon the President declared [S 1258](#) passed, title was approved, and the bill ordered transmitted to the House.

Senator Hart requested unanimous consent that [H 406](#) be referred back to the Judiciary and Rules Committee for a committee study on the fiscal note.

Senator Lakey objected.

Moved by Senator Hart, seconded by Senator Ruchti, that [H 406](#) be referred back to the Judiciary and Rules Committee.

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Lakey, and was supported by Senators Den Hartog, Hartgen and Lee.

The question being, "Shall [H 406](#) be recommitted to the Judiciary and Rules Committee?"

AYES—Carlson, Hart, Just, Nichols, Rabe, Ruchti, Semmelroth, Taylor, Ward-Engelking, Wintrow, Zuiderveld. Total - 11.

NAYS—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Okuniewicz, Ricks, Schroeder, Toews, Trakel, VanOrden, Winder. Total - 24.

Total - 35.

Whereupon the President declared the motion failed to recommit [H 406](#) to the Judiciary and Rules 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 Wintrow, by voice vote, the Senate adjourned at 12:16 p.m. until the hour of 11 a.m., Thursday, February 15, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 15, 2024

Senate Chamber

President Bedke 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 Simon Salisbury, 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 14, 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 15, 2024

The JUDICIARY AND RULES Committee reports that [SJM 104](#) and [SR 101](#) have been correctly printed.

LAKEY, Chairman

[SJM 104](#) and [SR 101](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 15, 2024

The JUDICIARY AND RULES Committee reports that [S 1266](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1266](#) and ordered it transmitted to the House for the signature of the Speaker.

February 14, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [S 1341](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[S 1341](#) was filed for second reading.

February 14, 2024

The JUDICIARY AND RULES Committee reports out [SCR 112](#) with the recommendation that it do pass.

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.

February 14, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 445](#) with the recommendation that it do pass.

RICKS, Chairman

[H 445](#) was filed for second reading.

February 14, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1305](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICKS, Chairman

There being no objection, [S 1305](#) was referred to the Fourteenth Order of Business, General Calendar.

February 13, 2024

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

Paul Woods to the State Tax Commission, term to expire March 8, 2029.

RICKS, 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 15, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [H 404](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[H 404](#) 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 14, 2024

Dear Mr. President:

I transmit herewith [H 403](#) and [H 498](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 403](#) and [H 498](#) were filed for first reading.

February 14, 2024

Dear Mr. President:

I return herewith [S 1269](#) and [S 1270](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1269](#) and [S 1270](#) 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**

[H 403](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 498](#), 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 1282](#), [S 1317](#), and [S 1319](#), by Transportation Committee, were read the second time at length and filed for third reading.

[H 444](#) and [H 449](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[S 1290](#), [S 1291](#), [S 1311](#), [S 1312](#), and [S 1313](#), 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 1245](#) 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:

AYES—Anthon, Bernt, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Lakey, Lent, Ricks, Schroeder, VanOrden, Winder. Total - 15.

NAYS—Adams, Bjerke, Carlson, Foreman, Hart, Herndon, Just, Lenney, Nichols, Okuniewicz, Rabe, Ruchti, Semmelroth, Taylor, Toews, Trakel, Ward-Engelking, Wintrow, Zuiderveld. Total - 19.

Absent and excused—Lee. Total - 1.

Paired and voting included in roll call:

AYE - Anthon                                    NAY - Wintrow

Total - 35.

Whereupon the President declared that [S 1245](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

On request by President Pro Tempore Winder, granted by unanimous consent, [S 1265](#), [S 1247](#), and [S 1261](#) retained their place on the Third Reading Calendar for one legislative day.

[H 406](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Taylor, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 28.

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

Paired and voting included in roll call:

AYE - Anthon                                    NAY - Semmelroth

Total - 35.

Whereupon the President declared [H 406](#) passed, title was approved, and the bill ordered returned to the House.

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 Wintrow, by voice vote, the Senate adjourned at 1:20 p.m. until the hour of 11 a.m., Friday, February 16, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**FORTIETH LEGISLATIVE DAY**  
**FRIDAY, FEBRUARY 16, 2024**

Senate Chamber

President Bedke called the Senate to order at 11 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 Abigail Spiers, 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, 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 Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 16, 2024

The JUDICIARY AND RULES Committee reports that [S 1269](#) and [S 1270](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1269](#) and [S 1270](#) and ordered them transmitted to the House for the signature of the Speaker.

February 15, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [H 402](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[H 402](#) was filed for second reading.

February 15, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1238](#) and [S 1271](#) with the recommendation that they do pass.

COOK, Chairman

[S 1238](#) and [S 1271](#) were filed for second reading.

February 15, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1293](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICKS, Chairman

There being no objection, [S 1293](#) was referred to the Fourteenth Order of Business, General Calendar.

February 15, 2024

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:

Cally Roach to the State Board of Education, term to expire July 1, 2028.

LENT, 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 16, 2024

The STATE AFFAIRS Committee reports out [S 1273](#) and [S 1303](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[S 1273](#) and [S 1303](#) were filed for second reading.

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

### Messages from the House

February 15, 2024

Dear Mr. President:

I transmit herewith [H 472](#) and [H 474](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 472](#) and [H 474](#) were filed for first reading.

February 15, 2024

Dear Mr. President:

I return herewith [S 1268](#) and [S 1267](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1268](#) and [S 1267](#) were referred to the Judiciary and Rules Committee for enrolling.

February 15, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 410](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 410](#) and ordered it returned to the House.

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 1363**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO VOTING MACHINES; AMENDING SECTION 18-2306, IDAHO CODE, TO PROVIDE THAT TAMPERING WITH A VOTING MACHINE IS A FELONY OFFENSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-2401, IDAHO CODE, TO REMOVE AND REVISE DEFINITIONS; AMENDING SECTION 34-2404, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PROHIBITED TAMPERING OF MACHINES; AMENDING SECTION 34-2409, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EXAMINATION OF VOTING MACHINES; AMENDING SECTION 34-2410, IDAHO CODE, TO REVISE PROVISIONS REGARDING SPECIFICATIONS FOR VOTING MACHINES OR VOTE TALLY SYSTEMS; AMENDING SECTION 34-2411, IDAHO CODE, TO REMOVE A REFERENCE TO BALLOT LABELS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-2415, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE PREPARATION OF A POLLING PLACE FOR AN ELECTION; AMENDING SECTION 34-2416, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE PROCEDURE FOR PREPARING VOTING MACHINES FOR AN ELECTION; AMENDING SECTION 34-2418, IDAHO CODE, TO REMOVE REFERENCES TO BALLOT LABELS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-2420, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXAMINATION OF A VOTING MACHINE DURING ELECTIONS; REPEALING SECTION 34-2426, IDAHO CODE, RELATING TO THE EXHIBITION OF VOTING MACHINES FOR THE INSTRUCTION OF VOTERS; AMENDING CHAPTER 24, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-2426, IDAHO CODE, TO PROVIDE FOR PUBLIC LOGIC AND ACCURACY TESTS; AMENDING SECTION 34-1411, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1364**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO BEER; AMENDING SECTION 23-1003, IDAHO CODE, TO REMOVE A PROVISION REGARDING A BREWER'S LICENSE AND TO REVISE A PROVISION REGARDING A BREWER'S LICENSE; AMENDING SECTION 23-1007, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 23-1032, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 23-1033, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1365**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO MOTOR VEHICLE DRIVER'S LICENSES; AMENDING CHAPTER 2, TITLE 49, IDAHO CODE, BY THE

ADDITION OF A NEW SECTION 49-245, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A NEXT OF KIN DATABASE; AND PROVIDING AN EFFECTIVE DATE.

**S 1366**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO ELECTRONIC SMOKING DEVICES; AMENDING CHAPTER 57, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-5719, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING MANUFACTURER CERTIFICATION, AN ELECTRONIC SMOKING DEVICE DIRECTORY, AND PENALTIES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1363](#), [S 1364](#), [S 1365](#), and [S 1366](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 472](#) and [H 474](#), by Agricultural Affairs Committee, were 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 1341](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[H 445](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 404](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

On request by Senator Lee, granted by unanimous consent, [S 1303](#) was referred to the Fourteenth Order of Business, General Calendar.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

Having been held, [S 1265](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder 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 and Schroeder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1265](#) passed, title was approved, and the bill ordered transmitted to the House.



On request by Senator Lee, granted by unanimous consent, **S 1247** retained its place on the Third Reading Calendar for one legislative day.

Having been held, **S 1261** 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), Senator Semmelroth disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Carlson, Den Hartog, Grow, Guthrie, Harris, Hartgen, Lakey, Lee, Lent, Okuniewicz, Ricks, Ruchti, Schroeder, Toews, Trakel, VanOrden, Winder. Total - 19.

NAYS—Bernt, Bjerke, Burtenshaw, Cook, Foreman, Hart, Herndon, Just, Lenney, Nichols, Rabe, Semmelroth, Taylor, Ward-Engelking, Wintrow, Zuiderveld. Total - 16.

Paired and voting included in roll call:

AYE - Anthon                                  NAY - Herndon

Total - 35.

Whereupon the President declared **S 1261** passed, title was approved, and the bill ordered transmitted to the House.

**H 422** 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—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Zuiderveld. Total - 32.

NAYS—Wintrow. Total - 1.

Absent and excused—Anthon, Toews. Total - 2.

Total - 35.

Whereupon the President declared **H 422** passed, title was approved, and the bill ordered returned to the House.

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

#### **Miscellaneous Business**

On motion by Senator Lee, seconded by Senator Wintrow, by voice vote, the Senate adjourned at 11:59 a.m. until the hour of 10:15 a.m., Monday, February 19, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**FORTY-THIRD LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 19, 2024**

Senate Chamber

President Bedke called the Senate to order at 10:15 a.m.

Roll call showed all members present except Senators Burtenshaw and Hart, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Brody Benson, 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, 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 19, 2024

The JUDICIARY AND RULES Committee reports that [S 1363](#), [S 1364](#), [S 1365](#), and [S 1366](#) have been correctly printed.

LAKEY, Chairman

[S 1363](#) and [S 1364](#) were referred to the State Affairs Committee.

[S 1365](#) was referred to the Transportation Committee.

[S 1366](#) was referred to the State Affairs Committee.

February 19, 2024

The JUDICIARY AND RULES Committee reports that [S 1268](#) and [S 1267](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1268](#) and [S 1267](#) and ordered them transmitted to the House for the signature of the Speaker.

February 16, 2024

The JUDICIARY AND RULES Committee reports out [S 1263](#), [S 1276](#), [S 1277](#), and [S 1281](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1263](#), [S 1276](#), [S 1277](#), and [S 1281](#) 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 16, 2024

Dear Mr. President:

I transmit herewith [H 467](#), [H 466](#), [H 478](#), [H 461](#), [H 462](#), [H 488](#), and [H 493](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 467](#), [H 466](#), [H 478](#), [H 461](#), [H 462](#), [H 488](#), and [H 493](#) were filed for first reading.

February 16, 2024

Dear Mr. President:

I return herewith Enrolled [S 1266](#), which has been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1266](#) 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 1367**

#### BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PUBLIC DEFENSE; AMENDING SECTION 16-1614, IDAHO CODE, TO REVISE A PROVISION REGARDING COUNSEL APPOINTED FOR A CHILD AND TO ESTABLISH PROVISIONS REGARDING COUNSEL FOR A GUARDIAN AD LITEM; AMENDING SECTION 19-5905, IDAHO CODE, TO REVISE A PROVISION REGARDING REPRESENTATION BY THE STATE APPELLATE PUBLIC DEFENDER AND TO REMOVE A PROVISION REGARDING SERVICES OF THE STATE APPELLATE PUBLIC DEFENDER AVAILABLE TO COUNTIES; AMENDING SECTION 19-6005, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 220, LAWS OF 2023, TO PROVIDE FOR A POWER AND DUTY OF THE STATE PUBLIC DEFENDER AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 19-852, IDAHO CODE, AS AMENDED BY SECTION 5, CHAPTER 220, LAWS OF 2023, TO PROVIDE FOR CASES WHERE AN ATTORNEY SHALL PROVIDE REPRESENTATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 60, TITLE 19, IDAHO CODE, BY THE ADDITION

OF A NEW SECTION 19-6020, IDAHO CODE, TO PROVIDE FOR THE APPOINTMENT OF ADDITIONAL COUNSEL AND PRO BONO PROGRAMS; AMENDING CHAPTER 8, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-828, IDAHO CODE, TO ESTABLISH THE ATTORNEY COSTS FOR GUARDIAN AD LITEM ACCOUNT; AMENDING SECTION 67-5303, IDAHO CODE, TO REVISE A PROVISION REGARDING NONCLASSIFIED EMPLOYEES; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

**S 1368**  
**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO ADOPTION; AMENDING SECTION 18-1511, IDAHO CODE, TO PROHIBIT PLACEMENT OF CHILDREN BY UNLICENSED ORGANIZATIONS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1367](#) and [S 1368](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 467](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 466](#) and [H 478](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 461](#) and [H 462](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 488](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 493](#), 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 402](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[S 1238](#) and [S 1271](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1273](#), 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 returned to the Tenth Order of Business.

**Motions and Resolutions**

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

On motion by Senator Ricks, seconded by Senator Semmelroth, the Gubernatorial reappointment of Hyrum Erickson 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 reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Burtenshaw was recorded present at this order of business.

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

On motion by Senator Semmelroth, seconded by Senator Ricks, the Gubernatorial appointment of Steven Bailey as the Director of the Department of Administration 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.

On request by Senator Anthon, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Memorial Service.

**MEMORIAL SERVICE**

The service was conducted by Memorial Service Committee Co-chairmen Senator Ben Adams and Senator Ron Taylor. The Invocation was delivered by Senate Chaplain Doug Armstrong. The Service was coordinated by Jim Hickey, Secretary to the Secretary of the Senate.

**IN THE SENATE**  
**A SENATE MEMORIAL**

WHEREAS, the late Senator PHIL BATT passed on since the close of the First Regular Session of the Sixty-seventh Legislature to wit, March 4, 2023.

WHEREAS, the late Senator PHIL BATT served in the interest of Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley, and Washington Counties during the Thirty-ninth through the Fortieth Legislatures, Forty-second through the Forty-fourth Legislatures, and the Forty-eighth through the Forty-ninth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the Sixty-seventh Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator PHIL BATT; and

BE IT FURTHER RESOLVED that the Senate of the Second Regular Session of the Sixty-seventh Idaho Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the PHIL BATT family.

On motion by Senator Winder, seconded by Senator Wintrow, the Memorial to the late Senator Phil Batt was adopted by voice vote.

**IN THE SENATE  
A SENATE MEMORIAL**

WHEREAS, the late Senator FREDERICK BAGLEY passed on since the close of the First Regular Session of the Sixty-seventh Legislature to wit, April 10, 2023.

WHEREAS, the late Senator FREDERICK BAGLEY served in the interest of Ada County during the Thirty-ninth through the Fortieth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the Sixty-seventh Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator FREDERICK BAGLEY; and

BE IT FURTHER RESOLVED that the Senate of the Second Regular Session of the Sixty-seventh Idaho Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the FREDERICK BAGLEY family.

On motion by Senator Rabe, seconded by Senator Ward-Engelking, the Memorial to the late Senator Frederick Bagley was adopted by voice vote.

**IN THE SENATE  
A SENATE MEMORIAL**

WHEREAS, the late Senator FRED KENNEDY passed on since the close of the First Regular Session of the Sixty-seventh Legislature to wit August 10, 2023.

WHEREAS, the late Senator FRED KENNEDY served in the interest of Boise and Elmore Counties during the Fifty-seventh Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the Sixty-seventh Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator FRED KENNEDY; and

BE IT FURTHER RESOLVED that the Senate of the Second Regular Session of the Sixty-seventh Idaho Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the FRED KENNEDY family.

On motion by Senator Schroeder, seconded by Senator Anthon, the Memorial to the late Senator Fred Kennedy was adopted by voice vote.

**IN THE SENATE  
A SENATE MEMORIAL**

WHEREAS, the late Senator ROBBY KING-BARRUTIA passed on since the close of the First Regular Session of the Sixty-seventh Legislature to wit September 28, 2023.

WHEREAS, the late Senator ROBBY KING-BARRUTIA served in the interest of Elmore and Owyhee Counties during the Fifty-fourth through the Fifty-sixth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the Sixty-seventh Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator ROBBY KING-BARRUTIA; and

BE IT FURTHER RESOLVED that the Senate of the Second Regular Session of the Sixty-seventh Idaho Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the ROBBY KING-BARRUTIA family.

On motion by Senator Schroeder, seconded by Senator Lee, the Memorial to the late Senator Robby King-Barrutia was adopted by voice vote.

"For the Beauty of the Earth" was performed by Jamie Taylor and Jordan Freiburghaus. The Benediction was offered by Senate Chaplain Doug Armstrong and the Memorial Service Committee was dissolved.

**Motions and Resolutions**

On request by Senator Anthon, granted by unanimous consent, the committee report relative to the Gubernatorial appointment of Jeff McCray retained its place on the calendar for Wednesday, February 21, 2024.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Claire Sharp 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 Ruchti, the Gubernatorial appointment of Claire Sharp as a member of the Idaho Industrial 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 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 the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Janelle White was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Guthrie, the Gubernatorial appointment of Janelle White as the Administrator of the Division of Human Resources 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 the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Todd Lakey 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

Todd Lakey 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 reappointment 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 the Local Government and Taxation Committee report relative to the Gubernatorial appointment of Paul Woods was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Ricks, the Gubernatorial appointment of Paul Woods 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 his 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 Thirteenth Order of Business.

### **Third Reading of Bills**

On request by Senator Anthon, granted by unanimous consent, [S 1247](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1232](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1232](#), 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 Wintrow, by voice vote, the Senate adjourned at 12:03 p.m. until the hour of 11 a.m., Tuesday, February 20, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**FORTY-FOURTH LEGISLATIVE DAY**  
**TUESDAY, FEBRUARY 20, 2024**

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Talmage Cardon, 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, 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.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

February 20, 2024

Dear President Pro Tempore,

I have the honor to inform you that pursuant to Title 67-412, I have designated Melissa Ricks of Rexburg, Idaho, 83440, as a qualified substitute for Legislative District 34, Madison County, State of Idaho.

This appointment is effective Tuesday, February 20, 2024, and will continue until I am able to resume my duties.

Sincerely,  
/s/ Senator Ricks

The President announced that the Oath of Office had been administered previously to Acting Senator Ricks, and she was recorded present at this order of business.

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 Sixth Order of Business.

### Reports of Standing Committees

February 20, 2024

The JUDICIARY AND RULES Committee reports that [S 1367](#) and [S 1368](#) have been correctly printed.

LAKEY, Chairman

[S 1367](#) and [S 1368](#) were referred to the Judiciary and Rules Committee.

February 19, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1266](#) was delivered to the Office of the Governor at 1:50 p.m., February 19, 2024.

LAKEY, Chairman

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

February 19, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [S 1338](#) and [S 1339](#) with the recommendation that they do pass.

BURTENSHAW, Chairman

[S 1338](#) and [S 1339](#) were filed for second reading.

February 19, 2024

The HEALTH AND WELFARE Committee reports out [S 1354](#) and [S 1355](#) with the recommendation that they do pass.

VANORDEN, Chairman

[S 1354](#) and [S 1355](#) were filed for second reading.

February 19, 2024

The JUDICIARY AND RULES Committee reports out [S 1326](#), [S 1346](#), and [S 1350](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1326](#), [S 1346](#), and [S 1350](#) 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, 2024

Dear Mr. President:

I transmit herewith [H 500](#) and [H 529](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 500](#) and [H 529](#) were filed for first reading.

February 19, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 406](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 406](#) and ordered it returned to the House.

February 19, 2024

The Senate advanced to the Twelfth Order of Business.

Dear Mr. President:

I return herewith Enrolled [S 1269](#) and [S 1270](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1269](#) and [S 1270](#) 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 committee report relative to the Gubernatorial appointment of Cally Roach retained its place on the calendar for one legislative day.

The President announced that [SJM 102](#) was before the Senate for final consideration.

Moved by Senator Guthrie, seconded by Senator Ward-Engelking, that [SJM 102](#) be adopted. The question being, "Shall the memorial be adopted?"

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Zuiderveld, and was supported by Senators Anthon, Harris, and Nichols.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lent, Nichols, Okuniewicz, Rabe, Ricks (Ricks), Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 30.

NAYS—Carlson, Foreman, Lenney, Zuiderveld. Total - 4.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [SJM 102](#) adopted, 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 1369**

**BY JUDICIARY AND RULES COMMITTEE**

**AN ACT**

RELATING TO MANSLAUGHTER; AMENDING SECTION 18-4007, IDAHO CODE, TO REVISE A PROVISION REGARDING A PENALTY AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1369](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 500](#) and [H 529](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

**Second Reading of Bills**

[S 1263](#), [S 1276](#), and [S 1277](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1281](#), 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 Wintrow, by voice vote, the Senate adjourned at 12:07 p.m. until the hour of 11 a.m., Wednesday, February 21, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

---

**FORTY-FIFTH LEGISLATIVE DAY**  
**WEDNESDAY, FEBRUARY 21, 2024**

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Emma 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 20, 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 Fifth Order of Business.

### Petitions, Resolutions, and Memorials

Senator Lenney was recorded present at this order of business.

### SCR 117

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE, HONORING THE DISTINGUISHED SERVICE OF LIEUTENANT GENERAL ERIK PETERSON, AND DECLARING LIEUTENANT GENERAL ERIK PETERSON DAY ON MARCH 31, 2024.

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

WHEREAS, Erik Peterson, son of Jack and Rose-Mary Peterson, moved to Idaho at a young age and attended Taft, Saint Mary's, and Saint Joseph's schools in Boise and Meridian High School; and

WHEREAS, Erik Peterson chose to attend the University of Idaho's College of Mines and Earth Resources to study under Dr. Maynard Miller, his friend and mentor from the Juneau Icefield Research Program. While studying there, he also served as a resident advisor and resident advisor supervisor. Following his father's example of service in the United States Marine Corps, both of his parents' service in the Peace Corps, and his

stepmother Faith's service as a nurse practitioner caring for underserved citizens, he chose to join the University of Idaho's Chrisman Battalion of the Army Reserve Officers' Training Corps (ROTC); and

WHEREAS, Erik Peterson received Bachelor of Science degrees in both Geography and Cartography from the University of Idaho's College of Mines and Earth Resources in 1986; and

WHEREAS, he received his Army commission in 1986 as a Distinguished Military Graduate of the University of Idaho's Chrisman Battalion of the Army ROTC program, was assigned to the Aviation Branch, and completed flight school in 1987; and

WHEREAS, additional educational achievements by Erik Peterson include Master's degrees in Business Administration and National Security Strategy. He continued his professional military education with the Aviation Warrant Officer Advanced Course, Combined Arms and Services Staff School, Command and General Staff College, and the National War College; and

WHEREAS, his key command and leadership assignments include four tours with the 160th Special Operations Aviation Regiment (Airborne), Director of the Flight Concepts Division, Fort Eustis, VA; Brigade Commander, 10th Combat Aviation Brigade and the Chief of Staff, 10th Mountain Division (Light Infantry), Fort Drum, NY; Deputy Commanding General, United States Army Cadet Command, Fort Knox, KY; Commanding General of United States Army Special Operations Aviation Command (Airborne), Fort Bragg, NC; Director of Army Aviation on the Army staff at the Pentagon; Commanding General of Division West of First United States Army, Fort Hood, TX, which consists of five brigades and two mobilization sites arrayed across the country; the Director of Force Development, in G-8, where he served as the principal advisor to the Deputy Chief of Staff, G-8; the Vice Chief of Staff, Army; and the Chief of Staff, Army, on all Army-wide equipping programs and resources; and

WHEREAS, Lieutenant General Erik Peterson served in numerous combat and contingency deployments to Central America, the Caribbean, Africa, Asia, and the Middle East, including Operation Desert Shield, Operation Desert Storm, Operation Uphold Democracy, and numerous deployments for both Operation Enduring Freedom and Operation Inherent Resolve; and

WHEREAS, his military awards and decorations include three Distinguished Service Medals, four Legions of Merit, six Bronze Star Medals, five Meritorious Service Medals, five Air Medals with valor device, the NATO Meritorious Service Medal, the Combat Action Badge, the Master Army Aviator Badge, the Master Parachutist Badge, and the Air Assault Badge. His foreign military awards include the Kuwait Liberation Medal (Government of Kuwait), the Kuwait Liberation Medal (Kingdom of Saudi Arabia), the Order of National Security Merit Cheonsu Medal (Republic of Korea), the Australian Parachutist Badge, an honorary Republic of Korea Master Aviator Badge, and an honorary Swedish Parachutist Badge; and

WHEREAS, Lieutenant General Erik Peterson was the first recipient of the United States Committee of the Blue Shield's Award for Meritorious Military Service in Protection of Cultural Property (2014); was inducted into the United States Army ROTC Hall of Fame (2016); received an honorary Ph.D. from the University of Idaho (2018); and was inducted into the University of Idaho Alumni Hall of Fame (2022); and

WHEREAS, Lieutenant General Erik Peterson became the Deputy Chief of Staff, G-8, on June 2, 2021, and will retire from his distinguished military career on March 31, 2024, after 38 years of service to his nation; and

WHEREAS, Lieutenant General Erik Peterson is retiring as the highest ranking United States Army Officer in the history of



the University of Idaho and the State of Idaho, bringing honor to our state and nation.

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 State of Idaho recognizes the outstanding contributions that Lieutenant General Erik Peterson has made to the people of Idaho and the nation through his distinguished military service and commitment to the defense of our nation.

BE IT FURTHER RESOLVED that the Idaho Legislature declares Lieutenant General Erik Peterson's retirement date of March 31, 2024, as "Lieutenant General Erik Peterson Day" in honor of his extraordinary leadership to the Department of the Army and Department of Defense in protecting our nation's freedoms.

[SCR 117](#) 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 21, 2024

The JUDICIARY AND RULES Committee reports that [S 1369](#) has been correctly printed.

LAKEY, Chairman

[S 1369](#) was referred to the Judiciary and Rules Committee.

February 20, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1269](#) and [S 1270](#) were delivered to the Office of the Governor at 1:43 p.m., February 20, 2024.

LAKEY, Chairman

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

February 20, 2024

The TRANSPORTATION Committee reports out [S 1321](#) and [S 1320](#) with the recommendation that they do pass.

OKUNIEWICZ, Chairman

[S 1321](#) and [S 1320](#) were filed for second reading.

February 20, 2024

The TRANSPORTATION Committee reports out [S 1365](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

OKUNIEWICZ, Chairman

There being no objection, [S 1365](#) was referred to the Fourteenth Order of Business, General Calendar.

February 20, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1316](#) with the recommendation that it do pass.

RICKS, Chairman

[S 1316](#) was filed for second reading.

February 20, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1246](#), [S 1283](#), [S 1284](#), [S 1294](#), [S 1295](#), and [S 1301](#) with the recommendation that they do pass.

COOK, Chairman

[S 1246](#), [S 1283](#), [S 1284](#), [S 1294](#), [S 1295](#), and [S 1301](#) were filed for second reading.

February 20, 2024

The EDUCATION Committee reports out [H 452](#) and [S 1359](#) with the recommendation that they do pass.

LENT, Chairman

[H 452](#) and [S 1359](#) were filed for second reading.

February 20, 2024

The HEALTH AND WELFARE Committee reports out [H 435](#), [S 1351](#), and [S 1352](#) with the recommendation that they do pass.

VANORDEN, Chairman

[H 435](#), [S 1351](#), and [S 1352](#) were filed for second reading.

February 21, 2024

The STATE AFFAIRS Committee reports out [H 417](#), [H 455](#), and [H 471](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 417](#), [H 455](#), and [H 471](#) were filed for second reading.

February 21, 2024

The STATE AFFAIRS Committee reports out [S 1224](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [S 1224](#) 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 20, 2024

Dear Mr. President:

I transmit herewith [H 425](#), [H 566](#), [H 491](#), [H 531](#), [H 532](#), [H 533](#), [H 496](#), [H 436](#), and [H 437](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 425](#), [H 566](#), [H 491](#), [H 531](#), [H 532](#), [H 533](#), [H 496](#), [H 436](#), and [H 437](#) were filed for first reading.

February 20, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 422](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 422](#) and ordered it returned to the House.

February 20, 2024

Dear Mr. President:

I return herewith Enrolled [S 1268](#) and [S 1267](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1268](#) and [S 1267](#) 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 1370**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO WATER; AMENDING SECTION 31-3805, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DELIVERY OF WATER WITHIN SUBDIVISIONS; AMENDING SECTION 31-3806, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN CIVIL ACTIONS; AMENDING SECTION 67-6508, IDAHO CODE, TO PROVIDE FOR CONSIDERATION OF GROUND WATER WHEN AMENDING, REPEALING, OR ADOPTING A COMPREHENSIVE PLAN; AMENDING SECTION 67-6537, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1371**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 21-805, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION DATE; AMENDING SECTION 22-4301, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION DATE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3908, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION DATE; AMENDING SECTION 31-3911, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION DATE; AMENDING SECTION 31-3915, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION DATE; AMENDING SECTION 33-2715, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION DATE; AMENDING SECTION 33-2728, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION DATE; AMENDING SECTION 34-102, IDAHO CODE, TO REVISE A DEFINITION, TO DEFINE A TERM, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-106, IDAHO CODE, TO REVISE PROVISIONS REGARDING LIMITATIONS ON CERTAIN ELECTIONS AND TO PROVIDE A PRESIDENTIAL PRIMARY DATE; AMENDING SECTION 34-411A, IDAHO CODE, TO REVISE PROVISIONS REGARDING CHANGING PARTY AFFILIATION FOR PRIMARY ELECTIONS; AMENDING SECTION 34-601, IDAHO CODE, TO PROVIDE A PRESIDENTIAL PRIMARY DATE; AMENDING SECTION 34-704, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FILING DEADLINES FOR CANDIDATES FOR ELECTED OFFICE AND TO PROVIDE A CORRECT CODE REFERENCE;

AMENDING SECTION 34-713, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PREPARATION OF PRESIDENTIAL PRIMARY BALLOTS; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-731, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PRESIDENTIAL PRIMARIES; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-732, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR PRESIDENTIAL PRIMARY CANDIDATES; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-733, IDAHO CODE, TO PROVIDE FOR THE REMOVAL OF CANDIDATES FROM PRESIDENTIAL PRIMARY BALLOTS; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-734, IDAHO CODE, TO PROVIDE FOR VOTING IN A PRESIDENTIAL PRIMARY; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-735, IDAHO CODE, TO PROVIDE FOR PRESIDENTIAL PRIMARY RESULTS; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-736, IDAHO CODE, TO PROVIDE FOR DELEGATES TO A NATIONAL CONVENTION; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-737, IDAHO CODE, TO PROVIDE FOR THE CONDUCT OF A PRESIDENTIAL PRIMARY ELECTION; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-738, IDAHO CODE, TO PROVIDE FOR THE COSTS OF A PRESIDENTIAL PRIMARY; AMENDING SECTION 34-904A, IDAHO CODE, TO REVISE PROVISIONS REGARDING ELIGIBILITY TO VOTE IN PRIMARY ELECTIONS; AMENDING SECTION 34-1203A, IDAHO CODE, TO REVISE PROVISIONS REGARDING POSTELECTION AUDITS OF SELECTED BALLOTS; AMENDING SECTION 34-1205, IDAHO CODE, TO REVISE A PROVISION REGARDING MEETINGS OF A COUNTY BOARD OF CANVASSERS; AMENDING SECTION 34-1404, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION DATE; AMENDING SECTION 39-1330, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION DATE; AMENDING SECTION 40-1305, IDAHO CODE, TO REVISE A PROVISION REGARDING AN ELECTION DATE; AMENDING SECTION 42-3211, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION DATE; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN ELECTION DATE; AMENDING SECTION 67-4911, IDAHO CODE, TO REVISE A PROVISION REGARDING AN ELECTION DATE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1370](#) and [S 1371](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 425](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 566](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 491](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 531](#), [H 532](#), and [H 533](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[H 496](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 436](#) and [H 437](#), 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.

### Second Reading of Bills

[S 1338](#) and [S 1339](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[S 1354](#) and [S 1355](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1326](#), [S 1346](#), and [S 1350](#), by Judiciary and Rules 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 1247](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1231](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Foreman 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks (Ricks), Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1231](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1239](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks (Ricks), Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Hartgen. Total - 1.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1239](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1272](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks (Ricks), Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1272](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1274](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bernt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Bernt, granted by unanimous consent, the following typographical correction was made to [S 1274](#), pursuant to Senate Rule 9(F):

On page 2, in line 1, following "approaches" add ";".

Pursuant to Senate Rule 39(H), Senators Anthon, Lee, Ruchti, Semmelroth, and Wintrow disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks (Ricks), Schroeder, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 27.

NAYS—Just, Lee, Rabe, Ruchti, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 8.

Paired and voting included in roll call:

AYE - VanOrden                      NAY - Ward-Engelking

Total - 35.

Whereupon the President declared [S 1274](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1289](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1279](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks (Ricks), Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1279](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1282](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Trakel 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks (Ricks), Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

Whereupon the President declared [S 1282](#) 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 Wintrow, by voice vote, the Senate adjourned at 12:01 p.m. until the hour of 11 a.m., Thursday, February 22, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**FORTY-SIXTH LEGISLATIVE DAY**  
**THURSDAY, FEBRUARY 22, 2024**

Senate Chamber

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

Roll call showed all members present except Senators Lee and VanOrden, absent and excused.

Prayer was offered by Senator Bjerke.

The Pledge of Allegiance was led by Roy Hutchings, 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 21, 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

Senator VanOrden was recorded present at this order of business.

February 22, 2024

The JUDICIARY AND RULES Committee reports that [SCR 117](#), [S 1370](#), and [S 1371](#) have been correctly printed.

LAKEY, Chairman

[SCR 117](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1370](#) was referred to the Local Government and Taxation Committee.

[S 1371](#) was referred to the State Affairs Committee.

February 21, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1268](#) and [S 1267](#) were delivered to the Office of the Governor at 1:55 p.m., February 21, 2024.

LAKEY, Chairman

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

February 21, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [S 1292](#) and [S 1322](#) with the recommendation that they do pass.

BURTENSHAW, Chairman

[S 1292](#) and [S 1322](#) were filed for second reading.

February 21, 2024

The EDUCATION Committee reports out [H 450](#) with the recommendation that it do pass.

LENT, Chairman

[H 450](#) was filed for second reading.

February 21, 2024

The EDUCATION Committee reports out [S 1362](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LENT, Chairman

There being no objection, [S 1362](#) was referred to the Fourteenth Order of Business, General Calendar.

February 21, 2024

The JUDICIARY AND RULES Committee reports out [S 1327](#) and [S 1329](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1327](#) and [S 1329](#) were filed for second reading.

February 21, 2024

The JUDICIARY AND RULES Committee reports out [S 1328](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [S 1328](#) was referred to the Fourteenth Order of Business, General Calendar.

February 21, 2024

The HEALTH AND WELFARE Committee reports out [H 399](#) with the recommendation that it do pass.

VANORDEN, Chairman

[H 399](#) 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 21, 2024

Dear Mr. President:

I transmit herewith [H 439](#), [H 441](#), [H 508](#), [H 408](#), [H 518](#), and [H 544](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 439](#), [H 441](#), [H 508](#), [H 408](#), [H 518](#), and [H 544](#) 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 439](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 441](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 508](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 408](#) and [H 518](#), by Judiciary, Rules and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 544](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

Senator Lee was 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 motion by Senator Anthon, seconded by Senator Lee, by voice vote, the following attaches were elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute:

Pages:

Brody Benson, Burley  
Talmage Cardon, Idaho Falls  
Emma Harris, Rigby  
Roy Hutchings, Rupert  
Alexis Marshall, Arimo  
Kate Paine, Meridian  
Benjamin Price, Garden City  
Ashley Richardson, Rigby  
Cameron Spencer, Meridian  
Keegan Watts, 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 Twelfth Order of Business.

**Second Reading of Bills**

[S 1321](#) and [S 1320](#), by Transportation Committee, were read the second time at length and filed for third reading.

[S 1316](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1246](#), [S 1283](#), [S 1284](#), [S 1294](#), [S 1295](#), and [S 1301](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 452](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1359](#), by Education Committee, was read the second time at length and filed for third reading.

[H 435](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1351](#) and [S 1352](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 417](#), [H 455](#), and [H 471](#), 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 1247](#) retained its place on the Third Reading Calendar for one legislative day.

Having been held, [S 1289](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder 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, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Lakey, Lee, Lent, Schroeder, Semmelroth, VanOrden, Winder. Total - 17.

NAYS—Bjerke, Carlson, Foreman, Hart, Herndon, Just, Lenney, Nichols, Okuniewicz, Rabe, Ricks (Ricks), Ruchti, Taylor, Toews, Trakel, Ward-Engelking, Wintrow, Zuiderveld. Total - 18.

Total - 35.

Whereupon the President declared that [S 1289](#) 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 Wintrow, by voice vote, the Senate adjourned at 12:19 p.m. until the hour of 11 a.m., Friday, February 23, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**FORTY-SEVENTH LEGISLATIVE DAY**  
**FRIDAY, FEBRUARY 23, 2024**

Senate Chamber

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

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

Prayer was offered by Senator Hartgen.

The Pledge of Allegiance was led by Alexis Marshall, 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, 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 Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 22, 2024

The AGRICULTURAL AFFAIRS Committee reports out [H 472](#) with the recommendation that it do pass.

HARTGEN, Chairman

[H 472](#) was filed for second reading.

February 22, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 428](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), and [S 1297](#) with the recommendation that they do pass.

COOK, Chairman

[H 428](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), and [S 1297](#) were filed for second reading.

February 22, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 488](#) with the recommendation that it do pass.

RICKS, Chairman

[H 488](#) was filed for second reading.

February 22, 2024

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:

McKenzie Kraemer to the Idaho Health Insurance Exchange Board, term to expire April 10, 2027.

COOK, 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 22, 2024

The EDUCATION Committee reports out [S 1361](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LENT, Chairman

There being no objection, [S 1361](#) was referred to the Fourteenth Order of Business, General Calendar.

February 23, 2024

The STATE AFFAIRS Committee reports out [H 496](#) and [H 390](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 496](#) and [H 390](#) were filed for second reading.

February 23, 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:

Susan Kerrick to the Idaho Lottery Commission, term to expire January 1, 2029.

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

### Messages from the Governor

February 21, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Scott Madison of Boise, Idaho, was appointed to the Idaho Judicial Council to serve a term commencing February 8, 2024, and expiring July 1, 2027.

This appointment is subject to confirmation by the Senate, and 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

February 22, 2024

Dear Mr. President:

I transmit herewith [H 468](#), [H 398](#), and [H 438](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 468](#), [H 398](#), and [H 438](#) 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 1372 BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE PEST CONTROL DEFICIENCY FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE INVASIVE SPECIES FUND; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1373 BY FINANCE COMMITTEE AN ACT

RELATING TO THE APPROPRIATION TO THE SOIL AND WATER CONSERVATION COMMISSION; APPROPRIATING ADDITIONAL MONEYS TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2025; DIRECTING THE USE OF FUNDS FOR THE WATER QUALITY PROGRAM FOR AGRICULTURE; PROVIDING GENERAL FUND REAPPROPRIATION AUTHORITY FOR THE WATER QUALITY PROGRAM FOR AGRICULTURE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1374 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING CONCEALED WEAPONS ON CERTAIN PROPERTY OWNED BY THE STATE OF IDAHO AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1375 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO NATUROPATHIC DOCTOR LICENSING; AMENDING SECTION 54-5905, IDAHO CODE, TO REVISE PROVISIONS REGARDING VOLUNTARY NATUROPATHIC DOCTOR LICENSURE REQUIREMENTS; AND DECLARING AN EMERGENCY.

[S 1372](#), [S 1373](#), [S 1374](#), and [S 1375](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 468](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 398](#) and [H 438](#), 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.

### Second Reading of Bills

[S 1292](#) and [S 1322](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[H 450](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1327](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1329](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 399](#), 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

On request by Senator Lee, granted by unanimous consent, [S 1247](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1317](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nichols arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bjerke, Burtenshaw, Carlson, Foreman, Guthrie, Harris, Hart, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Toews, Trakel, Winder, Zuiderveld. Total - 18.

NAYS—Adams, Bernt, Cook, Den Hartog, Grow, Hartgen, Lee, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Wintrow. Total - 15.

Absent and excused—Anthon, Ricks (Ricks). Total - 2.

Paired and voting included in roll call:

AYE - Lakey

NAY - Taylor

Total - 35.



Whereupon the President declared [S 1317](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1319](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Just arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—None.

Absent and excused—Anthon, Lakey, Ricks (Ricks). Total - 3.

Total - 35.

Whereupon the President declared [S 1319](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1290](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—None.

Absent and excused—Anthon, Lakey, Ricks (Ricks). Total - 3.

Total - 35.

Whereupon the President declared [S 1290](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lee, granted by unanimous consent, [S 1291](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1311](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Trakel arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—None.

Absent and excused—Anthon, Lakey, Ricks (Ricks). Total - 3.

Total - 35.

Whereupon the President declared [S 1311](#) passed, title was approved, and the bill ordered transmitted to the House.

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

#### Miscellaneous Business

On motion by Senator Lee, seconded by Senator Wintrow, by voice vote, the Senate adjourned at 11:56 a.m. until the hour of 11 a.m., Monday, February 26, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**FIFTIETH LEGISLATIVE DAY  
MONDAY, FEBRUARY 26, 2024**

Senate Chamber

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

Roll call showed all members present except Senators Cook and VanOrden, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Kate Paine, 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, 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 26, 2024

The JUDICIARY AND RULES Committee reports that [S 1372](#), [S 1373](#), [S 1374](#), and [S 1375](#) have been correctly printed.

LAKEY, Chairman

[S 1372](#) and [S 1373](#) were referred to the Finance Committee.

[S 1374](#) was referred to the State Affairs Committee.

[S 1375](#) was referred to the Commerce and Human Resources Committee.

February 26, 2024

The STATE AFFAIRS Committee reports out [S 1275](#) and [S 1371](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[S 1275](#) and [S 1371](#) were filed for second reading.

February 26, 2024

The STATE AFFAIRS Committee reports out [S 1364](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [S 1364](#) 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.

Senator VanOrden was recorded present at this order of business.

### Messages from the Governor

February 23, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on February 20, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1266](#)

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 23, 2024

Dear Mr. President:

I transmit herewith [H 482](#), [HCR 23](#), and [H 521](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 482](#), [HCR 23](#), and [H 521](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, [SCR 117](#) was placed before the Senate for final consideration at this time.

The President announced that [SCR 117](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Schroeder, seconded by Senator Ruchti, [SCR 117](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

Having been held, the President announced that the Local Government and Taxation Committee report relative to the Gubernatorial appointment of Jeff McCray was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Anthon, seconded by Senator Just, the Gubernatorial appointment of Jeff McCray as a member of the Multistate 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 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 Education Committee report relative to the Gubernatorial reappointment of Cally Roach was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Zuiderveld, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Cally Roach 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 his 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 committee report relative to the Gubernatorial appointment of McKenzie Kraemer retained its place on the calendar for one legislative day.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Susan Kerrick 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 Ruchti, the Gubernatorial reappointment of Susan Kerrick 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 reappointment 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 113](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lent, seconded by Senator Semmelroth, [SCR 113](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SJM 103](#) was before the Senate for final consideration.

Moved by Senator Harris, seconded by Senator Anthon, that [SJM 103](#) be adopted. The question being, "Shall the memorial be adopted?"

Pursuant to Senate Rule 39(H), Senator Anthon disclosed a possible conflict of interest under applicable law.

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Anthon and supported by Senators Bernt and Burtenshaw.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Zuiderveld. Total - 29.

NAYS—Just, Rabe, Semmelroth, Taylor, Wintrow. Total - 5.

Absent and excused—Cook. Total - 1.

Total - 35.

Whereupon the President declared [SJM 103](#) adopted, title was approved, and the memorial ordered transmitted to the House.

The President announced that [SCR 116](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Carlson, seconded by Senator Ward-Engelking, [SCR 116](#) 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 Eleventh Order of Business.

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

##### **S 1376**

##### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO PUBLIC OFFICIALS; AMENDING SECTION 74-604, IDAHO CODE, TO PROVIDE AN EXCEPTION FOR CERTAIN PUBLIC OFFICIALS FOR THE USE OF PUBLIC PROPERTY OR RESOURCES WHILE ADVOCATING FOR OR AGAINST AN INITIATIVE OR REFERENDUM AND TO PROVIDE CONDITIONS; AMENDING SECTION 74-605, IDAHO CODE, TO REVISE A PROVISION REGARDING CAMPAIGNING OR ADVOCACY FOR OR AGAINST AN INITIATIVE OR REFERENDUM, TO PROVIDE THAT USE OF PUBLIC PROPERTY AND RESOURCES BY CERTAIN PUBLIC OFFICIALS ADVOCATING FOR OR AGAINST AN INITIATIVE OR REFERENDUM SHALL NOT BE PROHIBITED, AND TO PROVIDE CONDITIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### **S 1377**

##### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO BALLOT MEASURES; AMENDING SECTION 34-1807, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CIRCULATION OF PETITIONS, TO PROVIDE CERTAIN REQUIREMENTS FOR PAID SIGNATURE GATHERERS, TO REVISE PROVISIONS REGARDING THE VERIFICATION OF PETITION AND SIGNATURE SHEETS, TO REVISE PROVISIONS REGARDING CERTAIN REQUIREMENTS FOR THE CERTIFICATION OF PETITION SIGNERS, AND TO PROVIDE CONDITIONS UNDER WHICH CERTAIN PETITIONS ARE DEEMED VOID AND TO MAKE A TECHNICAL CORRECTION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1376](#) and [S 1377](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 482](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[HCR 23](#), by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 521](#), 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 472](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 428](#), [H 429](#), [H 430](#), [H 431](#), and [H 432](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1297](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

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

[H 496](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 390](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

On motion by Senator Anthon, seconded by Senator Wintrow, by voice vote the Senate recessed at 12:07 p.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 Bedke presiding.

Roll call showed all members present except Senator Carlson, absent and formally excused by the Chair; and Senators Harris and Ward-Engelking, 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 Fourth Order of Business.

#### Reading of Communications

Senator Harris was recorded present at this order of business.

February 26, 2024

Dear President Pro Tempore,

I have the honor to inform you that pursuant to Title 67-412, I have designated Eric Forsmann of Grangeville, Idaho, 83549 as a qualified substitute for Legislative District 7, Idaho County, State of Idaho.

This appointment is effective Monday, February 26, 2024 at 2:30 p.m., and will continue until Thursday, February 29, 2024.

Sincerely,  
/s/ Senator Cindy Carlson

Having previously received the Oath of Office, Acting Senator Forsmann was recorded present at this order of business.

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 Sixth Order of Business.

#### Reports of Standing Committees

February 26, 2024

The FINANCE Committee reports out [S 1372](#) and [S 1373](#) with the recommendation that they do pass.

GROW, Chairman

[S 1372](#) and [S 1373](#) were filed for second reading.

February 26, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [S 1342](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[S 1342](#) was filed for second reading.

February 26, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [H 403](#) and [S 1337](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

BURTENSHAW, Chairman

There being no objection, [H 403](#) and [S 1337](#) were referred to the Fourteenth Order of Business, General Calendar.

February 26, 2024

The JUDICIARY AND RULES Committee reports out [S 1325](#) with the recommendation that it do pass.

LAKEY, Chairman

[S 1325](#) was filed for second reading.

February 26, 2024

The EDUCATION Committee reports out [H 566](#) with the recommendation that it do pass.

LENT, Chairman

[H 566](#) 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 26, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on February 26, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1267](#), [S 1269](#), and [S 1270](#)

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 1378  
BY JUDICIARY AND RULES COMMITTEE  
AN ACT**

RELATING TO SALARIES OF JUDGES; AMENDING SECTION 59-502, IDAHO CODE, TO REVISE A PROVISION REGARDING THE SALARY OF THE JUSTICES OF THE SUPREME COURT AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1378](#) 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**

Having been held, [S 1291](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), 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 1291](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1312](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1312](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1313](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hart

arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Hart and Just disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1313](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1341](#) 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), Senators Anthon, Burtenshaw, Harris, Taylor, and VanOrden disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1341](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1238](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1238](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1271](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Okuniewicz 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, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1271](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1273](#) 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—Adams, Bernt, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 22.

NAYS—Anthon, Bjerke, Foreman, Forsmann (Carlson), Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 13.

Total - 35.

Whereupon the President declared [S 1273](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1263](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ruchti arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Hartgen disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1263](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1276](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen 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, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1276](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1277](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hart 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, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1277](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1281](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1281](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1338](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1338](#) 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 Wintrow, by voice vote, the Senate adjourned at 5:55 p.m. until the hour of 11 a.m., Tuesday, February 27, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**FIFTY-FIRST LEGISLATIVE DAY**  
**TUESDAY, FEBRUARY 27, 2024**

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Benjamin Price, 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, 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

Senator Zuiderveld was recorded present at this order of business.

February 27, 2024

The JUDICIARY AND RULES Committee reports that [S 1376](#), [S 1377](#), and [S 1378](#) have been correctly printed.

LAKEY, Chairman

[S 1376](#) and [S 1377](#) were referred to the State Affairs Committee.

[S 1378](#) was referred to the Judiciary and Rules Committee.

February 26, 2024

The HEALTH AND WELFARE Committee reports out [H 393](#) with the recommendation that it do pass.

VANORDEN, Chairman

[H 393](#) 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 26, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Tim Morgan of Boise, Idaho, was appointed to the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing February 23, 2024, and expiring February 23, 2027.

This appointment is subject to confirmation by the Senate, and 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

February 26, 2024

Dear Mr. President:

I transmit herewith [H 502](#), [H 505](#), [H 545](#), [H 525](#), [H 527](#), [H 563](#), [H 574](#), [H 549](#), [H 547](#), [H 489](#), [H 528](#), [H 456](#), [H 487](#), [H 570](#), [H 580](#), [H 581](#), [H 618](#), [H 507](#), and [HCR 25](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 502](#), [H 505](#), [H 545](#), [H 525](#), [H 527](#), [H 563](#), [H 574](#), [H 549](#), [H 547](#), [H 489](#), [H 528](#), [H 456](#), [H 487](#), [H 570](#), [H 580](#), [H 581](#), [H 618](#), [H 507](#), and [HCR 25](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, [SJM 104](#) was placed before the Senate for final consideration at this time.

The President announced that [SJM 104](#) was before the Senate for final consideration.

Moved by Senator Harris, seconded by Senator Lakey, that [SJM 104](#) be adopted. The question being, "Shall the memorial be adopted?"

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Herndon and supported by Senators Foreman and Zuiderveld.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney,

Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Zuiderveld. Total - 30.

NAYS–Rabe, Ruchti, Semmelroth, Taylor, Wintrow. Total - 5.

Total - 35.

Whereupon the President declared [SJM 104](#) adopted, 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**

[H 502](#) and [H 505](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 545](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 525](#) and [H 527](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 563](#) and [H 574](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 549](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 547](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 489](#) and [H 528](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 456](#) and [H 487](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 570](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 580](#) and [H 581](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 618](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 507](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[HCR 25](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

[S 1275](#) and [S 1371](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1372](#) and [S 1373](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1342](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[S 1325](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 566](#), 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 1339](#) 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:

AYES–Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1339](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lee, granted by unanimous consent, [S 1354](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1355](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lent, Okuniewicz, Ricks, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder. Total - 27.

NAYS–Just, Lenney, Nichols, Rabe, Ruchti, Semmelroth, Wintrow, Zuiderveld. Total - 8.

Total - 35.

Whereupon the President declared [S 1355](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1326](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen 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, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 29.

NAYS–Foreman, Forsmann (Carlson), Hart, Herndon, Zuiderveld. Total - 5.



Absent and excused—Ruchti. Total - 1.

Total - 35.

Whereupon the President declared [S 1326](#) 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 Wintrow, by voice vote the Senate recessed at 11:59 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 Bedke presiding.

Roll call showed all members present except Senators Bjerke, Den Hartog, Harris, VanOrden, and Wintrow, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

February 27, 2024

The TRANSPORTATION Committee reports out [H 531](#), [H 532](#), and [H 533](#) with the recommendation that they do pass.

OKUNIEWICZ, Chairman

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

February 27, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 466](#), [S 1298](#), and [S 1299](#) with the recommendation that they do pass.

COOK, Chairman

[H 466](#), [S 1298](#), and [S 1299](#) were filed for second reading.

February 27, 2024

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:

Lisa Odom to the Idaho Health Insurance Exchange Board, term to expire April 10, 2025.

COOK, 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 Bjerke was recorded present at this order of business.

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

#### **Messages from the Governor**

February 27, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on February 27, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

#### **[S 1268](#)**

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 Thirteenth Order of Business.

#### **Third Reading of Bills**

[S 1346](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1346](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [H 428](#) was placed before the Senate for consideration at this time.

[H 428](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 428](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 459](#) was placed before the Senate for consideration at this time.

[H 459](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator

Bjerke 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, Cook, Den Hartog, Foreman, Forsmann (Carlson), 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 [H 459](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 475](#) was placed before the Senate for consideration at this time.

[H 475](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), 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 [H 475](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 458](#) was placed before the Senate for consideration at this time.

[H 458](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Cook, Den Hartog, Foreman, Forsmann (Carlson), 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 [H 458](#) passed, title was approved, and the bill ordered returned to the House.

[S 1350](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1350](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1321](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Okuniewicz arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Trakel disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1321](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1320](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1316](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1316](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1246](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1246](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1283](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1284](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Just 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, Cook, Den Hartog, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [S 1284](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1294](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1295](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1295](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1301](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1359](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1359](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1351](#) retained its place on the Third Reading Calendar for Friday, March 1, 2024.

On request by Senator Anthon, granted by unanimous consent, [S 1352](#) retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Anthon, granted by unanimous consent, [S 1292](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1322](#) 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:

AYES—Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Adams, Foreman, Forsmann (Carlson), Hart, Herndon, Lenney, Nichols, Trakel, Zuiderveld. Total - 9.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [S 1322](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1327](#) 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?"

Pursuant to Senate Rule 39(H), Senators Nichols and Rabe disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 31.

NAYS—Foreman, Lakey, Zuiderveld. Total - 3.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [S 1327](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1329](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 27.

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

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [S 1329](#) 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 Wintrow, by voice vote, the Senate adjourned at 6:24 p.m. until the hour of 11 a.m., Wednesday, February 28, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**FIFTY-SECOND LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 28, 2024**

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Ashley Richardson, 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 27, 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

Senator Den Hartog was recorded present at this order of business.

February 27, 2024

The HEALTH AND WELFARE Committee reports out [S 1288](#) with the recommendation that it do pass.

VANORDEN, Chairman

[S 1288](#) was filed for second reading.

February 28, 2024

The STATE AFFAIRS Committee reports out [H 498](#) and [S 1252](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 498](#) and [S 1252](#) 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 27, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Joseph Medeiros of Idaho Falls, Idaho, was appointed to the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing February 23, 2024, and expiring February 23, 2027.

This appointment is subject to confirmation by the Senate, and 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

February 27, 2024

Dear Mr. President:

I transmit herewith [H 543](#), [H 571](#), [H 576](#), [H 540](#), [H 592](#), [H 575](#), [H 464](#), [H 583](#), [H 610](#), [H 591](#), and [H 588](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 543](#), [H 571](#), [H 576](#), [H 540](#), [H 592](#), [H 575](#), [H 464](#), [H 583](#), [H 610](#), [H 591](#), and [H 588](#) 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 1379

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO CONGREGATE CARE; AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1619B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE PLACEMENT OF A CHILD IN A CONGREGATE CARE SETTING; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1380

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO THE HEALTH AND SOCIAL SERVICES OMBUDSMAN; AMENDING SECTION 67-2601, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 182, LAWS OF 2023, AND BY SECTION 33, CHAPTER 220,

LAWS OF 2023, TO PROVIDE FOR THE OFFICE OF HEALTH AND SOCIAL SERVICES OMBUDSMAN WITHIN THE DEPARTMENT OF SELF-GOVERNING AGENCIES; AMENDING TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 19, TITLE 56, IDAHO CODE, TO DEFINE A TERM, TO ESTABLISH PROVISIONS REGARDING THE HEALTH AND SOCIAL SERVICES OMBUDSMAN, TO PROVIDE FOR POWERS AND DUTIES, TO ESTABLISH PROVISIONS REGARDING COMPLAINTS, TO ESTABLISH PROVISIONS REGARDING COMPLAINT REVIEW AND EXAMINATION, TO ESTABLISH PROVISIONS REGARDING THE OBLIGATIONS OF STATE AGENCIES AND DEPARTMENTS, TO ESTABLISH PROVISIONS REGARDING PENALTIES FOR OBSTRUCTION OR RETALIATION, TO ESTABLISH PROVISIONS REGARDING ACCESS TO RECORDS, AND TO ESTABLISH PROVISIONS REGARDING DISCLOSURE OF COMPLAINTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1381**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO LIQUOR; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-903c, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING LICENSES ISSUED TO RESORT CITY RESTAURANTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1379](#), [S 1380](#), and [S 1381](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 543](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 571](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 576](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 540](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 592](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 575](#) and [H 464](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 583](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 610](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 591](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 588](#), by Ways and Means 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 393](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 531](#), [H 532](#), and [H 533](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 466](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1298](#) and [S 1299](#), by Commerce and Human Resources 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 1283](#) retained its place on the Third Reading Calendar for one legislative day.

Having been held, [S 1294](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Wintrow. Total - 31.

NAYS—Den Hartog, Lenney, Zuiderveld. Total - 3.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [S 1294](#) passed, title was approved, and the bill ordered transmitted to the House.

Having been held, [S 1301](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [S 1301](#) passed, title was approved, and the bill ordered transmitted to the House.

Having been held, [S 1352](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Hartgen disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Hart, Herndon, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, Trakel, VanOrden, Zuiderveld. Total - 23.

NAYS—Harris, Hartgen, Just, Lee, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 11.

Absent and excused—Winder. Total - 1.

Paired and voting included in roll call:

AYE - Burtenshaw                      NAY - Semmelroth

Total - 35.

Whereupon the President declared [S 1352](#) 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 Third Order of Business.

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

#### Reading of Communications

On motion by Senator Anthon, seconded by Senator Wintrow, by voice vote the Senate recessed at 12:20 p.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 Bedke presiding.

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

Prior to recess the Senate was at the Fourth Order of Business, Reading of Communications.

February 26, 2024

Dear President Pro Tempore,

I have the honor to inform you that pursuant to Title 67-412, I have designated Lindsay Moser of Boise, Idaho, 83706, as a qualified substitute for Legislative District 17, Ada County, State of Idaho.

This appointment is effective Wednesday, February 28, 2024, at 12:00 PM and will continue through Friday, March 1, 2024. I will resume the duties of my office on Monday, March 4, 2024.

Sincerely,  
/s/ Senator Semmelroth

Having previously received the Oath of Office, Acting Senator Moser was recorded present at this order of business.

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 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 1305](#), [S 1293](#), [S 1303](#), [S 1365](#), [S 1362](#), [S 1328](#), [S 1361](#), [S 1247](#), [S 1364](#), [H 403](#), and [S 1337](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO S 1305

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 23 through 25, and insert: "beautify neighborhoods."

#### SENATE AMENDMENT TO S 1293

##### AMENDMENT TO SECTION 2

On page 3 of the printed bill, in line 1, delete "two-thirds (2/3)" and insert: "sixty percent (60%)".

#### SENATE AMENDMENT TO S 1303

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 15, delete "fifty thousand dollars (\$50,000)" and insert: "thirty thousand dollars (\$30,000)".

##### AMENDMENT TO SECTION 2

On page 1, in line 38, delete "fifty thousand dollars (\$50,000)" and insert: "thirty thousand dollars (\$30,000)".

#### SENATE AMENDMENT TO S 1365

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 27, following "report" insert: "only"; and in line 40, following "section" insert: "only".

#### SENATE AMENDMENT TO S 1362

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 10 through 22, and insert:

"33-142. DISPLAY OF FLAGS AND BANNERS ON PUBLIC SCHOOL PROPERTY. (1) No public elementary school or public secondary school in the state of Idaho shall display any flag or banner on such school's property other than the following flags and banners:

- (a) The United States flag;
- (b) The official flag of the state of Idaho, or any county, municipality, public university or community college, school district, special district, or any other political subdivision or governmental instrumentality of or within the state;
- (c) Official flags of any state in the United States;
- (d) Official flags of recognized foreign nations;
- (e) Official school flags;
- (f) Official flags of any of the military branches and units of the United States;
- (g) Official flags of Indian tribes;
- (h) Flags or banners recognized by the Idaho department of education that are awarded for achievements; or

(i) Flags or banners representing official school mascots and colors.

(2) No flags or banners shall be displayed by a public elementary school or public secondary school that represent a political viewpoint, including but not limited to flags or banners regarding a political party, race, sexual orientation, gender, or a political ideology."

#### CORRECTION TO TITLE

On page 1, in line 4, following "FLAGS" insert: "AND BANNERS"; in line 5, following "ERTY" insert: "AND PROHIBITING THE DISPLAY OF CERTAIN FLAGS AND BANNERS ON SCHOOL PROPERTY".

#### SENATE AMENDMENT TO S 1328 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 25, delete "and" and insert: ", registered children's institutions, and"; in line 30, delete "shelter" and insert: "facility attempts to contact and"; in line 36, delete "and" and insert: ", registered children's institutions, and"; and following line 38, insert:

"(c) As used in this subsection:

- (i) "Behavioral health youth crisis center" means a voluntary outpatient facility operated twenty-four (24) hours a day, seven (7) days a week, and three hundred sixty-five (365) days a year to provide evaluation, intervention, and referral for youth seventeen (17) years of age or younger who are experiencing a crisis due to a behavioral health condition. The facility may not provide services to a youth client for more than twenty-three (23) hours and fifty-nine (59) minutes in a single episode of care.
- (ii) "Licensed children's residential care facility" has the same meaning as in section 39-1202, Idaho Code.
- (iii) "Registered children's institution" has the same meaning as in section 39-1202, Idaho Code."

#### CORRECTION TO TITLE

On page 1, in line 4, delete "AND" and insert: ", REGISTERED CHILDREN'S INSTITUTIONS, AND"; and in line 5, following "SERVICES" insert: "AND TO DEFINE TERMS".

#### SENATE AMENDMENT TO S 1361 AMENDMENT TO THE BILL

On page 2 of the printed bill, delete lines 16 through 49; delete pages 3 through 6; on page 7, delete lines 1 through 29; and renumber the subsequent section accordingly.

#### CORRECTION TO TITLE

On page 1, in line 4, delete "AMENDING SECTION 33-5206, IDAHO CODE, TO REQUIRE"; delete line 5; and in line 6, delete "BOARD OF TRUSTEES MEETINGS;"

#### SENATE AMENDMENT TO S 1247 AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 9 through 40; and delete pages 2 and 3, and insert:

"SECTION 1. That title 56, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known as designated as Chapter 19, Title 56, Idaho Code, and to read as follows:

#### CHAPTER 19 CRISIS RESPONSE FOR PERSONS WITH A NEUROCOGNITIVE DISORDER

56-1901. LEGISLATIVE INTENT. It is the intent of the legislature that persons with a neurocognitive disorder who are in acute crisis due to an unidentified underlying medical condition can get the care they need and return home once the underlying medical condition is resolved. The legislature further intends that state agencies and community partners will collaborate to provide the most dignified care for persons with a neurocognitive disorder.

56-1902. GOVERNMENTAL LIABILITY. All provisions of chapter 9, title 6, Idaho Code, shall apply to any claim of tortious conduct on the part of a person action or refusing to act in conformance with this chapter.

56-1903. DEFINITIONS. As used in this chapter:

- (1) "Department" means the state department of health and welfare.
- (2) "Health care provider" means a person licensed, certified, or otherwise authorized by law to administer health care services in the ordinary course of business or practice of a profession, including a physician, physician assistant, and advanced practice registered nurse.
- (3) "Health care services" means services for the diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury, or disease.
- (4) "Hospital" means a medical hospital as defined in section 39-1301, Idaho Code, including freestanding emergency departments.
- (5) "Likely to injure themselves or others" means:
  - (a) A substantial risk that serious physical harm will be inflicted by the person upon their own person, as evidenced by threats of suicide or threats to inflict serious physical harm on themselves;
  - (b) A substantial risk that serious physical harm will be inflicted by the person upon another as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm; or
  - (c) The person lacks insight into the need for treatment and is unable or unwilling to comply with treatment based on the person's medical history, clinical observation, or other clinical evidence, and if the person does not receive and comply with treatment, there is a substantial risk that the person will continue to physically, emotionally, or cognitively deteriorate to the point that the person will, in the reasonably near future, inflict serious physical harm on themselves or another person.
- (6) "Neurocognitive disorder" has the same meaning as provided in section 66-317(13), Idaho Code, except that for purposes of this chapter neurocognitive disorder does not include decreased mental function due to inappropriate use or abuse of substances or medications.
- (7) "Peace officer" means an employee of a law enforcement agency that is a part of or administered by the state or any political subdivision of the state and whose duties include and primarily consist of the prevention and detection of crime and the enforcement of penal, traffic, or highway laws of the state or any political subdivision of the state. Peace officer also means an employee of a police or law enforcement agency of a federally recognized Indian tribe who has satisfactorily completed the peace officer standards and training academy and



has been deputized by a sheriff of a county or a chief of police of a city of the state of Idaho.

(8) "Protective custody" means when a peace officer detains a person and takes such person to a hospital. The peace officer shall make every reasonable effort to protect the person's health and safety while the peace officer takes reasonable steps to protect the peace officer's safety. Protective custody under this section is not an arrest.

#### 56-1904. PROTECTIVE CUSTODY WITHOUT HEARING.

(1) No person shall be taken into protective custody or detained as an alleged emergency patient for observation, diagnosis, evaluation, care or treatment of a neurocognitive disorder unless and until the court has ordered such apprehension and custody pursuant to section 56-1905, Idaho Code; provided, however, that a person may be taken into custody by a peace officer and placed in a hospital, or the person may be detained at a hospital at which the person presented or was brought to receive medical care, if the peace officer or a health care provider in such hospital has reason to believe that person has a neurocognitive disorder and the person is likely to injure themselves or others; provided, under no circumstances shall the person be detained in a nonmedical unit used for the detention of persons charged with or convicted of penal offenses. Whenever a person is taken into custody or detained pursuant to this section without a court order, the evidence supporting the claim that the person with the neurocognitive disorder is likely to injure themselves or others must be presented to a duly authorized court within twenty-four (24) hours from the time the person was placed in custody or detained.

(2) If the court finds there is reason to believe the person is likely to have a neurocognitive disorder and likely to injure themselves or others pursuant to subsection (1) of this section, the court shall issue a temporary protective placement custody order requiring the person to be held in a hospital and requiring an examination of the person by a health care provider in such hospital within twenty-four (24) hours of the entry of the order of the court. Under no circumstances shall the person be detained in a nonmedical unit used for the detention of persons charged with or convicted of penal offenses.

(3) Where an examination is required pursuant to subsection (2) of this section, the health care provider in such hospital shall make findings and report to the court within twenty-four (24) hours of the examination.

(4) If at any time after the person is placed in protective custody the health care provider in such hospital conducting the examination determines the person no longer meets criteria for protective custody, the person shall be deemed to be a voluntary patient and subject to release.

(5) If the health care provider in such hospital finds, in an examination pursuant to this section, that the person is likely to have a neurocognitive disorder and is likely to injure themselves or others, the prosecuting attorney shall file, within twenty-four (24) hours of the examination of the person, a petition with the court requesting the person's continued protective placement pending review proceedings pursuant to section 56-1905, Idaho Code.

(6) Upon the receipt of such a petition, the court shall order the person's detention to await hearing, which shall be within five (5) days, including Saturdays, Sundays, and legal holidays, of the protective placement order. If no petition is filed within twenty-four (24) hours of the examination described in subsection (5) of this section, the person shall be released from the protective placement.

(7) Upon taking a person into custody, a good faith effort shall be made to provide notice to the person's legal guardian,

parent, spouse, or adult next of kin of the person's physical whereabouts and the reasons for taking the person into custody.

(8) Nothing in this section shall preclude a hospital from transferring a person who has been detained pursuant to this section to another hospital that is willing to accept the transferred person for purposes of observation, diagnosis, evaluation, care, or treatment.

#### 56-1905. PROTECTIVE CUSTODY UPON COURT ORDER – JUDICIAL PROCEDURE.

(1) Proceedings by a hospital for the involuntary care and treatment of persons likely to have a neurocognitive disorder who are in acute crisis due to an underlying medical condition may be commenced by the filing of a written application for emergency protective placement with a court of competent jurisdiction by a friend, relative, spouse, or guardian of the person, by a health care provider practicing in a hospital, by a prosecuting attorney or other public official of a municipality, county, or the state of Idaho, or by the director of any facility in which such person may be located.

(2) The application for emergency protective placement shall state the name and last known address of the person; the name and address of the spouse, guardian, next of kin, or friend of the person; whether the person can be cared for privately in the event a hold is not ordered; whether the person is, at the time of the application, a voluntary patient; whether the person has applied for release; and a simple and precise statement of the facts showing that the person is likely to have a neurocognitive disorder and is either likely to injure themselves or others.

(3) Any such application for emergency protective placement shall be accompanied by a certificate of a health care provider practicing in such hospital stating that a health care provider practicing in such hospital has personally examined the person within the last fourteen (14) days and is of the opinion that the person has a neurocognitive disorder and is likely to injure themselves or others and lacks capacity to make informed decisions about treatment or by a written statement by the applicant that the person has refused to submit to examination by a health care provider practicing in such hospital.

(4) Upon receipt of an application for emergency protective placement, the court shall, within forty-eight (48) hours, order another health care provider practicing in such hospital to make a personal examination of the person, or if the person has not been examined, the court shall appoint two (2) health care providers practicing in such hospital to make individual personal examinations of the person and may order the person to submit to an immediate examination. If neither is a physician, the court shall order a physical examination of the person. The health care provider practicing in such hospital shall report to the court findings within the following seventy-two (72) hours as to the medical condition of the person and the need for custody, care, or treatment by a hospital. The reports shall be in the form of written certificates that shall be filed with the court. The court may terminate the proceedings and dismiss the application without taking any further action in the event the reports are to the effect that the person is not likely to injure themselves or others due to a neurocognitive disorder. If the proceedings are terminated, the person shall be released immediately.

(5) If the health care provider practicing in such hospital certifies a belief that the person is likely to injure themselves or others due to a neurocognitive disorder, the judge shall issue an order authorizing any health officer, peace officer, or director of a facility to take the person to a hospital in the community in which the person is residing or to the nearest hospital to await the hearing, and for good cause, may authorize treatment during such period. Under no circumstances shall the person be detained

in a nonmedical unit used for the detention of individuals charged with or convicted of penal offenses.

(6) Upon receipt of such application for emergency protective placement by the health care provider practicing in such hospital, the court shall appoint a time and place for a hearing not more than seven (7) days from the receipt of such certificates and thereupon give written notice of such time and place of such hearing, together with a copy of the application, the health care provider's certificates, and notice of the person's right to be represented by an attorney or, if indigent, to be represented by a court-appointed attorney to the applicant, and to the person and the person's spouse, guardian, next of kin, or friend. With the consent of the person and the person's attorney, the hearing may be held immediately. Upon motion of the petitioner, or upon motion of the person and the person's attorney, and for good cause shown, the court may continue the hearing up to an additional seven (7) days during which time, for good cause shown, the court may authorize treatment.

(7) An opportunity to be represented by counsel shall be afforded to every person and, if neither the person nor others provide counsel, the court shall appoint counsel in accordance with chapter 8, title 19, Idaho Code, no later than the time the application for emergency protective placement is received by the court.

(8) If the protective placement is commenced under this section, the hearing shall be held in a manner and at a suitable place not likely to have a harmful effect on the person's physical or mental health. Venue for the hearing shall be in the county of residence of the person or in the county where the person was found immediately prior to commencement of such proceedings.

(9) In all proceedings under this section, any existing provision of the law prohibiting the disclosure of confidential communications between the person and the health care provider practicing in such hospital shall not apply and any health care provider practicing in such hospital who shall have examined the person shall be a competent witness to testify as to the person's condition.

(10) The person, the applicant, and any other persons to whom notice is required to be given shall be afforded an opportunity to appear at the hearing to testify and to present and cross-examine witnesses. The person may, after consulting with the person's attorney, request to waive the person's presence at court. The court may waive the presence of the person if the mental or physical state of the person is such that the person's presence at the hearing would be detrimental to the person's health or would unduly disrupt the proceedings. A record of the proceedings shall be made as for other civil hearings. The hearing shall be conducted in as informal a manner as may be consistent with orderly procedure. The court shall receive all relevant and material evidence consistent with the rules of evidence.

(11) If, upon completion of the hearing and consideration of the record, and after consideration of reasonable alternatives, the court finds by clear and convincing evidence that the person likely has a neurocognitive disorder and is likely to injure themselves or others, the court shall order the person to be placed under protective custody of a suitable medical hospital for observation, care, and treatment for an indeterminate period of time not to exceed seven (7) days.

(12) The order of protective placement shall state whether the person lacks capacity to make informed decisions about treatment and the name and address of the person's attorney, spouse, guardian, adult next of kin, or friend.

(13) If the person has no spouse or guardian and if the person has property that may not be cared for by the person while confined at a hospital, the court shall appoint a guardian ad

litem for the purpose of preserving the person's estate, pending further guardianship or conservatorship proceedings.

56-1906. DUTY TO REPORT INSTANCES OF EMERGENCY PROTECTIVE PLACEMENT. (1) Hospitals shall report all placements in which persons are placed in emergency protective placement pursuant to section 56-1904 or 56-1905, Idaho Code, or an involuntary hold pursuant to section 66-326 or 66-329, Idaho Code, but determined by a health care provider to likely have a neurocognitive disorder and not mental illness to the department every quarter. Reports shall be due to the department on the last day of the month immediately following the end of the quarter, with the first report due April 30, 2025.

(2) Any and all patient information submitted as a part of a report required under this section shall be protected and de-identified according to state and federal privacy laws.

(3) The hospital shall report:

(a) The number of emergency protective placements that were placed at a hospital by a health care provider;

(b) The number of emergency protective placements that were placed at a hospital by a peace officer;

(c) The number of emergency protective placements that were made for persons determined to have an underlying medical reason for placement in the hospital who also had a neurocognitive disorder;

(d) The number of emergency protective placements that were made for persons who did not have a neurocognitive disorder;

(e) For emergency protective placements made for persons who did not have a medical reason for placement in the hospital other than a neurocognitive disorder, how many had a length of stay after the emergency protective placement ended at the hospital that was:

(i) Between zero (0) and five (5) days;

(ii) Between six (6) and ten (10) days;

(iii) Between eleven (11) and thirty (30) days;

(iv) Between thirty-one (31) and sixty (60) days;

(v) Between sixty-one (61) and ninety (90) days; and

(vi) More than ninety (90) days; and

(f) For emergency protective placements made for persons who had a medical reason for placement in the hospital other than a neurocognitive disorder, how many had a length of stay after the emergency protective placement ended at the hospital that was:

(i) Between zero (0) and five (5) days;

(ii) Between six (6) and ten (10) days;

(iii) Between eleven (11) and thirty (30) days;

(iv) Between thirty-one (31) and sixty (60) days;

(v) Between sixty-one (61) and ninety (90) days; and

(vi) More than ninety (90) days.

(4) The department shall include a summary of all reports made pursuant to subsection (1) of this section in the annual report on Alzheimer's disease and related dementias as required in section 39-2701, Idaho Code.

56-1907. RESPONSIBILITY FOR COSTS OF PROTECTIVE CUSTODY AND CARE OF PATIENTS. (1) As used in this section:

(a) "Protective custody period" means a period that begins when a person is taken into custody pursuant to sections 56-1904 and 56-1905, Idaho Code, and ends when the patient is released from protective custody.

(b) "Routine medical care" includes care provided during the protective custody period that includes hospital costs, including routine board, room, and support services.

(c) "Third-party applicant" means a person other than a patient who completes, signs, and files an application for medicaid on behalf of the patient. A third-party applicant may be an adult who is a member of the patient's family or household, the patient's authorized representative, or, if the patient is incapacitated, someone, including an agent of a facility, who is acting responsibly for the patient.

(2) In instances where the person placed in protective custody is released with no underlying medical conditions in addition to the person's neurocognitive disorder having been identified, costs associated with the protective custody shall be the responsibility of the person placed in protective custody, subject to the department of health and welfare's determination of the person's ability to pay all or any part of such costs. The department shall:

(a) Use the state-approved fee determination form and sliding fee schedule described in rules promulgated by the department to determine the person's ability to pay;

(b) Inquire to determine if the person has insurance, including medical assistance provided under the state plan for medicaid as authorized by title XIX of the social security act, as amended; and

(c) Report its findings to the court.

(3) The court may order a person to pay costs consistent with this section.

(4) To the extent possible, the costs of routine medical care incurred during protective custody shall be assigned to a person's health insurance, including medical assistance provided under the state plan for medicaid as authorized by title XIX of the social security act, as amended. If a person may be eligible for medicaid but has not applied, a third-party applicant, including an agent at a hospital where a person is taken into custody or detained under this chapter, may submit a medicaid application to the department of health and welfare. The medical care provided while the person is in protective custody shall be presumed to be medically necessary for purposes of determining reimbursement for that care by third-party payers.

(5) Remaining costs for routine medical care shall be apportioned as follows:

(a) The department of health and welfare shall pay providers at the rate established by medicaid or its managed care organization. If, based on the department of health and welfare's determination under subsection (2) of this section, the person is able to pay a portion of the medical costs, the person shall reimburse the department consistent with the department's sliding fee schedule; or

(b) Costs for routine medical care during the protective placement period shall be paid by the department of health and welfare, consistent with the process described in paragraph (a) of this subsection.

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 October 1, 2024."

#### CORRECTION TO TITLE

On page 1, delete lines 2 through 7, and insert:

RELATING TO HEALTH; AMENDING TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 19, TITLE 56, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE FOR GOVERNMENTAL LIABILITY, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING PROTECTIVE CUSTODY WITHOUT HEARINGS, TO

ESTABLISH PROVISIONS REGARDING JUDICIAL PROCEDURE FOR PROTECTIVE CUSTODY UPON COURT ORDER, TO REQUIRE REPORTING OF INSTANCES OF EMERGENCY PROTECTIVE PLACEMENT, AND TO ESTABLISH PROVISIONS REGARDING RESPONSIBILITY FOR COSTS OF PROTECTIVE CUSTODY AND CARE OF PATIENTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### SENATE AMENDMENT TO S 1364

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 37, delete "and"; in line 40, delete "." and insert: "; and

(3) Has surrendered any wholesale license."; and in line 48, delete "brew pub" and insert: "~~brew pub~~ brewer's retail".

On page 3, in line 1, delete "brew pub" and insert: "~~brew pub~~ brewery's".

#### CORRECTION TO TITLE

On page 1, in line 3, delete "A PROVISION" and insert: "PROVISIONS".

#### SENATE AMENDMENT TO H 403

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 44 through 46, and insert: "sor to the state soil and water conservation commission. In the event supervisors fail to appoint a replacement within ninety (90) days following a vacancy, and the vacancy results in the loss of a quorum of the district board, the governor shall appoint a replacement sufficient to reestablish a quorum of the district board. The soil conservation dis-".

#### SENATE AMENDMENT TO S 1337

##### AMENDMENT TO SECTION 3

On page 4 of the printed bill, in line 14, following "property" insert: "and parties in interest"; in line 17, following "record" insert: "and parties in interest"; in line 23, following "ership" insert: "or interest"; and in line 28, following "record" insert: "or parties of interest".

LEE, Chairman

On motion by Senator Lee, seconded by Senator Wintrow, the report was adopted by voice vote.

The Committee also has [S 1224](#), [S 1354](#), and [S 1320](#) under consideration, reports progress, and begs leave to sit again.

[S 1305](#), as amended, [S 1293](#), as amended, [S 1303](#), as amended, [S 1365](#), as amended, [S 1362](#), as amended, [S 1328](#), as amended, [S 1361](#), as amended, [S 1247](#), as amended, [S 1364](#), as amended, and [S 1337](#), 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 403](#), 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

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 Sixth Order of Business.

### Reports of Standing Committees

February 28, 2024

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1305](#), [S 1293](#), [S 1303](#), [S 1365](#), [S 1362](#), [S 1328](#), [S 1361](#), [S 1247](#), [S 1364](#), [H 403](#), and [S 1337](#) have been correctly printed.

LAKEY, Chairman

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

February 28, 2024

The JUDICIARY AND RULES Committee reports that [S 1305](#), as amended, [S 1293](#), as amended, [S 1303](#), as amended, [S 1365](#), as amended, [S 1362](#), as amended, [S 1328](#), as amended, [S 1361](#), as amended, [S 1247](#), as amended, [S 1364](#), as amended, and [S 1337](#), as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1305](#), as amended, [S 1293](#), as amended, [S 1303](#), as amended, [S 1365](#), as amended, [S 1362](#), as amended, [S 1328](#), as amended, [S 1361](#), as amended, [S 1247](#), as amended, [S 1364](#), as amended, and [S 1337](#), as amended, were filed for first reading.

February 28, 2024

The HEALTH AND WELFARE Committee reports out [H 436](#) and [H 437](#) with the recommendation that they do pass.

VANORDEN, Chairman

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

February 28, 2024

The JUDICIARY AND RULES Committee reports out [S 1262](#), [S 1280](#), and [S 1368](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1262](#), [S 1280](#), and [S 1368](#) were filed for second reading.

February 28, 2024

The JUDICIARY AND RULES Committee reports out [S 1309](#) and [S 1348](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [S 1309](#) and [S 1348](#) were referred to the Fourteenth Order of Business, General Calendar.

February 28, 2024

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:

John D. Hayden Jr. to the State Board of Correction, term to expire January 30, 2029.

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.

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 403](#), as amended in the Senate, by Resources and Conservation Committee, was read the first time at length and filed for second reading.

[S 1305](#), as amended, [S 1293](#), as amended, and [S 1303](#), as amended, by Local Government and Taxation Committee, were read the first time at length and filed for second reading.

[S 1365](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1362](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1328](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1361](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

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

[S 1364](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1337](#), as amended, by Resources and Environment 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 Wintrow, by voice vote, the Senate adjourned at 5:20 p.m. until the hour of 11 a.m., Thursday, February 29, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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FIFTY-THIRD LEGISLATIVE DAY  
THURSDAY, FEBRUARY 29, 2024

Senate Chamber

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

Roll call showed all members present except Senator Toews, absent and formally excused by the Chair; and Senator Ward-Engelking, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Cameron Spencer, 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 28, 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 29, 2024

The JUDICIARY AND RULES Committee reports that [S 1379](#), [S 1380](#), and [S 1381](#) have been correctly printed.

LAKEY, Chairman

[S 1379](#) and [S 1380](#) were referred to the Health and Welfare Committee.

[S 1381](#) was referred to the State Affairs Committee.

February 28, 2024

The EDUCATION Committee reports out [S 1308](#) with the recommendation that it do pass.

LENT, Chairman

[S 1308](#) was filed for second reading.

February 29, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [H 467](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[H 467](#) was filed for second reading.

February 29, 2024

The AGRICULTURAL AFFAIRS Committee reports out [H 474](#) and [H 549](#) with the recommendation that they do pass.

HARTGEN, Chairman

[H 474](#) and [H 549](#) 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 28, 2024

Dear Mr. President:

I transmit herewith [H 490](#), [H 542](#), [H 624](#), [H 648](#), [H 649](#), [H 650](#), [H 578](#), [H 523](#), and [H 612](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 490](#), [H 542](#), [H 624](#), [H 648](#), [H 649](#), [H 650](#), [H 578](#), [H 523](#), and [H 612](#) 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

Senator Ward-Engelking was recorded present at this order of business.

[H 490](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 542](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 624](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 648](#), [H 649](#), and [H 650](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 578](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 523](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 612](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[S 1288](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 498](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1252](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 436](#) and [H 437](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1262](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1280](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1368](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 403](#), as amended in the Senate, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[S 1305](#), as amended, [S 1293](#), as amended, and [S 1303](#), as amended, by Local Government and Taxation Committee, were read the second time at length and filed for third reading.

[S 1365](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1362](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[S 1328](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1361](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

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

[S 1364](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1337](#), as amended, 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

Having been held, [S 1283](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder 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, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Moser (Semmelroth), Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1283](#) passed, title was approved, and the bill ordered transmitted to the House.

Having been held, [S 1292](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Forsmann (Carlson), Grow, Guthrie, Harris, Hart,

Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Moser (Semmelroth), Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 32.

NAYS—Foreman, Trakel, Zuiderveld. Total - 3.

Total - 35.

Whereupon the President declared [S 1292](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1297](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Moser (Semmelroth), Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1297](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1275](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Trakel 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, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 28.

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

Total - 35.

Whereupon the President declared [S 1275](#) 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 Wintrow, by voice vote the Senate recessed at 11:57 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 Bedke presiding.

Roll call showed all members present except President Pro Tempore Winder and Senator Grow, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

February 29, 2024

The FINANCE Committee reports out [H 648](#), [H 649](#), and [H 650](#) with the recommendation that they do pass.

GROW, Chairman

[H 648](#), [H 649](#), and [H 650](#) were filed for second reading.

February 29, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 433](#), [H 478](#), [H 508](#), and [S 1315](#) with the recommendation that they do pass.

COOK, Chairman

[H 433](#), [H 478](#), [H 508](#), and [S 1315](#) were filed for second reading.

February 29, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1296](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

COOK, Chairman

There being no objection, [S 1296](#) was referred to the Fourteenth Order of Business, General Calendar.

February 29, 2024

The EDUCATION Committee reports out [H 454](#), [H 529](#), and [H 580](#) with the recommendation that they do pass.

LENT, Chairman

[H 454](#), [H 529](#), and [H 580](#) 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 29, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 428](#), [H 459](#), [H 475](#), and [H 458](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 428](#), [H 459](#), [H 475](#), and [H 458](#) 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

On request by Senator Anthon, granted by unanimous consent, [S 1371](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1372](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Moser (Semmelroth), Rabe, Ricks, Ruchti, Schroeder, Taylor, VanOrden, Ward-Engelking, Wintrow. Total - 23.

NAYS—Foreman, Forsmann (Carlson), Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Absent and excused—Grow, Winder. Total - 2.

Total - 35.

Whereupon the President declared [S 1372](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1373](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Moser (Semmelroth), Rabe, Ricks, Ruchti, Schroeder, Taylor, VanOrden, Ward-Engelking, Wintrow. Total - 23.

NAYS—Foreman, Forsmann (Carlson), Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Absent and excused—Grow, Winder. Total - 2.

Total - 35.

Whereupon the President declared [S 1373](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1342](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Moser (Semmelroth), Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Grow, Winder. Total - 2.

Total - 35.

Whereupon the President declared [S 1342](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1325](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lenney arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bjerke, Den Hartog, Foreman, Forsmann (Carlson), Grow, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 15.

NAYS—Anthon, Bernt, Burtenshaw, Cook, Guthrie, Harris, Hartgen, Just, Lee, Lent, Moser (Semmelroth), Rabe, Ricks, Ruchti, Schroeder, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 20.

Total - 35.

Whereupon the President declared that [S 1325](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1298](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ruchti 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, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Moser (Semmelroth), Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1298](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1299](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ruchti 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, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Moser (Semmelroth), Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1299](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 412](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Moser (Semmelroth), Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 412](#) passed, title was approved, and the bill ordered returned to the House.

[H 414](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toews 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, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Moser (Semmelroth), Nichols, Okuniewicz, Rabe, Ricks, Ruchti,

Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 414](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 404](#) was placed before the Senate for consideration at this time.

[H 404](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Moser (Semmelroth), Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 29.

NAYS—Foreman, Forsmann (Carlson), Hart, Herndon, Lenney, Nichols. Total - 6.

Total - 35.

Whereupon the President declared [H 404](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 452](#) was placed before the Senate for consideration at this time.

[H 452](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Moser (Semmelroth), Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared [H 452](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 455](#) was placed before the Senate for consideration at this time.

[H 455](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Zuiderveld 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, Cook, Den Hartog, Foreman, Forsmann (Carlson), Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Moser (Semmelroth), Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.



Whereupon the President declared [H 455](#) 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 Wintrow, by voice vote, the Senate adjourned at 5:46 p.m. until the hour of 11 a.m., Friday, March 1, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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FIFTY-FOURTH LEGISLATIVE DAY  
FRIDAY, MARCH 1, 2024

Senate Chamber

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

Roll call showed all members present except Senators Cook and Grow, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Keegan Watts, 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 29, 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 29, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [S 1323](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[S 1323](#) was filed for second reading.

March 1, 2024

The STATE AFFAIRS Committee reports out [H 456](#), [H 487](#), [H 618](#), and [S 1377](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 456](#), [H 487](#), [H 618](#), and [S 1377](#) were filed for second reading.

March 1, 2024

The STATE AFFAIRS Committee reports out [S 1376](#) and [SJR 105](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [S 1376](#) and [SJR 105](#) were 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 29, 2024

Dear Mr. President:

I transmit herewith [H 477](#), [H 486](#), [H 497](#), [H 634](#), and [H 577](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 477](#), [H 486](#), [H 497](#), [H 634](#), and [H 577](#) 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 1382 BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF FISH AND GAME; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR DEPREDATION FUNDS; PROVIDING REAPPROPRIATION AUTHORITY FOR CAPITAL PROJECTS; REQUIRING A REPORT REGARDING BIG GAME DEPREDATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1383 BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF PARKS AND RECREATION; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1384 BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC UTILITIES COMMISSION; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1385 BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO COMMISSION FOR LIBRARIES; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2025; PROVIDING REAPPROPRIATION AUTHORITY FOR LIBRARY

PROJECTS; PROVIDING REAPPROPRIATION AUTHORITY FOR DIGITAL ACCESS CAPACITY; REAFFIRMING STATUTORY COMPLIANCE REGARDING TELEHEALTH FACILITIES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1386**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE HISTORICAL SOCIETY; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2025; PROVIDING AN ADDITIONAL AUTHORIZED FULL-TIME EQUIVALENT POSITION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1387**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE LIEUTENANT GOVERNOR; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1388**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE SECRETARY OF STATE; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2025; PROVIDING REAPPROPRIATION AUTHORITY; DIRECTING USE OF FUNDS FOR VOTER PAMPHLETS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1389**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PHARMACY BENEFIT MANAGERS; AMENDING SECTION 41-349, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE A LIMIT ON CHARGES FOR HEALTH PLANS OR PROGRAMS, TO PROVIDE FOR MANUFACTURER REBATES, TO PROVIDE FOR CERTAIN EXAMINATIONS, TO PROVIDE REQUIREMENTS FOR CERTAIN CONTRACTS, TO PROVIDE AN EXCEPTION, TO ESTABLISH PROVISIONS REGARDING ADMINISTRATIVE APPEALS, TO PROHIBIT CERTAIN ACTIONS OF A PHARMACY BENEFIT MANAGER, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1390**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 72-1204, IDAHO CODE, TO REVISE A DEFINITION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1391**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5207, IDAHO CODE, AS ADDED BY SECTION 23 OF HOUSE BILL NO. 422, AS ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE DISTRIBUTION OF FACILITIES FUNDS TO PUBLIC CHARTER SCHOOLS AND SCHOOL DISTRICTS; AND DECLARING AN EMERGENCY.

**S 1392**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5207, IDAHO CODE, AS ADDED BY SECTION 23 OF HOUSE BILL NO. 422, AS ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE DISTRIBUTION OF FACILITIES FUNDS TO PUBLIC CHARTER SCHOOLS AND SCHOOL DISTRICTS; AND DECLARING AN EMERGENCY.

**S 1393**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO WASTE TIRES; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6501, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS; AMENDING SECTION 39-6501, IDAHO CODE, TO REDESIGNATE THE SECTION, TO DEFINE TERMS, TO REVISE A DEFINITION, AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-6502, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS REGARDING CERTAIN EMERGENCIES; AMENDING SECTION 39-6503, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-6504, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6506, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A WASTE TIRE RECYCLING FEE; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6507, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A WASTE TIRE RECYCLING FUND; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6508, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PAYMENT OF THE WASTE TIRE RECYCLING FEE AND AN ADMINISTRATIVE CHARGE; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6509, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PARTIAL REIMBURSEMENT; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6510, IDAHO CODE, TO PROVIDE LIMITATIONS ON REIMBURSEMENT; AMENDING SECTION 39-6505, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-6506, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-6507, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-6508, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A

NEW SECTION 39-6515, IDAHO CODE, TO PROVIDE APPLICABILITY; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6516, IDAHO CODE, TO PROVIDE FOR AN ANNUAL REPORT TO THE LEGISLATURE; AND DECLARING AN EMERGENCY.

**S 1394**

**BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO VOTING MACHINES; AMENDING SECTION 18-2306, IDAHO CODE, TO PROVIDE THAT TAMPERING WITH A VOTING MACHINE IS A FELONY OFFENSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-2401, IDAHO CODE, TO REMOVE AND REVISE DEFINITIONS AND TO DEFINE A TERM; AMENDING SECTION 34-2404, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PROHIBITION ON TAMPERING WITH VOTING MACHINES; AMENDING SECTION 34-2409, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EXAMINATION OF VOTING MACHINES; AMENDING SECTION 34-2410, IDAHO CODE, TO REVISE PROVISIONS REGARDING SPECIFICATIONS FOR VOTING MACHINES OR VOTE TALLY SYSTEMS; AMENDING SECTION 34-2411, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DUTIES OF ELECTION BOARD CLERKS; AMENDING SECTION 34-2415, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE PREPARATION OF A POLLING PLACE FOR AN ELECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-2416, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE PROCEDURE FOR PREPARING VOTING MACHINES FOR AN ELECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-2418, IDAHO CODE, TO REMOVE PROVISIONS REGARDING BALLOT LABELS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-2420, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EXAMINATION OF A VOTING MACHINE DURING ELECTIONS; REPEALING SECTION 34-2426, IDAHO CODE, RELATING TO THE EXHIBITION OF VOTING MACHINES FOR THE INSTRUCTION OF VOTERS; AMENDING CHAPTER 24, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-2426, IDAHO CODE, TO PROVIDE FOR PUBLIC LOGIC AND ACCURACY TESTS; AMENDING SECTION 34-903, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 34-1411, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1382](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), [S 1388](#), [S 1389](#), [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), and [S 1394](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 477](#), [H 486](#), and [H 497](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 634](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 577](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1308](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 467](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[H 474](#) and [H 549](#), by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

[H 648](#), [H 649](#), and [H 650](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 433](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 478](#), by Business Committee, was read the second time at length and filed for third reading.

[H 508](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1315](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 454](#), [H 529](#), and [H 580](#), by Education Committee, were read the second time at length and filed for third reading.

Senator Grow was recorded present at this order of business.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

Having been held to a date certain of March 1, 2024, [S 1351](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Carlson 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, Moser (Semmelroth), Rabe, Ruchti, Taylor, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [S 1351](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1371](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1288](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel,

VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld.  
Total - 33.

NAYS–Moser (Semmelroth), Rabe. Total - 2.

Total - 35.

Whereupon the President declared [S 1288](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1252](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1262](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nichols 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, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Moser (Semmelroth), Nichols, Okuniewicz, Rabe, Ricks, Rucht, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS–None.

Absent and excused–Bernt. Total - 1.

Total - 35.

Whereupon the President declared [S 1262](#) 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 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 Wintrow, by voice vote, the Senate adjourned at 11:42 a.m. until the hour of 10:30 a.m., Monday, March 4, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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FIFTY-SEVENTH LEGISLATIVE DAY  
MONDAY, MARCH 4, 2024

Senate Chamber

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

Roll call showed all members present except Senators Den Hartog and Rabe, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Brody Benson, 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, 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

March 4, 2024

The JUDICIARY AND RULES Committee reports that [S 1382](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), [S 1388](#), [S 1389](#), [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), and [S 1394](#) have been correctly printed.

LAKEY, Chairman

[S 1382](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), and [S 1388](#) were referred to the Finance Committee.

[S 1389](#) was referred to the Health and Welfare Committee.

[S 1390](#) was referred to the Commerce and Human Resources Committee.

[S 1391](#) and [S 1392](#) were referred to the Education Committee.

[S 1393](#) was referred to the Health and Welfare Committee.

[S 1394](#) was referred to the State Affairs Committee.

March 1, 2024

The JUDICIARY AND RULES Committee reports out [SCR 114](#) and [SCR 115](#) with the recommendation that they do pass.

LAKEY, Chairman

[SCR 114](#) and [SCR 115](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 4, 2024

The STATE AFFAIRS Committee reports out [H 441](#), [H 575](#), and [H 588](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 441](#), [H 575](#), and [H 588](#) 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 1, 2024

Dear Mr. President:

I transmit herewith [H 526](#), [H 669](#), [H 600](#), [H 629](#), [H 590](#), [H 586](#), [H 614](#), [H 644](#), [H 501](#), as amended, [H 568](#), as amended, [HJM 6](#), [HCR 29](#), [HCR 27](#), and [H 661](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 526](#), [H 669](#), [H 600](#), [H 629](#), [H 590](#), [H 586](#), [H 614](#), [H 644](#), [H 501](#), as amended, [H 568](#), as amended, [HJM 6](#), [HCR 29](#), [HCR 27](#), and [H 661](#) were filed for first reading.

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-chair Carlson providing opening remarks. Prayer was offered by Senator Toews.

Co-chair Just offered remarks on the history of the Idaho State Seal for the Idaho Day Service.

Emily Sears, Capitol Curator, Idaho Historical Society and Matt Thorley, Museum Preparator, Idaho Historical Society presented the Idaho State Seal to the Committee.

Gold Voices from Lewiston Independent School District #1, under the direction of Julie Burke, performed "Here We Have Idaho" and "Sir Duke".

Closing remarks were provided by Co-chair Carlson. She extended gratitude to all who helped with the program and the Idaho 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

Senators Den Hartog and Rabe were recorded present at this order of business.

**S 1395****BY JUDICIARY AND RULES COMMITTEE**

## AN ACT

RELATING TO MEDICAL RECORDS; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 73, TITLE 39, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE COSTS FOR REQUESTING COPIES OF MEDICAL RECORDS, TO DEFINE A TERM, TO PROVIDE AN EXCEPTION FOR SOCIAL SECURITY ACT BENEFITS, AND TO REQUIRE FULFILLMENT WITHIN AN ESTABLISHED TIMELINE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1396****BY STATE AFFAIRS COMMITTEE**

## AN ACT

RELATING TO LIENS OF MECHANICS AND MATERIALMEN; AMENDING SECTION 45-501, IDAHO CODE, TO REVISE A PROVISION REGARDING THE RIGHT TO A LIEN AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

[S 1395](#) and [S 1396](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 526](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 669](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 600](#) and [H 629](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 590](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 586](#) and [H 614](#), by Ways and Means Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 644](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 501](#), as amended, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 568](#), as amended, by Environment, Energy and Technology Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HJM 6](#), by State Affairs Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[HCR 29](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[HCR 27](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 661](#), 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 1323](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[H 456](#), [H 487](#), and [H 618](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1377](#), 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 1371](#) retained its place on the Third Reading Calendar for one legislative day.

Having been held, [S 1252](#) 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, Carlson, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Taylor, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 27.

NAYS—Burtenshaw, Cook, Foreman, Ruchti, Schroeder, Semmelroth, Ward-Engelking, Wintrow. Total - 8.

Total - 35.

Whereupon the President declared [S 1252](#) 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 Wintrow, by voice vote the Senate recessed at 12:09 p.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 Bedke presiding.

Roll call showed all members present.

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, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [H 468](#), [H 507](#), and [H 592](#) with the recommendation that they do pass.

BURTENSHAW, Chairman

[H 468](#), [H 507](#), and [H 592](#) were filed for second reading.

March 4, 2024

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:

Brody Harshbarger to the Idaho Fish and Game Commission, term to expire June 30, 2027.

BURTENSHAW, 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 4, 2024

The FINANCE Committee reports out [S 1382](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), and [S 1388](#) with the recommendation that they do pass.

GROW, Chairman

[S 1382](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), and [S 1388](#) were filed for second reading.

March 4, 2024

The JUDICIARY AND RULES Committee reports out [S 1367](#) and [S 1369](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1367](#) and [S 1369](#) were filed for second reading.

March 4, 2024

The HEALTH AND WELFARE Committee reports out [H 439](#) and [H 528](#) with the recommendation that they do pass.

VANORDEN, Chairman

[H 439](#) and [H 528](#) 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, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 412](#), [H 414](#), [H 404](#), [H 452](#), and [H 455](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 412](#), [H 414](#), [H 404](#), [H 452](#), and [H 455](#) 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 1397

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF INSURANCE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS;

AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1398

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE LOTTERY; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2025; AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1399

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO IDAHO PUBLIC TELEVISION; APPROPRIATING ADDITIONAL MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2025; PROVIDING REAPPROPRIATION AUTHORITY FOR THE IDAHO MILLENNIUM INCOME FUND; PROVIDING REAPPROPRIATION AUTHORITY FOR THE FEDERAL GRANT FUND; APPROPRIATING ADDITIONAL MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECT DATES.

##### S 1400

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE INDUSTRIAL COMMISSION; APPROPRIATING ADDITIONAL MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2025; PROVIDING FOR TECHNOLOGY MODERNIZATION REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1401

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE STATE TREASURER; APPROPRIATING ADDITIONAL MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1402

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE DIVISION OF VETERANS SERVICES; APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2025; PROVIDING REAPPROPRIATION AUTHORITY FOR THE FEDERAL GRANT FUND; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1403

##### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO PLANNING AND ZONING; AMENDING SECTION 67-6509, IDAHO CODE, TO REVISE PROVISIONS REGARDING COMPREHENSIVE PLANS; AMENDING



SECTION 67-6526, IDAHO CODE, TO REVISE PROVISIONS REGARDING AREAS OF IMPACT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1404**

**BY JUDICIARY AND RULES COMMITTEE  
AN ACT**

RELATING TO SEARCH AND SEIZURE; AMENDING CHAPTER 70, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7007, IDAHO CODE, TO PROHIBIT UNREASONABLE SEARCHES AND SEIZURES ON CERTAIN PRIVATELY OWNED LANDS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), [S 1403](#), and [S 1404](#) 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 1280](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1280](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1368](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Hartgen, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Hart, Herndon, Lenney. Total - 3.

Total - 35.

Whereupon the President declared [S 1368](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1305](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nichols 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, Ruchti, Schroeder, Semmelroth, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Just, Rabe, Taylor. Total - 3.

Total - 35.

Whereupon the President declared [S 1305](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1293](#), as amended, and [S 1303](#), as amended, retained their place on the Third Reading Calendar for one legislative day.

[S 1365](#), 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1365](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1362](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Trakel 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, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Zuiderveld. Total - 31.

NAYS—Just, Rabe, Ruchti, Wintrow. Total - 4.

Total - 35.

Whereupon the President declared [S 1362](#), 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 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 Wintrow, by voice vote, the Senate adjourned at 5:20 p.m. until the hour of 10:30 a.m., Tuesday, March 5, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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FIFTY-EIGHTH LEGISLATIVE DAY  
TUESDAY, MARCH 5, 2024

Senate Chamber

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

Roll call showed all members present except Senators Anthon, Herndon, Lent, VanOrden, and Ward-Engelking, absent and formally excused by the Chair; and Senators Bernt and Hartgen, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Talmage Cardon, 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, 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 Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 5, 2024

The JUDICIARY AND RULES Committee reports that [S 1395](#), [S 1396](#), [S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), [S 1403](#), and [S 1404](#) have been correctly printed.

LAKEY, Chairman

[S 1395](#) was referred to the Health and Welfare Committee.

[S 1396](#) was referred to the Commerce and Human Resources Committee.

[S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), and [S 1402](#) were referred to the Finance Committee.

[S 1403](#) was referred to the State Affairs Committee.

[S 1404](#) was referred to the Judiciary and Rules Committee.

March 4, 2024

The EDUCATION Committee reports out [HCR 25](#) with the recommendation that it do pass.

LENT, Chairman

[HCR 25](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Hartgen was recorded present at this order of business.

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

### Messages from the House

March 4, 2024

Dear Mr. President:

I transmit herewith [H 589](#), [H 597](#), [H 640](#), [H 608](#), [H 616](#), [H 673](#), [H 617](#), [H 674](#), [H 675](#), [H 676](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), [H 682](#), [H 593](#), and [H 607](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 589](#), [H 597](#), [H 640](#), [H 608](#), [H 616](#), [H 673](#), [H 617](#), [H 674](#), [H 675](#), [H 676](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), [H 682](#), [H 593](#), and [H 607](#) 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

[H 589](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 597](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 640](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 608](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 616](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 673](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 617](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 674](#), [H 675](#), [H 676](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), and [H 682](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 593](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 607](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

Senator Bernt was recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[H 441](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 575](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 588](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 468](#) and [H 507](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[H 592](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[S 1382](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), and [S 1388](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1367](#) and [S 1369](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 439](#) and [H 528](#), 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

On request by Senator Lee, granted by unanimous consent, [S 1371](#) and [S 1293](#), as amended, retained their place on the Third Reading Calendar for one legislative day.

Having been held, [S 1303](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bernt, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Winder, Wintrow. Total - 20.

NAYS—Bjerke, Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 11.

Absent and excused—Anthon, Lent, VanOrden, Ward-Engelking. Total - 4.

Total - 35.

Whereupon the President declared [S 1303](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1328](#), as amended, 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:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1328](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1361](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Carlson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1361](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1247](#), 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:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Foreman, Lenney. Total - 2.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1247](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1364](#), 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?"

Pursuant to Senate Rule 39(H), Senator Bernt disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Grow, Lenney. Total - 2.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1364](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lee, granted by unanimous consent, [S 1337](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

[S 1308](#) 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—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Zuiderveld. Total - 30.

NAYS—Just, Rabe, Semmelroth, Wintrow. Total - 4.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1308](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1315](#) 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:

AYES—Bernt, Bjerke, Cook, Den Hartog, Guthrie, Harris, Hart, Hartgen, Just, Lee, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Wintrow. Total - 21.

NAYS—Adams, Burtenshaw, Carlson, Foreman, Grow, Herndon, Lakey, Lenney, Lent, Nichols, Okuniewicz, Winder, Zuiderveld. Total - 13.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1315](#) passed, title was approved, and the bill ordered transmitted to the House.

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

#### Reading of Communications

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

#### Petitions, Resolutions, and Memorials

On motion by Senator Lee, seconded by Senator Wintrow, by voice vote the Senate recessed at 12:12 p.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 Bedke presiding.

Roll call showed all members present except Senator Anthon, absent and formally excused by the Chair; and Senators Adams, Cook, and Guthrie, 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 5, 2024

The FINANCE Committee reports out [S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), [H 673](#), [H 674](#), [H 675](#), [H 676](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), and [H 682](#) with the recommendation that they do pass.

GROW, Chairman

[S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), [H 673](#), [H 674](#), [H 675](#), [H 676](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), and [H 682](#) were filed for second reading.

March 5, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 502](#), [H 505](#), [H 571](#), and [H 576](#) with the recommendation that they do pass.

COOK, Chairman

[H 502](#), [H 505](#), [H 571](#), and [H 576](#) were filed for second reading.

March 5, 2024

The TRANSPORTATION Committee reports out [H 547](#) with the recommendation that it do pass.

OKUNIEWICZ, Chairman

[H 547](#) was filed for second reading.

March 5, 2024

The TRANSPORTATION Committee reports out [H 583](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

OKUNIEWICZ, Chairman

There being no objection, [H 583](#) was referred to the Fourteenth Order of Business, General Calendar.

March 5, 2024

The EDUCATION Committee reports out [H 500](#) with the recommendation that it do pass.

LENT, Chairman

[H 500](#) was filed for second reading.

March 5, 2024

The HEALTH AND WELFARE Committee reports out [H 527](#), [S 1379](#), and [S 1380](#) with the recommendation that they do pass.

VANORDEN, Chairman

[H 527](#), [S 1379](#), and [S 1380](#) were filed for second reading.

Senators Adams and Cook were recorded present at this order of business.

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 1405**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF FINANCE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1406**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE COMMISSION ON HISPANIC AFFAIRS; APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION ON HISPANIC AFFAIRS FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1407**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE STATE INDEPENDENT LIVING COUNCIL; APPROPRIATING ADDITIONAL MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1408**

**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 2025; REDUCING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2025; PROVIDING FOR THE RECOVERY OF STATE CONTROLLER SERVICE COSTS TO THE INDIRECT COST RECOVERY FUND; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE CONTROLLER FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

**S 1409**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1410**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LANDS AND THE ENDOWMENT FUND INVESTMENT BOARD; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2025; REDUCING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE DEPARTMENT OF LANDS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE FIRE SUPPRESSION DEFICIENCY WARRANT FUND FOR FISCAL YEAR 2025; APPROPRIATING ADDITIONAL MONEYS TO THE ENDOWMENT FUND INVESTMENT BOARD FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1411**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2025; APPROPRIATING AND TRANSFERRING MONEYS FROM THE REVOLVING DEVELOPMENT FUND TO THE AQUIFER PLANNING AND MANAGEMENT FUND FOR FISCAL YEAR 2025; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER MANAGEMENT FUND FOR FISCAL YEAR 2025; DIRECTING THE USE OF APPROPRIATION FOR GENERAL STREAM ADJUDICATIONS FOR FISCAL YEAR 2025; PROVIDING REAPPROPRIATION AUTHORITY FOR THE ARPA STATE FISCAL RECOVERY FUND; DIRECTING THE USE OF APPROPRIATION FOR GENERAL STREAM ADJUDICATIONS FOR FISCAL YEAR 2024; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

**S 1412**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE DEPARTMENT OF ENVIRONMENTAL QUALITY (GENERAL) FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE WATER POLLUTION CONTROL FUND TO THE ENVIRONMENTAL REMEDIATION (BASIN) FUND FOR FISCAL YEAR 2025; APPROPRIATING AND TRANSFERRING MONEYS FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY (GENERAL) FUND TO THE CONFINED ANIMAL FEEDING OPERATION (CAFO) FUND FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), and [S 1412](#) 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 Thirteenth Order of Business.

### Third Reading of Bills

On request by Senator Lee, granted by unanimous consent, [S 1323](#) retained its place on the Third Reading Calendar for Thursday, March 7, 2024.

[S 1377](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Okuniewicz arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 26.

NAYS—Just, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 8.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1377](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lee, granted by unanimous consent, [H 403](#), as amended in the Senate, [H 457](#), and [H 460](#) retained their place on the Third Reading Calendar for one legislative day.

[H 444](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hart arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 444](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lee, granted by unanimous consent, [H 449](#) and [H 445](#) retained their place on the Third Reading Calendar for one legislative day.

[H 402](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Taylor arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart,

Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 402](#) passed, title was approved, and the bill ordered returned to the House.

[H 435](#) 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:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 435](#) passed, title was approved, and the bill ordered returned to the House.

[H 417](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toews arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 30.

NAYS—Bernt, Lee, Rabe, Semmelroth. Total - 4.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 417](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lee, granted by unanimous consent, [H 471](#) retained its place on the Third Reading Calendar for one legislative day.

[H 450](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Semmelroth arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel,

VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld.  
Total - 33.

NAYS–Foreman. Total - 1.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 450](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lee, granted by unanimous consent, [H 399](#) and [H 472](#) retained their place on the Third Reading Calendar for one legislative day.

[H 429](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 429](#) passed, title was approved, and the bill ordered returned to the House.

[H 430](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 430](#) passed, title was approved, and the bill ordered returned to the House.

[H 431](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 431](#) passed, title was approved, and the bill ordered returned to the House.

[H 432](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen 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, Guthrie, Harris, Hartgen, Just, Lee, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 17.

NAYS–Adams, Bjerke, Carlson, Den Hartog, Foreman, Grow, Hart, Herndon, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, Trakel, Zuiderveld. Total - 17.

Absent and excused–Anthon. Total - 1.

Total - 35.

A tie vote having resulted in the roll call, the President voted AYE and declared [H 432](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lee, granted by unanimous consent, [H 488](#) retained its place on the Third Reading Calendar for one legislative day.

[H 496](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Trakel arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Adams, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS–None.

Absent and excused–Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 496](#) passed, title was approved, and the bill ordered returned to the House.

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

#### Miscellaneous Business

On motion by Senator Lee, seconded by Senator Wintrow, by voice vote, the Senate adjourned at 5:35 p.m. until the hour of 10:30 a.m., Wednesday, March 6, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

GUTHRIE, Chairman

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

[S 1381](#) was filed for second reading.

March 6, 2024

The EDUCATION Committee reports out [H 581](#) with the recommendation that it do pass.

LENT, Chairman

[H 581](#) was filed for second reading.

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

**FIFTY-NINTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 6, 2024**

### Messages from the Governor

Senate Chamber

March 5, 2024

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

Roll call showed all members present except Senators Bjerke, Grow, and VanOrden, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Emma Harris, Page.

The Senate advanced to the Third Order of Business.

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Richelle Sugiyama of Boise, Idaho, was reappointed to the Treasurer's Investment Advisory Board to serve a term commencing July 1, 2022, and expiring July 1, 2026.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

Sincerely,  
/s/ Brad Little  
Governor

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 5, 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.

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

The Gubernatorial appointment was referred to the State Affairs Committee.

March 5, 2024

### Reports of Standing Committees

March 6, 2024

The JUDICIARY AND RULES Committee reports that [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), and [S 1412](#) have been correctly printed.

LAKEY, Chairman

[S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), and [S 1412](#) were referred to the Finance Committee.

March 5, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 521](#) with the recommendation that it do pass.

RICKS, Chairman

[H 521](#) was filed for second reading.

March 6, 2024

The STATE AFFAIRS Committee reports out [S 1381](#) with the recommendation that it do pass.

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that James McNamara of Boise, Idaho, was appointed to the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing February 23, 2024, and expiring February 23, 2027.

This appointment is subject to confirmation by the Senate, and 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 5, 2024

Dear Mr. President:

I transmit herewith [H 494](#), [H 572](#), [H 656](#), [H 604](#), [H 513](#), [H 654](#), [H 663](#), [H 684](#), and [HCR 26](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 494](#), [H 572](#), [H 656](#), [H 604](#), [H 513](#), [H 654](#), [H 663](#), [H 684](#), and [HCR 26](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

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

On motion by Senator Schroeder, seconded by Senator Hartgen, the Gubernatorial appointment of McKenzie Kraemer 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 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 the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Lisa Odom was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Toews, seconded by Senator Trakel, the Gubernatorial appointment of Lisa Odom 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 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 the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of John D. Hayden Jr. was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Hartgen, the Gubernatorial reappointment of John D. Hayden Jr. as a member of the State Board of Correction 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.

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

On motion by Senator Burtenshaw, seconded by Senator Ruchti, the Gubernatorial appointment of Brody Harshbarger 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 his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senators Bjerke, Grow, and VanOrden were 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 494](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 572](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 656](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 604](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 513](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 654](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 663](#) and [H 684](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[HCR 26](#), 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 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), and [S 1402](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 673](#), [H 674](#), [H 675](#), [H 676](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), and [H 682](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 502](#) and [H 505](#), by Business Committee, were read the second time at length and filed for third reading.

[H 571](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 576](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 547](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[H 500](#), by Education Committee, was read the second time at length and filed for third reading.

[H 527](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1379](#) and [S 1380](#), 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 1371](#) retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Anthon, granted by unanimous consent, [S 1293](#), as amended, retained its place on the Third Reading Calendar.

On request by Senator Anthon, granted by unanimous consent, [S 1337](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

[S 1382](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Total - 35.

Whereupon the President declared [S 1382](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1383](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Just 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, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Bjerke, Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 11.

Total - 35.

Whereupon the President declared [S 1383](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1384](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—Trakel. Total - 1.

Total - 35.

Whereupon the President declared [S 1384](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1385](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 29.

NAYS—Carlson, Foreman, Hart, Herndon, Trakel, Zuiderveld. Total - 6.

Total - 35.

Whereupon the President declared [S 1385](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1386](#) 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—Anthon, Bernt, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 21.

NAYS—Adams, Bjerke, Carlson, Den Hartog, Foreman, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 14.

Total - 35.

Whereupon the President declared [S 1386](#) passed, title was approved, and the bill ordered transmitted to the House.

President Pro Tempore Winder assumed the Chair.

[S 1387](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Foreman, Trakel. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1387](#) passed, title was approved, and the bill ordered transmitted to the House.

President Bedke returned to the Chair.

On request by Senator Anthon, granted by unanimous consent, [S 1388](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1367](#) 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:

AYES--Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1367](#) 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 Wintrow, by voice vote the Senate recessed at 11:57 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 Bedke presiding.

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

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

#### SCR 118 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ADOPTING RULES OF THE JOINT FINANCE-APPROPRIATIONS COMMITTEE FOR THE 2024 LEGISLATIVE SESSION AND THROUGHOUT THE 2024 INTERIM PERIOD.

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

WHEREAS, members of the Senate Finance Committee and the House Appropriations Committee meet as the Joint Finance-Appropriations Committee to analyze available revenue and state agency budget requests in order to set a balanced state budget each year; and

WHEREAS, meetings of the Joint Finance-Appropriations Committee have been governed by rules previously adopted by the committee.

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 rules previously adopted by the Joint Finance-Appropriations Committee are hereby adopted for the Second Regular Session of the Sixty-seventh Idaho Legislature and throughout the 2024 interim period between legislative sessions and shall govern meetings of the Joint Finance-Appropriations Committee held during such time.

[SCR 118](#) 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 6, 2024

The STATE AFFAIRS Committee reports out [H 574](#), [H 661](#), and [S 1394](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 574](#), [H 661](#), and [S 1394](#) were filed for second reading.

March 6, 2024

The STATE AFFAIRS Committee reports out [S 1314](#) and [S 1374](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [S 1314](#) and [S 1374](#) were referred to the Fourteenth Order of Business, General Calendar.

March 6, 2024

The FINANCE Committee reports out [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), and [S 1412](#) with the recommendation that they do pass.

GROW, Chairman

[S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), and [S 1412](#) were filed for second reading.

March 6, 2024

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:

Joseph Medeiros to the Hazardous Waste Facility Siting License Application Review Panel, term to expire February 23, 2027.

VANORDEN, 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 6, 2024

The JUDICIARY AND RULES Committee reports out [H 518](#) and [S 1378](#) with the recommendation that they do pass.

LAKEY, Chairman





# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**SIXTIETH LEGISLATIVE DAY**  
**THURSDAY, MARCH 7, 2024**

Senate Chamber

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

Roll call showed all members present except Senators Burtenshaw, Grow, Herndon, Lent, and Ward-Engelking, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Roy Hutchings, 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 6, 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 Herndon was recorded present at this order of business.

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

### Reports of Standing Committees

March 7, 2024

The JUDICIARY AND RULES Committee reports that [SCR 118](#) and [S 1413](#) have been correctly printed.

LAKEY, Chairman

[SCR 118](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1413](#) was referred to the Judiciary and Rules Committee.

March 6, 2024

The HEALTH AND WELFARE Committee reports out [H 542](#) and [H 578](#) with the recommendation that they do pass.

VANORDEN, Chairman

[H 542](#) and [H 578](#) were filed for second reading.

March 6, 2024

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:

Tim Morgan to the Hazardous Waste Facility Siting License Application Review Panel, term to expire February 23, 2027.

VANORDEN, 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 6, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Travis "Bear" Prairie of Idaho Falls, Idaho, was reappointed to the Idaho Energy Resources Authority to serve a term commencing June 30, 2023, and expiring June 30, 2028.

This appointment is subject to confirmation by the Senate, and 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.

March 6, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Evelyn Johnson of Boise, Idaho, was reappointed to the Idaho Commission on Human Rights to serve a term commencing July 1, 2023, and expiring July 1, 2026.

This appointment is subject to confirmation by the Senate, and 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**

March 6, 2024

Dear Mr. President:

I transmit herewith [H 596](#), which has passed the House.

MCGINNIS, Chief Clerk

[H 596](#) 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 1414****BY FINANCE COMMITTEE****AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LABOR; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2025; REDUCING FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2024; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

[S 1414](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 596](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 521](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1381](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 581](#), by Education Committee, was read the second time at length and filed for third reading.

[H 574](#) and [H 661](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1394](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), and [S 1412](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 518](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[S 1378](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 644](#), 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, [S 1371](#) and [S 1293](#), as amended, retained their place on the Third Reading Calendar for one legislative day.

Having been held, [S 1337](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder 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, Carlson, Cook, Den Hartog, Foreman, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 31.

NAYS—None.

Absent and excused—Burtenshaw, Grow, Lent, Ward-Engelking. Total - 4.

Total - 35.

Whereupon the President declared [S 1337](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1323](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Anthon, granted by unanimous consent, [H 466](#) was placed before the Senate for consideration at this time.

[H 466](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ruchti 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, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [H 466](#) passed, title was approved, and the bill ordered returned to the House.

Having been held, [S 1388](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Herndon, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 26.



NAYS—Foreman, Hart, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 8.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1388](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1397](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Trakel. Total - 1.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1397](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1398](#) 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—Adams, Anthon, Bernt, Cook, Guthrie, Harris, Hartgen, Just, Lee, Lent, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 20.

NAYS—Bjerke, Carlson, Den Hartog, Foreman, Grow, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Ricks, Toews, Zuiderveld. Total - 14.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1398](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1399](#) 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, Bjerke, Cook, Den Hartog, Grow, Guthrie, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 21.

NAYS—Bernt, Carlson, Foreman, Harris, Hart, Herndon, Lenney, Nichols, Okuniewicz, Ricks, Toews, Trakel, Zuiderveld. Total - 13.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1399](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1400](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 29.

NAYS—Foreman, Hart, Nichols, Trakel, Zuiderveld. Total - 5.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1400](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1401](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Trakel. Total - 1.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1401](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1402](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1379](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1379](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1380](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 30.

NAYS—Carlson, Foreman, Hart, Herndon. Total - 4.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [S 1380](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [H 457](#), [H 460](#), [H 449](#), [H 445](#), and [H 399](#) retained their place on the Third Reading Calendar for one legislative day.

Having been held, [H 390](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toews 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 Schroeder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Bjerke, Carlson, Den Hartog, Foreman, Grow, Guthrie, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Ricks, Toews, Trakel, Zuiderveld. Total - 17.

NAYS—Anthon, Bernt, Cook, Harris, Hartgen, Just, Lee, Lent, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 17.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

A tie vote having resulted in the roll call, the President voted NAY and 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 motion by Senator Anthon, seconded by Senator Wintrow, by voice vote the Senate recessed at 12:13 p.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 Bedke presiding.

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

Senators Bjerke, Guthrie, Harris, Lee, Ricks, Taylor, VanOrden, Wintrow, and Zuiderveld, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 7, 2024

The AGRICULTURAL AFFAIRS Committee reports out [H 591](#) with the recommendation that it do pass.

HARTGEN, Chairman

[H 591](#) was filed for second reading.

March 7, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 490](#), [H 590](#), [S 1375](#), and [S 1390](#) with the recommendation that they do pass.

COOK, Chairman

[H 490](#), [H 590](#), [S 1375](#), and [S 1390](#) were filed for second reading.

March 7, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 491](#) with the recommendation that it do pass.

RICKS, Chairman

[H 491](#) 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 7, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 444](#), [H 402](#), [H 435](#), [H 417](#), [H 450](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), and [H 496](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 444](#), [H 402](#), [H 435](#), [H 417](#), [H 450](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), and [H 496](#) and ordered them returned to the House.

Senators Bjerke, Harris, Lee, Taylor, VanOrden, Wintrow, and Zuiderveld were 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 1354](#), [S 1320](#), [S 1309](#), [S 1348](#), [S 1376](#), [SJR 105](#), [S 1314](#), and [S 1374](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO S 1354**

## AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 35 through 40.

On page 2, delete lines 1 through 24; and renumber the subsequent section accordingly.

## CORRECTION TO TITLE

On page 1, in line 3, delete "AMENDING SECTION 16-2423, IDAHO"; delete line 4; and in line 5, delete "FOR CHILDREN AND TO MAKE A TECHNICAL CORRECTION;"

**SENATE AMENDMENT TO S 1320**

## AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 10, delete "any maintenance"; and in line 11, delete "done to assist first responders" and insert: "removal of impediments to emergency vehicles for access purposes".

**SENATE AMENDMENT TO S 1309**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 27 and 28, and insert: "~~Only after court approval shall assistance totaling more than five hundred dollars (\$500) become available to the birth parent. A prospective adoptive.~~"

**SENATE AMENDMENT TO S 1348**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 21, following "person" insert: ", unless otherwise in state or local custody,".

**SENATE AMENDMENT TO S 1348**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 25, following "subsection." insert: "Except in circumstances where a person engages in conduct amounting to direct contempt of court at a fine review hearing held pursuant to this subsection, no person shall be subject to being jailed with regard to, or as a consequence of, the content of the information exchanged or provided to the court at such hearing.".

**SENATE AMENDMENT TO S 1376**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 23, delete "acting" and insert: "elected and currently serving".

## AMENDMENT TO SECTION 2

On page 2, in line 13, delete "acting" and insert: "elected and currently serving".

**SENATE AMENDMENT TO SJR 105**

## AMENDMENT TO SECTION 1

On page 1 of the printed resolution, in line 17, delete "or cause such children to be privately"; in line 18, delete "educated"; and in line 19, following "tion" insert: "and shall not be entitled to public funds to support such education".

## AMENDMENT TO SECTION 2

On page 1, delete lines 24 through 26, and insert: "privately home educate their children or to cause their children to be privately educated and to provide that parents or guardians who privately home educate their children shall be free from government regulation of such education and shall not be entitled to public funds to support such education?".

**SENATE AMENDMENT TO S 1314**

## AMENDMENT TO SECTION 1

On page 2 of the printed bill, following line 43, insert:

"(iii) The maximum allowed investment in physical gold and silver shall not exceed seven and one-half percent (7.5%) of the idle moneys invested pursuant to this section.".

## CORRECTION TO TITLE

On page 1, in line 4, following "INSTANCES" delete "AND" and insert: ","; and in line 5, following "VER" insert: ", AND TO PROVIDE FOR A MAXIMUM ALLOWED INVESTMENT".

**SENATE AMENDMENT TO S 1374**

## AMENDMENT TO SECTION 1

On page 8 of the printed bill, in line 6, delete "all"; delete line 7, and insert: "Herndon v. City of Sandpoint, 531 P.3d 1125 (Idaho 2023)."; in line 14, delete "or"; in line 15, following "admission" insert: ", or for any other event with restricted access whether admission is charged or not"; also in line 15, delete "or commercial event" and insert: ", commercial event, or other event".

LEE, Chairman

On motion by Senator Lee, seconded by Senator Wintrow, the report was adopted by voice vote.

The Committee also has [S 1224](#), [S 1296](#), [H 583](#), and [S 1323](#) under consideration, reports progress, and begs leave to sit again.

[S 1354](#), as amended, [S 1320](#), as amended, [S 1309](#), as amended, [S 1348](#), as amended, [S 1376](#), as amended, [SJR 105](#), as amended, [S 1314](#), as amended, and [S 1374](#), 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**

Having been held, [H 393](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Bernt and Hartgen disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bernt, Burtenshaw, Cook, Guthrie, Harris, Hartgen, Just, Lee, Lent, Rabe, Rucht, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Wintrow. Total - 17.

NAYS—Adams, Anthon, Bjerke, Carlson, Den Hartog, Foreman, Grow, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Ricks, Toews, Trakel, Winder, Zuiderveld. Total - 18.

Paired and voting included in roll call:

AYE - Schroeder	NAY - Carlson
AYE - Semmelroth	NAY - Lakey

Total - 35.

Whereupon the President declared that [H 393](#) 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 Sixth Order of Business.

#### Reports of Standing Committees

March 7, 2024

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1354](#), [S 1320](#), [S 1309](#), [S 1348](#), [S 1376](#), [SJR 105](#), [S 1314](#), and [S 1374](#) have been correctly printed.

LAKEY, Chairman

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

March 7, 2024

The JUDICIARY AND RULES Committee reports that [S 1354](#), as amended, [S 1320](#), as amended, [S 1309](#), as amended, [S 1348](#), as amended, [S 1376](#), as amended, [SJR 105](#), as amended, [S 1314](#), as amended, and [S 1374](#), as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1354](#), as amended, [S 1320](#), as amended, [S 1309](#), as amended, [S 1348](#), as amended, [S 1376](#), as amended, [SJR 105](#), as amended, [S 1314](#), as amended, and [S 1374](#), 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 1354](#), as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[S 1320](#), as amended, by Transportation Committee, was read the first time at length and filed for second reading.

[S 1309](#), as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[S 1348](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1376](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[SJR 105](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1314](#), as amended, and [S 1374](#), 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 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.

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 Wintrou, by voice vote, the Senate adjourned at 6:24 p.m. until the hour of 10:30 a.m., Friday, March 8, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

**SIXTY-FIRST LEGISLATIVE DAY  
FRIDAY, MARCH 8, 2024**

Senate Chamber

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

Roll call showed all members present except Senators Carlson and Trakel, absent and excused.

Prayer was offered by Senator Hart.

The Pledge of Allegiance was led by Alexis Marshall, 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 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 Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SCR 119

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING PENDING RULES OF THE IDAHO TRANSPORTATION DEPARTMENT REVIEWED BY THE SENATE TRANSPORTATION COMMITTEE.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the legislature for review; and

WHEREAS, the Senate Transportation Committee reviewed pending rules adopted by the Idaho Transportation Department; 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 Second Regular Session of the Sixty-seventh Idaho

Legislature, the Senate and the House of Representatives concurring therein, that the following pending rules adopted by the Idaho Transportation Department, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Transportation Committee, be, and the same are hereby approved: 39.03.48, Rules Governing Routes Exempt From Local Plans and Ordinances, Docket No. 39-0348-2301.

#### SCR 120

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING PENDING RULES OF THE IDAHO STATE POLICE AND IDAHO TRANSPORTATION DEPARTMENT REVIEWED BY THE SENATE TRANSPORTATION COMMITTEE AND THE HOUSE TRANSPORTATION AND DEFENSE COMMITTEE WITH AN EXCEPTION.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate Transportation Committee and the House Transportation and Defense Committee reviewed pending rules adopted by the Idaho State Police and the Idaho Transportation Department; and

WHEREAS, it is the finding of the Legislature that rules of the Idaho State Police, the Motor Carrier Rules, are not consistent with legislative intent because it is a critical exemption for motor carriers that needs to remain in place; 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following pending rules adopted by the Idaho Transportation Department, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Transportation Committee and the House Transportation and Defense Committee, be, and the same are hereby approved:

(1) 39.02.04, Rules Governing Manufacturer and New Vehicle Dealer Hearing Fees, Docket No. 39-0204-2301;

(2) 39.02.22, Rules Governing Registration and Permit Fee Administration and Temporary Vehicle Clearance for Carriers, Docket No. 39-0222-2301;

(3) 39.02.42, Rules Governing Conditional Vehicle Registration When Proof of Ownership is Insufficient, Docket No. 39-0242-2301;

(4) 39.02.46, Rules Governing Temporary Motor Vehicle Registration Permit, Docket No. 39-0246-2301;

(5) 39.02.60, Rules Governing License Plate Provisions, Docket No. 39-0260-2301;

(6) 39.02.76, Rules Governing Driver's License and Identification Card Renewal-By-Mail and Electronic Renewal and Replacement Processes, Docket No. 39-0276-2301;

(7) 39.03.01, Rules Governing Definitions Regarding Special Permits, Docket No. 39-0301-2301;

(8) 39.03.02, Rules Governing Movement of Disabled Vehicles, Docket No. 39-0302-2301;

(9) 39.03.03, Rules Governing Special Permits - General Conditions and Requirements, Docket No. 39-0303-2301;

(10) 39.03.04, Rules Governing Special Permits - Overweight Non-Reducible, Docket No. 39-0304-2301;

(11) 39.03.05, Rules Governing Special Permits - Oversize Non-Reducible, Docket No. 39-0305-2301;

(12) 39.03.06, Rules Governing Special Permits for Extra-Length / Excess Weight, Up to 129,000 Pound Vehicle Combinations, Docket No. 39-0306-2301;

(13) 39.03.07, Rules Governing Special Permits for Reducible Loads, Docket No. 39-0307-2301;

(14) 39.03.08, Rules Governing Self-Propelled Snowplows, Docket No. 39-0308-2301;

(15) 39.03.40, Rules Governing Junkyards and Dumps, Docket No. 39-0340-2301;

(16) 39.03.42, Rules Governing Highway Right-of-Way Encroachments on State Rights-of-Way, Docket No. 39-0342-2301;

(17) 39.03.50, Rules Governing Safety Rest Areas, Docket No. 39-0350-2301; and

(18) 39.04.01, Rules Governing Aeronautics and Aviation, Docket No. 39-0401-2301.

BE IT FURTHER RESOLVED that pending rules adopted by the Idaho State Police, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Transportation Committee and the House Transportation and Defense Committee, be, and the same are hereby approved, with the exception of, the Motor Carrier Rules, IDAPA 11.13.01, Docket No. 11-1301-2301, Section 019., Subsection 01.b., only, is hereby rejected and not approved, and thereby pursuant to Section 67-5291, Idaho Code, shall expire upon adjournment sine die of the legislative session and be null, void, and of no force and effect.

#### SCR 121

##### BY STATE AFFAIRS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE STATE BOARD OF EDUCATION AND THE STATE BOARD OF CAREER TECHNICAL EDUCATION REVIEWED BY THE SENATE EDUCATION COMMITTEE AND THE HOUSE EDUCATION COMMITTEE.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate Education Committee and the House Education Committee reviewed pending rules adopted by the State Board of Education and the State Board of Career Technical Education; 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following pending rules adopted by the State Board of Education and the State Board of Career Technical Education, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Education Committee and the House Education Committee, be, and the same are hereby approved:

(1) 08.01.02, Rules Governing the Postsecondary Credit Scholarship Program, Docket No. 08-0102-2301;

(2) 08.01.13, Rules Governing the Opportunity Scholarship Program, Docket No. 08-0113-2302;

(3) 08.02.03, Rules Governing Thoroughness, Docket No. 08-0203-2301;

(4) 55.01.03, Rules of Career Technical Schools, Docket No. 55-0103-2301; and

(5) 55.01.04, Rules Governing Idaho Quality Program Standards Incentive Grants and Agricultural Education Program Start-Up Grants, Docket No. 55-0104-2301.

#### SCR 122

##### BY STATE AFFAIRS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE STATE BOARD OF EDUCATION REVIEWED BY THE SENATE EDUCATION COMMITTEE.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate Education Committee reviewed pending rules adopted by the State Board of Education; 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following pending rules adopted by the State Board of Education, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Education Committee, be, and the same are hereby approved: 08.04.01, Rules of the Idaho Digital Learning Academy, Docket No. 08-0401-2301.

[SCR 119](#), [SCR 120](#), [SCR 121](#), and [SCR 122](#) 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 8, 2024

The JUDICIARY AND RULES Committee reports that [S 1414](#) has been correctly printed.

LAKEY, Chairman

[S 1414](#) was referred to the Finance Committee.

March 7, 2024

The HEALTH AND WELFARE Committee reports out [S 1389](#) and [S 1395](#) with the recommendation that they do pass.

VANORDEN, Chairman

[S 1389](#) and [S 1395](#) were filed for second reading.

March 8, 2024

The STATE AFFAIRS Committee reports out [H 607](#) and [S 1403](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 607](#) and [S 1403](#) were filed for second reading.

March 8, 2024

The STATE AFFAIRS Committee reports out [HCR 29](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[HCR 29](#) 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, 2024

The STATE AFFAIRS Committee reports out [H 486](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [H 486](#) 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 7, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Lori Wolff of Meridian, Idaho, was appointed to the Public Employee Retirement System of Idaho Board to serve a term commencing July 1, 2023, and expiring July 1, 2028.

This appointment is subject to confirmation by the Senate, and 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.

March 7, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Monty Prow of Meridian, Idaho, was appointed to the Sexual Offender Management Board to serve a term commencing February 27, 2024, and expiring January 1, 2027.

This appointment is subject to confirmation by the Senate, and 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 7, 2024

Dear Mr. President:

I transmit herewith [H 595](#), [H 522](#), [H 601](#), [H 633](#), [H 685](#), [H 664](#), [H 691](#), [H 692](#), [H 693](#), [H 694](#), [H 689](#), [H 645](#), and [H 652](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 595](#), [H 522](#), [H 601](#), [H 633](#), [H 685](#), [H 664](#), [H 691](#), [H 692](#), [H 693](#), [H 694](#), [H 689](#), [H 645](#), and [H 652](#) were filed for first reading.

March 7, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 471](#), [H 472](#), [H 488](#), [H 566](#), [H 531](#), and [H 532](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 471](#), [H 472](#), [H 488](#), [H 566](#), [H 531](#), and [H 532](#) 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 1415**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO ELECTIONS; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-731, IDAHO CODE, TO ESTABLISH

THE PRESIDENTIAL PREFERENCE PRIMARY; AND DECLARING AN EMERGENCY.

**S 1416**  
**BY STATE AFFAIRS COMMITTEE**  
**AN ACT**

RELATING TO EMERGENCY MEDICAL SERVICES; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 46-1006, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE POWERS AND DUTIES OF THE CHIEF AND OFFICE OF EMERGENCY MANAGEMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1003, IDAHO CODE, TO REMOVE PROVISIONS REGARDING POWERS OF THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1011, IDAHO CODE, TO PROVIDE THAT THE DELIVERY OF EMERGENCY MEDICAL SERVICES IS AN ESSENTIAL SERVICE; REPEALING SECTION 56-1011, IDAHO CODE, RELATING TO EMERGENCY MEDICAL SERVICES AND A STATEMENT OF INTENT; AMENDING CHAPTER 10, TITLE 46, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 46-1028, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING EMERGENCY MEDICAL SERVICES AND A STATEMENT OF INTENT; AMENDING SECTION 56-1012, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE DEFINITIONS, TO DEFINE A TERM, AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING CHAPTER 10, TITLE 46, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 46-1030, IDAHO CODE, TO PROVIDE FOR COUNTY ACCOUNTABILITY; AMENDING SECTION 56-1013, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1013A, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS REGARDING THE PHYSICIAN COMMISSION, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1013B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT CODE REFERENCES, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-1013C, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1013D, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1013E, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 56-1013F, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1013G, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 56-1013H, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-1013I, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-1013J, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-1013K, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1013L, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE A CORRECT

CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1013M, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1013N, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1013O, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1013P, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 56-1013Q, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 56-1014, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT CODE REFERENCES, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1015, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT CODE REFERENCES, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1016, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS REGARDING AGENCY MINIMUM STANDARDS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1018, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-1018A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 56-1018B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS REGARDING THE EMERGENCY MEDICAL SERVICES FUND III, AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 10, TITLE 46, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 46-1040, IDAHO CODE, TO ESTABLISH THE EMERGENCY MEDICAL SERVICES SUSTAINABILITY FUND; AMENDING SECTION 56-1020, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 56-1021, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 56-1022, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS REGARDING PERSONNEL AND AGENCIES LICENSURE ACTIONS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1023, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS REGARDING RULES, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-1024, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-1025, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE DEFINITIONS; AMENDING SECTION 56-1026, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR THE OFFICE OF EMERGENCY MANAGEMENT; AMENDING SECTION 56-1027, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE A PROVISION REGARDING COUNCIL APPOINTMENT; AMENDING SECTION 56-1028, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-1029, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-1030, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 57-2001, IDAHO CODE, TO PROVIDE FOR THE TSE COUNCIL; AMENDING SECTION 57-2002, IDAHO CODE, TO REVISE A



DEFINITION, TO REMOVE A DEFINITION, AND TO MAKE TECHNICAL CORRECTIONS ; AMENDING SECTION 57-2003, IDAHO CODE, TO PROVIDE FOR THE EMS BUREAU AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 57-2004, IDAHO CODE, TO PROVIDE FOR THE EMS BUREAU AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 57-2005, IDAHO CODE, TO PROVIDE FOR THE OFFICE OF EMERGENCY MANAGEMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 57-2006, IDAHO CODE, TO PROVIDE FOR THE EMS BUREAU AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 6-902A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 9-203, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3908, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-4302, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1392a, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-4703, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-452, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-8806, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 72-451, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

**S 1417**

**BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO SOCIAL MEDIA COMPANIES; AMENDING TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 21, TITLE 48, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR AGE REQUIREMENTS FOR USE OF SOCIAL MEDIA PLATFORMS AND TO PROVIDE FOR PARENTAL CONSENT, TO PROVIDE FOR INVESTIGATIVE AND ENFORCEMENT POWERS OF THE ATTORNEY GENERAL, TO PROVIDE FOR A PRIVATE RIGHT OF ACTION, TO PROHIBIT CERTAIN WAIVERS, AND TO PROVIDE SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**S 1418**

**BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO FIREARMS ON SCHOOL PROPERTY; AMENDING SECTION 18-3302C, IDAHO CODE, TO REVISE A PROVISION REGARDING PROHIBITED CONDUCT AND TO PROVIDE A CODE REFERENCE; AMENDING SECTION 18-3302D, IDAHO CODE, TO DEFINE TERMS, TO REVISE DEFINITIONS, TO REVISE A PROVISION REGARDING THE RIGHT TO SEARCH A STUDENT OR MINOR, TO REVISE EXCEPTIONS, AND TO ESTABLISH PROVISIONS REGARDING CONCEALED WEAPONS ON SCHOOL PROPERTY; AMENDING

CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-527, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING AN AUTHORIZATION TO CARRY FIREARMS OR OTHER DEADLY WEAPONS ON SCHOOL PROPERTY; AMENDING SECTION 74-106, IDAHO CODE, TO PROVIDE THAT CERTAIN RECORDS SHALL BE EXEMPT FROM DISCLOSURE AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1415](#), [S 1416](#), [S 1417](#), and [S 1418](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 595](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 522](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 601](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 633](#) and [H 685](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 664](#) and [H 691](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 692](#), [H 693](#), and [H 694](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 689](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 645](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 652](#), by Ways and Means 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 542](#) and [H 578](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 591](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 490](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 590](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[S 1375](#) and [S 1390](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 491](#), by Local Government Committee, was read the second time at length and filed for third reading.

[S 1354](#), as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1320](#), as amended, by Transportation Committee, was read the second time at length and filed for third reading.

[S 1309](#), as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1348](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1376](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[SJR 105](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[S 1314](#), as amended, and [S 1374](#), as amended, 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, [H 661](#) was placed before the Senate for consideration at this time.

[H 661](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ruchti 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 661](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 533](#) was placed before the Senate for consideration at this time.

[H 533](#), 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. Senator Carlson arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Anthon, Carlson, Lakey, and Schroeder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 533](#) passed, title was approved, and the bill ordered returned to the House.

Having been held, [S 1371](#) 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:

AYES—Adams, Anthon, Bernt, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 23.

NAYS—Bjerke, Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 12.

Total - 35.

Whereupon the President declared [S 1371](#) 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 Wintrow, by voice vote, the Senate adjourned at 12:04 p.m. until the hour of 10:30 a.m., Monday, March 11, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**SIXTY-FOURTH LEGISLATIVE DAY**  
**MONDAY, MARCH 11, 2024**

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Benjamin Price, 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, 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.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

March 11, 2024

Dear President Pro Tempore,

I have the honor to inform you that pursuant to Title 67-412, I have designated Elisha Mae Toews of Coeur d'Alene, Idaho as a qualified substitute for Legislative District 4, Kootenai County, State of Idaho.

This appointment is effective Monday, March 11, 2024, and will continue until Wednesday, March 13, 2024.

Sincerely,  
/s/ Senator Toews

Having previously received the Oath of Office, Acting Senator Toews was recorded present at this order of business and the correspondence was filed in the office of the Secretary.

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

### Reports of Standing Committees

March 11, 2024

The JUDICIARY AND RULES Committee reports that [SCR 119](#), [SCR 120](#), [SCR 121](#), [SCR 122](#), [S 1415](#), [S 1416](#), [S 1417](#), and [S 1418](#) have been correctly printed.

LAKEY, Chairman

[SCR 119](#), [SCR 120](#), [SCR 121](#), and [SCR 122](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1415](#) was referred to the State Affairs Committee.

[S 1416](#) was referred to the Health and Welfare Committee.

[S 1417](#) and [S 1418](#) were referred to the State Affairs Committee.

March 8, 2024

The FINANCE Committee reports out [H 692](#), [H 693](#), [H 694](#), and [S 1414](#) with the recommendation that they do pass.

GROW, Chairman

[H 692](#), [H 693](#), [H 694](#), and [S 1414](#) were filed for second reading.

March 8, 2024

The JUDICIARY AND RULES Committee reports out [H 408](#) and [H 462](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 408](#) and [H 462](#) were filed for second reading.

March 11, 2024

The STATE AFFAIRS Committee reports out [H 477](#) and [H 664](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 477](#) and [H 664](#) were filed for second reading.

March 11, 2024

The STATE AFFAIRS Committee reports out [H 572](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [H 572](#) 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 8, 2024

Dear Mr. President:

I transmit herewith [H 665](#), [H 666](#), [H 698](#), [H 699](#), [H 700](#), [H 686](#), and [H 651](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 665](#), [H 666](#), [H 698](#), [H 699](#), [H 700](#), [H 686](#), and [H 651](#) were filed for first reading.

March 8, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 466](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 466](#) and ordered it returned to the House.

Senator Guthrie was recorded present at this order of business.

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 1419  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE OFFICE OF ADMINISTRATIVE HEARINGS; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF ADMINISTRATIVE HEARINGS FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1420  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO SOLID WASTE DISPOSAL SITES; AMENDING SECTION 31-4401A, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4402, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AUTHORITY OF COUNTY COMMISSIONERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-4403, IDAHO CODE, TO REVISE PROVISIONS REGARDING OPERATION AND MAINTENANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4407, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4407A, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROCEDURES ASSOCIATED WITH CHANGES IN STATUS OF MAJOR WASTE GENERATORS AND MUNICIPALITIES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1421  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO LIQUOR; AMENDING SECTION 23-903, IDAHO CODE, TO REVISE PROVISIONS REGARDING A LICENSE TO RETAIL LIQUOR AND TO ESTABLISH PROVISIONS REGARDING THE TRANSFER AND ISSUANCE OF A LICENSE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1422  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE STATE PROCUREMENT ACT; AMENDING SECTION 67-9211, IDAHO CODE, TO REVISE PROVISIONS REGARDING MULTIPLE AWARDS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1423  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO PURCHASING; AMENDING SECTION 67-9230, IDAHO CODE, TO REVISE A PROVISION REGARDING THE ELIGIBILITY OF CERTAIN VENDORS TO SUBMIT BIDS FOR STATE CONTRACTS FOR PROPERTY OR SERVICES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1419](#), [S 1420](#), [S 1421](#), [S 1422](#), and [S 1423](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 665](#) and [H 666](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 698](#), [H 699](#), and [H 700](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 686](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 651](#), by Ways and Means 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**

[S 1389](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1395](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 607](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1403](#), by Judiciary and Rules 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 Lee, granted by unanimous consent, [S 1293](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

Having been held, [S 1402](#) 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:

AYES—Adams, Anthon, Bernt, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 26.

NAYS—Bjerke, Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Toews (Toews), Zuiderveld. Total - 9.

Total - 35.

Whereupon the President declared [S 1402](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1381](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Carlson, Den Hartog, Foreman, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 31.

NAYS—Burtenshaw, Cook, Grow. Total - 3.

Absent and excused—Lent. Total - 1.

Total - 35.

Whereupon the President declared [S 1381](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1394](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bernt 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1394](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1405](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1405](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1406](#) 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?"

Pursuant to Senate Rule 39(H), Senators Hartgen and Ward-Engelking disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Burtenshaw, Cook, Grow, Guthrie, Hartgen, Just, Lee, Lent, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 20.

NAYS—Bjerke, Carlson, Den Hartog, Foreman, Harris, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Ricks, Toews (Toews), Trakel, Zuiderveld. Total - 15.

Total - 35.

Whereupon the President declared [S 1406](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1407](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared [S 1407](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1408](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke 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, Grow, Guthrie, Harris, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 31.

NAYS—Foreman, Hart, Okuniewicz, Zuiderveld. Total - 4.

Total - 35.

Whereupon the President declared [S 1408](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1409](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Herndon, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 27.

NAYS—Bernt, Carlson, Foreman, Hart, Lenney, Nichols, Okuniewicz, Trakel. Total - 8.

Total - 35.

Whereupon the President declared [S 1409](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1410](#) 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:

AYES—Adams, Anthon, Burtenshaw, Cook, Den Hartog, Grow, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 22.

NAYS—Bernt, Bjerke, Carlson, Foreman, Guthrie, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews (Toews), Trakel, Zuiderveld. Total - 13.

Total - 35.

Whereupon the President declared [S 1410](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1411](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 26.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews (Toews), Trakel. Total - 9.

Total - 35.

Whereupon the President declared [S 1411](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1412](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Just 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, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 21.

NAYS—Bernt, Bjerke, Carlson, Den Hartog, Foreman, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Toews (Toews), Trakel, Zuiderveld. Total - 14.

Total - 35.

Whereupon the President declared [S 1412](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1378](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1378](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1375](#) and [S 1390](#) retained their place on the Third Reading Calendar.

[S 1354](#), 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:

AYES—Anthon, Bernt, Bjerke, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lee, Lent, Okuniewicz, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 23.

NAYS—Adams, Carlson, Den Hartog, Foreman, Hart, Herndon, Lakey, Lenney, Nichols, Rabe, Toews (Toews), Trakel. Total - 12.

Total - 35.

Whereupon the President declared [S 1354](#), as amended, 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 Wintrow, by voice vote the Senate recessed at 12 noon until the hour of 3:30 p.m. of this day.

#### **RECESS AFTERNOON SESSION**

The Senate reconvened at 3:30 p.m., pursuant to recess, President Bedke presiding.

Roll call showed all members present except Senators Schroeder and Trakel, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 11, 2024

The FINANCE Committee reports out [H 698](#), [H 699](#), and [H 700](#) with the recommendation that they do pass.

GROW, Chairman

[H 698](#), [H 699](#), and [H 700](#) were filed for second reading.

March 11, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [H 425](#), [H 540](#), [H 612](#), and [H 614](#) with the recommendation that they do pass.

BURTENSHAW, Chairman

[H 425](#), [H 540](#), [H 612](#), and [H 614](#) were filed for second reading.

March 11, 2024

The JUDICIARY AND RULES Committee reports out [H 654](#), [S 1278](#), and [S 1413](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 654](#), [S 1278](#), and [S 1413](#) were filed for second reading.

March 11, 2024

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:

Scott Madison to the Idaho Judicial Council, term to expire July 1, 2027.

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.

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

#### Messages from the House

March 11, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 661](#) and [H 533](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 661](#) and [H 533](#) 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

Senator Trakel was recorded present at this order of business.

#### S 1424

#### BY FINANCE COMMITTEE

#### AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE STATE PUBLIC DEFENDER; APPROPRIATING

ADDITIONAL MONEYS TO THE OFFICE OF THE STATE PUBLIC DEFENDER FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION TO THE OFFICE OF THE STATE PUBLIC DEFENDER FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE APPROPRIATION FROM EXPENSE CLASS TRANSFER LIMITATIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1425

#### BY FINANCE COMMITTEE

#### AN ACT

RELATING TO THE APPROPRIATION TO THE STATE APPELLATE PUBLIC DEFENDER; APPROPRIATING ADDITIONAL MONEYS TO THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2025; PROVIDING REAPPROPRIATION AUTHORITY FOR CAPITAL CASES; PROVIDING REAPPROPRIATION AUTHORITY FOR NONCAPITAL APPEALS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1424](#) and [S 1425](#) 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 Tenth Order of Business.

#### Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, [S 118](#) was placed before the Senate for final consideration at this time.

The President announced that [SCR 118](#) 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 Wintrow, [SCR 118](#) 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 Thirteenth Order of Business.

#### Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [S 1320](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

President Pro Tempore Winder assumed the Chair.

[S 1309](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1309](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1390](#) was placed before the Senate for consideration at this time.

[S 1390](#) 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 Semmelroth disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews (Toews), Trakel, Zuiderveld. Total - 10.

Total - 35.

Whereupon the President Pro Tempore declared [S 1390](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [H 607](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1348](#), 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?"

President Bedke returned to the Chair.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1348](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1376](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Okuniewicz 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, Ruchti, Schroeder, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Zuiderveld. Total - 30.

NAYS—Just, Rabe, Semmelroth, Taylor, Wintrow. Total - 5.

Total - 35.

Whereupon the President declared [S 1376](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

Whereupon the President declared that pursuant to Joint Rule 20 and having passed the Fifty-fifth legislative day of the Regular Session, and not having received a presentment of a signed petition from the minority or majority leadership of the Senate, [SJR 105](#), as amended, was ordered filed in the office of the Secretary.

[S 1314](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hart 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, Foreman, Grow, Guthrie, Harris, Hart, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews (Toews), Trakel, VanOrden, Winder, Zuiderveld. Total - 25.

NAYS—Hartgen, Just, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 9.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1314](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1374](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Lenney, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Toews (Toews), Trakel, VanOrden, Winder, Zuiderveld. Total - 28.

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

Total - 35.

Whereupon the President declared [S 1374](#), 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 Wintrow, by voice vote, the Senate adjourned at 5:02 p.m. until the hour of 10:30 a.m., Tuesday, March 12, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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SIXTY-FIFTH LEGISLATIVE DAY  
TUESDAY, MARCH 12, 2024

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Kate Paine, 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, 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 Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 12, 2024

The JUDICIARY AND RULES Committee reports that [S 1419](#), [S 1420](#), [S 1421](#), [S 1422](#), [S 1423](#), [S 1424](#), and [S 1425](#) have been correctly printed.

LAKEY, Chairman

[S 1419](#) was referred to the Finance Committee.

[S 1420](#) was referred to the Local Government and Taxation Committee.

[S 1421](#), [S 1422](#), and [S 1423](#) were referred to the State Affairs Committee.

[S 1424](#) and [S 1425](#) were referred to the Finance Committee.

March 11, 2024

The HEALTH AND WELFARE Committee reports out [H 577](#) with the recommendation that it do pass.

VANORDEN, Chairman

[H 577](#) was filed for second reading.

March 11, 2024

The EDUCATION Committee reports out [S 1391](#) and [S 1392](#) with the recommendation that they do pass.

LENT, Chairman

[S 1391](#) and [S 1392](#) were filed for second reading.

March 12, 2024

The STATE AFFAIRS Committee reports out [S 1415](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[S 1415](#) was filed for second reading.

March 12, 2024

The STATE AFFAIRS Committee reports out [H 570](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [H 570](#) was referred to the Fourteenth Order of Business, General Calendar.

March 12, 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:

Evelyn Johnson to the Idaho Commission on Human Rights, term to expire July 1, 2026;

Richelle Sugiyama to the Treasurer's Investment Advisory Board, term to expire July 1, 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 Lee, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

### Messages from the Governor

March 11, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that James Hammond of Coeur d'Alene, Idaho, was appointed to the State Building Authority to serve a term commencing January 1, 2022, and expiring January 1, 2027.

This appointment is subject to confirmation by the Senate, and 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

#### 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 transmittal of proposed constitutional amendments, which would permit the transmittal and consideration of [HJR 5](#) to present an amendment to the Idaho Constitution to amend Section 2, Article VI, to provide that individuals who are not United States citizens may not be qualified electors in any election within the State of Idaho.

Signed:

/s/ Chuck Winder, President Pro Tempore

/s/ Kelly Anthon, Majority Leader

/s/ Abby Lee, Assistant Majority Leader

/s/ Mark Harris, Majority Caucus Chair

Upon presentation of the petition, the President waived the provisions of Joint Rule 20 for the transmittal of [HJR 5](#). The correspondence was ordered filed in the office of the Secretary of the Senate.

March 11, 2024

Dear Mr. President:

I transmit herewith [H 599](#), [H 603](#), [H 626](#), [H 703](#), [H 584](#), [H 630](#), [H 646](#), [H 687](#), [HJR 5](#), [HCR 30](#), [HCR 32](#), [HCR 33](#), [HCR 34](#), [HCR 31](#), [H 668](#), [H 670](#), and [H 613](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 599](#), [H 603](#), [H 626](#), [H 703](#), [H 584](#), [H 630](#), [H 646](#), [H 687](#), [HJR 5](#), [HCR 30](#), [HCR 32](#), [HCR 33](#), [HCR 34](#), [HCR 31](#), [H 668](#), [H 670](#), and [H 613](#) were filed for first reading.

March 11, 2024

Dear Mr. President:

I return herewith [S 1234](#) and [S 1243](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1234](#) and [S 1243](#) were 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

[H 599](#), [H 603](#), and [H 626](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 703](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 584](#), [H 630](#), and [H 646](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 687](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[HJR 5](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 30](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[HCR 32](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

[HCR 33](#) and [HCR 34](#), by Revenue and Taxation Committee, were introduced, read at length, and referred to the Local Government and Taxation Committee.

[HCR 31](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 668](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 670](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 613](#), by Ways and Means 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

Senator Anthon was recorded present at this order of business.

[H 692](#), [H 693](#), and [H 694](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1414](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 408](#) and [H 462](#), by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[H 477](#) and [H 664](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 698](#), [H 699](#), and [H 700](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 425](#) and [H 540](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[H 612](#), [H 614](#), and [H 654](#), by Ways and Means Committee, were read the second time at length and filed for third reading.

[S 1278](#) and [S 1413](#), by Judiciary and Rules 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 1293](#), as amended, was read the third time at length, section by section, and placed before the Senate

for final consideration. Senator VanOrden arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), and prior to the vote, Senators Anthon, Lakey, and Schroeder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Hart, Herndon, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews (Toews), Trakel, VanOrden, Winder, Zuiderveld. Total - 20.

NAYS—Anthon, Bernt, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 15.

Total - 35.

Whereupon the President declared [S 1293](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [H 571](#) was placed before the Senate for consideration at this time.

[H 571](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 571](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1375](#), [S 1320](#), as amended, [S 1389](#), and [S 1395](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1403](#) 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, and Schroeder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Lent. Total - 1.

Total - 35.

Whereupon the President declared [S 1403](#) passed, title was approved, and the bill ordered transmitted to the House.

Having been held, [H 457](#) 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Toews (Toews), Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 31.

NAYS—Rabe, Semmelroth, Taylor, Ward-Engelking. Total - 4.

Total - 35.

Whereupon the President declared [H 457](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 460](#) and [H 449](#) retained their place on the Third Reading Calendar for one legislative day.

Having been held, [H 445](#) 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 445](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 399](#) and [H 498](#) retained their place on the Third Reading Calendar for one legislative day.

[H 436](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke 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, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 27.

NAYS—Carlson, Hart, Herndon, Lenney, Nichols, Toews (Toews), Zuiderveld. Total - 7.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 436](#) passed, title was approved, and the bill ordered returned to the House.

[H 437](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Carlson, Toews (Toews). Total - 2.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 437](#) 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 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 Wintrow, by voice vote the Senate recessed at 11:55 a.m. until the hour of 3:30 p.m. of this day.

#### RECESS AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., pursuant to recess, President Bedke presiding.

Roll call showed all members present except President Pro Tempore Winder and Senators Cook, Grow, Lent, Ricks, Ruchti, and Wintrow, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 12, 2024

The JUDICIARY AND RULES Committee reports that [S 1234](#) and [S 1243](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1234](#) and [S 1243](#) and ordered them transmitted to the House for the signature of the Speaker.

March 12, 2024

The FINANCE Committee reports out [H 703](#), [S 1419](#), [S 1424](#), and [S 1425](#) with the recommendation that they do pass.

GROW, Chairman

[H 703](#), [S 1419](#), [S 1424](#), and [S 1425](#) were filed for second reading.

March 12, 2024

The TRANSPORTATION Committee reports out [H 640](#) with the recommendation that it do pass.

OKUNIEWICZ, Chairman

[H 640](#) was filed for second reading.

March 12, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 589](#), [H 593](#), and [H 604](#) with the recommendation that they do pass.

COOK, Chairman

[H 589](#), [H 593](#), and [H 604](#) 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, 2024

Dear Mr. President:

I return herewith [S 1272](#), [S 1341](#), [S 1274](#), [S 1372](#), [S 1373](#), [S 1232](#), as amended, [S 1326](#), [S 1216](#), [S 1282](#), [S 1298](#), [S 1316](#), and [S 1382](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1272](#), [S 1341](#), [S 1274](#), [S 1372](#), [S 1373](#), [S 1232](#), as amended, [S 1326](#), [S 1216](#), [S 1282](#), [S 1298](#), [S 1316](#), and [S 1382](#) were referred to the Judiciary and Rules Committee for enrolling.

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 1415](#) 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 1415](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder. Total - 31.

NAYS—Lenney, Zuiderveld. Total - 2.

Absent and excused—Ruchti, Wintrow. Total - 2.

Total - 35.

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

[S 1415](#) was read the second time by title and 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?"



Whereupon the President declared [H 650](#) passed, title was approved, and the bill ordered returned to the House.

[H 433](#) 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:

AYES--Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 433](#) passed, title was approved, and the bill ordered returned to the House.

[H 478](#) 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:

AYES--Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 478](#) passed, title was approved, and the bill ordered returned to the House.

[H 508](#) 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:

AYES--Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 508](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Harris, granted by unanimous consent, [H 454](#) retained its place on the Third Reading Calendar for one legislative day.

[H 529](#) 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--Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 529](#) passed, title was approved, and the bill ordered returned to the House.

[H 580](#) 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--Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 580](#) passed, title was approved, and the bill ordered returned to the House.

[H 456](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 456](#) passed, title was approved, and the bill ordered returned to the House.

[H 487](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bernt 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 487](#) passed, title was approved, and the bill ordered returned to the House.

[H 618](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 618](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 441](#) and [H 575](#) retained their place on the Third Reading Calendar for one legislative day.

[H 588](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ruchti 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, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Zuiderveld. Total - 30.

NAYS—Foreman, Rabe, Semmelroth, Wintrow. Total - 4.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 588](#) passed, title was approved, and the bill ordered returned to the House.

[H 468](#) 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:

AYES—Adams, Anthon, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Bjerke, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews (Toews), Zuiderveld. Total - 9.

Absent and excused—Bernt, Lee. Total - 2.

Total - 35.

Whereupon the President declared [H 468](#) passed, title was approved, and the bill ordered returned to the House.

[H 507](#) 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:

AYES—Adams, Anthon, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Bernt, Lee. Total - 2.

Total - 35.

Whereupon the President declared [H 507](#) passed, title was approved, and the bill ordered returned to the House.

[H 592](#) 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:

AYES—Adams, Anthon, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews (Toews), Trakel, Zuiderveld. Total - 10.

Absent and excused—Bernt. Total - 1.

Total - 35.

Whereupon the President declared [H 592](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 439](#) retained its place on the Third Reading Calendar for one legislative day.

[H 528](#) 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—Adams, Anthon, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Bernt, Semmelroth. Total - 2.

Total - 35.

Whereupon the President declared [H 528](#) passed, title was approved, and the bill ordered returned to the House.

[H 673](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke 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, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews (Toews), Zuiderveld. Total - 9.

Absent and excused—Bernt, Semmelroth. Total - 2.

Total - 35.

Whereupon the President declared [H 673](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 674](#) retained its place on the Third Reading Calendar for one legislative day.

[H 675](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke 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, Bjerke, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 22.

NAYS—Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews (Toews), Trakel, Zuiderveld. Total - 11.

Absent and excused—Bernt, Semmelroth. Total - 2.

Total - 35.

Whereupon the President declared [H 675](#) 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 Wintrow, by voice vote, the Senate adjourned at 6 p.m. until the hour of 10:30 a.m., Wednesday, March 13, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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SIXTY-SIXTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 13, 2024

Senate Chamber

President Bedke 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 Ashley Richardson, 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, 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

March 13, 2024

The JUDICIARY AND RULES Committee reports that [S 1272](#), [S 1341](#), [S 1274](#), [S 1372](#), [S 1373](#), [S 1232](#), as amended, [S 1326](#), [S 1216](#), [S 1282](#), [S 1298](#), [S 1316](#), and [S 1382](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1272](#), [S 1341](#), [S 1274](#), [S 1372](#), [S 1373](#), [S 1232](#), as amended, [S 1326](#), [S 1216](#), [S 1282](#), [S 1298](#), [S 1316](#), and [S 1382](#) and ordered them transmitted to the House for the signature of the Speaker.

March 12, 2024

The HEALTH AND WELFARE Committee reports out [H 526](#) and [H 633](#) with the recommendation that they do pass.

VANORDEN, Chairman

[H 526](#) and [H 633](#) were filed for second reading.

March 12, 2024

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:

James McNamara to the Hazardous Waste Facility Siting License Application Review Panel, term to expire February 23, 2027.

VANORDEN, 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 12, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 608](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICKS, Chairman

There being no objection, [H 608](#) was referred to the Fourteenth Order of Business, General Calendar.

March 12, 2024

The EDUCATION Committee reports out [S 1358](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LENT, Chairman

There being no objection, [S 1358](#) was referred to the Fourteenth Order of Business, General Calendar.

March 13, 2024

The STATE AFFAIRS Committee reports out [H 656](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[H 656](#) 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 12, 2024

Dear Mr. President:

I transmit herewith [H 620](#), as amended, [H 621](#), as amended, [H 638](#), as amended, [H 659](#), and [HCR 28](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 620](#), as amended, [H 621](#), as amended, [H 638](#), as amended, [H 659](#), and [HCR 28](#) 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 620](#), as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 621](#), as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 638](#), as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 659](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 28](#), 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 577](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1391](#) and [S 1392](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 703](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1419](#), [S 1424](#), and [S 1425](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 640](#), [H 589](#), and [H 593](#), by Ways and Means Committee, were read the second time at length and filed for third reading.

[H 604](#), 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 1375](#), [S 1320](#), as amended, and [S 1389](#) retained their place on the Third Reading Calendar for one legislative day.

On request by Senator Anthon, granted by unanimous consent, [S 1395](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1414](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1414](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1278](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1278](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1413](#) and [H 460](#) retained their place on the Third Reading Calendar for one legislative day.

On request by Senator Anthon, granted by unanimous consent, [H 449](#) retained its place on the Third Reading Calendar for Monday, March 18, 2024.

Having been held, [H 399](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews (Toews), Trakel, Zuiderveld. Total - 10.

Total - 35.

Whereupon the President declared [H 399](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 498](#) retained its place on the Third Reading Calendar for one legislative day.

Having been held, [H 454](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 454](#) passed, title was approved, and the bill ordered returned to the House.

Having been held, [H 441](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 33.

NAYS—Foreman, Zuiderveld. Total - 2.

Total - 35.

Whereupon the President declared [H 441](#) passed, title was approved, and the bill ordered returned to the House.

Having been held, [H 575](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 575](#) passed, title was approved, and the bill ordered returned to the House.

Having been held, [H 439](#) 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:

AYES—Adams, Anthon, Bernt, Burtenshaw, Cook, Den Hartog, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 23.

NAYS—Bjerke, Carlson, Foreman, Grow, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews (Toews), Trakel, Zuiderveld. Total - 12.

Total - 35.

Whereupon the President declared [H 439](#) passed, title was approved, and the bill ordered returned to the House.

Having been held, [H 674](#) 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 674](#) passed, title was approved, and the bill ordered returned to the House.

[H 676](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), VanOrden, Ward-Engelking, Winder, Wintrow. Total - 28.

NAYS—Bernt, Bjerke, Foreman, Hart, Nichols, Trakel, Zuiderveld. Total - 7.

Total - 35.

Whereupon the President declared [H 676](#) passed, title was approved, and the bill ordered returned to the House.

[H 677](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 677](#) passed, title was approved, and the bill ordered returned to the House.

[H 678](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews (Toews), Zuiderveld. Total - 10.

Total - 35.

Whereupon the President declared [H 678](#) passed, title was approved, and the bill ordered returned to the House.

[H 679](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 26.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews (Toews), Zuiderveld. Total - 9.

Total - 35.

Whereupon the President declared [H 679](#) passed, title was approved, and the bill ordered returned to the House.

[H 680](#) 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—Adams, Anthon, Bjerke, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lee, Lenney, Lent, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 22.

NAYS—Bernt, Carlson, Den Hartog, Foreman, Hart, Herndon, Lakey, Nichols, Okuniewicz, Ricks, Toews (Toews), Trakel, Zuiderveld. Total - 13.

Total - 35.

Whereupon the President declared [H 680](#) passed, title was approved, and the bill ordered returned to the House.

[H 681](#) 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—Adams, Anthon, Bjerke, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 23.

NAYS—Bernt, Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews (Toews), Trakel, Zuiderveld. Total - 12.

Total - 35.

Whereupon the President declared [H 681](#) passed, title was approved, and the bill ordered returned to the House.

[H 682](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke 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, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), VanOrden, Ward-Engelking, Winder, Wintrow. Total - 31.

NAYS—Carlson, Foreman, Trakel, Zuiderveld. Total - 4.

Total - 35.

Whereupon the President declared [H 682](#) passed, title was approved, and the bill ordered returned to the House.

[H 502](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 502](#) 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 Wintrow, by voice vote the Senate recessed at 11:57 a.m. until the hour of 3:30 p.m. of this day.

#### RECESS AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., pursuant to recess, President Bedke presiding.

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

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

#### SCR 123 BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE IDAHO STATE BOARD OF TAX APPEALS REVIEWED BY THE SENATE LOCAL GOVERNMENT AND TAXATION COMMITTEE.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate Local Government and Taxation Committee reviewed pending rules adopted by the Idaho State Board of Tax Appeals; 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following pending rules adopted by the Idaho State Board of Tax Appeals, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Local Government and Taxation Committee, be, and the same are hereby approved: 36.01.01, Idaho Board of Tax Appeal Rules, Docket No. 36-0101-2301.

#### SCR 124 BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION  
STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES REVIEWED BY THE SENATE HEALTH AND WELFARE COMMITTEE AND THE HOUSE ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate Health and Welfare Committee and the House Environment, Energy, and Technology Committee reviewed pending rules adopted by the Division of Occupational and Professional Licenses, Rules of the Board of Drinking Water and Wastewater Professionals; 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the pending rules adopted by the Division of Occupational and Professional Licenses, Rules of the Board of Drinking Water and Wastewater Professionals, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Health and Welfare Committee and the House Environment, Energy, and Technology Committee, be, and the same are hereby approved.

[SCR 123](#) and [SCR 124](#) 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 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 [H 607](#) and [S 1358](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO H 607

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 20 and 21, and insert:

"(2) An entity that was a primary bidder or primary proposer may challenge the administrator's decision pursuant to the provisions of this section under the following circumstances:"

On page 2, delete lines 12 through 25, and insert:

"(c) A hearing officer appointed pursuant to paragraph (b)(ii) of this subsection shall conduct a contested case hearing and upon conclusion of the hearing shall prepare findings of fact, conclusions of law, and a recommended order for the director. Upon receipt of the findings of fact, conclusions of law, and recommended order, the director shall enter a final order affirming, modifying, or reversing the decision of the administrator.

(d) In addition to the requirements of section 67-5270, Idaho Code, the challenging bidder shall also file a protest bond in an amount equal to twenty-five percent (25%) of the allocated budget for the construction of the public works capital improvements.

(i) If the allocated budget was not included in the request for qualifications, the director shall set the value of the protest bond at a reasonable amount that does not exceed twenty-five percent (25%) of the anticipated capital expenditures to complete the public works improvements.

(ii) If the challenge is successful, the protest bond will be returned to the challenging bidder within fourteen (14) days of the final decision having been made.

(iii) If the challenge is not successful, a claim may be made against the protest bond by the public entity in an amount equal to the expenses incurred by the public entity because of the challenge. Such expenses must be documented and may include but are not limited to legal fees, court costs, escalated material prices, and other direct damages related to the challenge. The remainder of the bond shall be released after the claim has been satisfied."

#### SENATE AMENDMENT TO S 1358

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 37, delete "øø" and insert: "or"; delete line 38; and in line 39, delete "(f)(g)" and insert: "(f)".

##### AMENDMENT TO SECTION 2

On page 2, in line 26, following "permitted" insert: "pursuant to section 33-1030(3)(a), Idaho Code".

##### AMENDMENT TO THE BILL

On page 3, delete lines 13 through 43; and renumber the subsequent section accordingly.

#### CORRECTION TO TITLE

On page 1, in line 4, delete "AMENDING SECTION"; and in line 5, delete "33-1032, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE";

The Committee also has [S 1224](#), [S 1296](#), [H 583](#), [S 1323](#), [H 486](#), [H 572](#), [H 570](#), [H 608](#), and [S 1395](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Wintrow, the report was adopted by voice vote.

[H 607](#), 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.

[S 1358](#), 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 Anthon, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

### Reports of Standing Committees

March 13, 2024

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 607](#) and [S 1358](#) have been correctly printed.

LAKEY, Chairman

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

March 13, 2024

The JUDICIARY AND RULES Committee reports that [S 1358](#), as amended, has been correctly engrossed.

LAKEY, Chairman

[S 1358](#), as amended, was filed for first reading.

March 13, 2024

The JUDICIARY AND RULES Committee reports out [H 387](#), [H 465](#), and [H 482](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 387](#), [H 465](#), and [H 482](#) were filed for second reading.

March 13, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [H 687](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[H 687](#) 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 13, 2024

Dear Mr. President:

I return herewith [S 1329](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), [S 1281](#), [S 1338](#), [S 1339](#), [S 1342](#), [S 1388](#), [S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), and [S 1401](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1329](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), [S 1281](#), [S 1338](#), [S 1339](#), [S 1342](#), [S 1388](#), [S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), and [S 1401](#) were referred to the Judiciary and Rules Committee for enrolling.

March 13, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 403](#), as amended in the Senate, for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 403](#), as amended in the Senate, and ordered it returned to the House.

March 13, 2024

Dear Mr. President:

I return herewith Enrolled [S 1234](#) and [S 1243](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1234](#) and [S 1243](#) 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 607](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1358](#), 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 Thirteenth Order of Business.

#### Third Reading of Bills

[H 505](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bernt 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, Just, Lakey, Lee, Lenney, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Lent. Total - 1.

Total - 35.

Whereupon the President declared [H 505](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 576](#) retained its place on the Third Reading Calendar for one legislative day.

[H 547](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Just 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, Just, Lakey, Lee, Lenney, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Lent. Total - 1.

Total - 35.

Whereupon the President declared [H 547](#) passed, title was approved, and the bill ordered returned to the House.

[H 500](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nichols 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, Just, Lakey, Lee, Lenney, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth,

Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS–None.

Absent and excused–Lent. Total - 1.

Total - 35.

Whereupon the President declared [H 500](#) passed, title was approved, and the bill ordered returned to the House.

[H 527](#) 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:

AYES–Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS–None.

Absent and excused–Lent. Total - 1.

Total - 35.

Whereupon the President declared [H 527](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 521](#) retained its place on the Third Reading Calendar for one legislative day.

[H 581](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Just, Lakey, Lee, Lenney, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews (Toews), Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS–None.

Absent and excused–Lent. Total - 1.

Total - 35.

Whereupon the President declared [H 581](#) passed, title was approved, and the bill ordered returned to the House.

[H 574](#) 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:

AYES–Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Foreman, Grow, Guthrie, Harris, Hart, Herndon, Lakey,

Lee, Lenney, Nichols, Okuniewicz, Ricks, Schroeder, Toews (Toews), Trakel, VanOrden, Winder, Zuiderveld. Total - 25.

NAYS–Hartgen, Just, Rabe, Ruchti, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 8.

Absent and excused–Den Hartog, Lent. Total - 2.

Total - 35.

Whereupon the President declared [H 574](#) 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 Wintrow, by voice vote, the Senate adjourned at 4:32 p.m. until the hour of 10:30 a.m., Thursday, March 14, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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SIXTY-SEVENTH LEGISLATIVE DAY  
THURSDAY, MARCH 14, 2024

Senate Chamber

President Bedke 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 Cameron Spencer, 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 13, 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

March 14, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1272](#), [S 1341](#), [S 1274](#), [S 1372](#), [S 1373](#), [S 1232](#), as amended, [S 1326](#), [S 1216](#), [S 1282](#), [S 1298](#), [S 1316](#), and [S 1382](#) were delivered to the Office of the Governor at 1 p.m., March 14, 2024.

LAKEY, Chairman

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

March 14, 2024

The JUDICIARY AND RULES Committee reports that [SCR 123](#) and [SCR 124](#) have been correctly printed.

LAKEY, Chairman

[SCR 123](#) and [SCR 124](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 14, 2024

The JUDICIARY AND RULES Committee reports that [S 1329](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), [S 1281](#), [S 1338](#),

[S 1339](#), [S 1342](#), [S 1388](#), [S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), and [S 1401](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1329](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), [S 1281](#), [S 1338](#), [S 1339](#), [S 1342](#), [S 1388](#), [S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), and [S 1401](#) and ordered them transmitted to the House for the signature of the Speaker.

March 14, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1234](#) and [S 1243](#) were delivered to the Office of the Governor at 8:10 a.m., March 14, 2024.

LAKEY, Chairman

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

March 13, 2024

The HEALTH AND WELFARE Committee reports out [HCR 27](#) with the recommendation that it do pass.

VANORDEN, Chairman

[HCR 27](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 13, 2024

The HEALTH AND WELFARE Committee reports out [H 596](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

VANORDEN, Chairman

There being no objection, [H 596](#) 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 13, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that John Dinger of Meridian, Idaho, was reappointed to the Sexual Offender Management Board to serve a term commencing January 1, 2024, and expiring January 1, 2027.

This appointment is subject to confirmation by the Senate, and 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.



March 13, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Darin Burrell of Rexburg, Idaho, was appointed to the Sexual Offender Management Board to serve a term commencing March 12, 2024, and expiring January 1, 2027.

This appointment is subject to confirmation by the Senate, and 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 13, 2024

Dear Mr. President:

I transmit herewith [H 561](#), [H 710](#), and [H 708](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 561](#), [H 710](#), and [H 708](#) were filed for first reading.

March 13, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 571](#), [H 457](#), [H 445](#), [H 436](#), [H 437](#), [H 467](#), [H 474](#), [H 549](#), [H 648](#), [H 649](#), [H 650](#), [H 433](#), [H 478](#), [H 508](#), [H 529](#), [H 580](#), [H 456](#), [H 487](#), [H 618](#), [H 588](#), [H 468](#), [H 507](#), [H 592](#), [H 528](#), [H 673](#), and [H 675](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 571](#), [H 457](#), [H 445](#), [H 436](#), [H 437](#), [H 467](#), [H 474](#), [H 549](#), [H 648](#), [H 649](#), [H 650](#), [H 433](#), [H 478](#), [H 508](#), [H 529](#), [H 580](#), [H 456](#), [H 487](#), [H 618](#), [H 588](#), [H 468](#), [H 507](#), [H 592](#), [H 528](#), [H 673](#), and [H 675](#) and ordered them returned to the House.

March 13, 2024

Dear Mr. President:

I return herewith Enrolled [S 1272](#), [S 1341](#), [S 1274](#), [S 1372](#), [S 1373](#), [S 1232](#), as amended, [S 1326](#), [S 1216](#), [S 1282](#), [S 1298](#), [S 1316](#), and [S 1382](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1272](#), [S 1341](#), [S 1274](#), [S 1372](#), [S 1373](#), [S 1232](#), as amended, [S 1326](#), [S 1216](#), [S 1282](#), [S 1298](#), [S 1316](#), and [S 1382](#) 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 561](#) and [H 710](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 708](#), by Ways and Means 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 526](#) and [H 633](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 656](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 387](#), [H 465](#), and [H 482](#), by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[H 687](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 607](#), as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1358](#), 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, [S 1375](#) retained its place on the Third Reading Calendar for one legislative day.

Having been held, [S 1320](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toews 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [S 1320](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1389](#) retained its place on the Third Reading Calendar for Monday, March 18, 2024.

Having been held, [S 1413](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nichols 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, Bjerke, Burtenshaw, Den Hartog, Foreman, Grow, Guthrie, Harris, Hartgen, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Toews, Trakel, VanOrden, Winder, Wintrow. Total - 23.

NAYS—Bernt, Carlson, Cook, Hart, Herndon, Just, Lee, Rabe, Semmelroth, Taylor, Ward-Engelking, Zuiderveld. Total - 12.

Total - 35.

Whereupon the President declared [S 1413](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1391](#) and [S 1392](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1419](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Total - 35.

Whereupon the President declared [S 1419](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1424](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1424](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1425](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 32.

NAYS—Foreman, Hart, Zuiderveld. Total - 3.

Total - 35.

Whereupon the President declared [S 1425](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [H 542](#) was referred to the Fourteenth Order of Business, General Calendar.

On motion by Senator Anthon, seconded by Senator Wintrow, by voice vote the Senate recessed at 11:53 a.m. until the hour of 3:30 p.m. of this day.

#### RECESS AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., pursuant to recess, President Bedke presiding.

Roll call showed all members present except Senators Adams, Cook, Grow, and VanOrden, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

On request by Senator Anthon, granted by unanimous consent, [H 460](#) retained its place on the Third Reading Calendar for one legislative day.

Having been held, [H 498](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toews arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Adams, VanOrden. Total - 2.

Total - 35.

Whereupon the President declared [H 498](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 576](#) and [H 521](#) retained their place on the Third Reading Calendar for one legislative day.

On request by Senator Anthon, granted by unanimous consent, [H 518](#) retained its place on the Third Reading Calendar for Monday, March 18, 2024.

On request by Senator Anthon, granted by unanimous consent, [H 644](#) retained its place on the Third Reading Calendar for one legislative day.

[H 578](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols,

Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Toews, Trakel, Ward-Engelking, Winder, Zuiderveld. Total - 32.

NAYS–Taylor, Wintrow. Total - 2.

Absent and excused–VanOrden. Total - 1.

Total - 35.

Whereupon the President declared [H 578](#) passed, title was approved, and the bill ordered returned to the House.

[H 591](#) 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:

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, Winder, Zuiderveld. Total - 27.

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

Absent and excused–VanOrden. Total - 1.

Total - 35.

Whereupon the President declared [H 591](#) passed, title was approved, and the bill ordered returned to the House.

[H 490](#) 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:

AYES–Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS–Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Absent and excused–VanOrden. Total - 1.

Total - 35.

Whereupon the President declared [H 490](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 590](#) retained its place on the Third Reading Calendar for one legislative day.

[H 491](#) 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:

AYES–Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS–Lenney. Total - 1.

Absent and excused–VanOrden. Total - 1.

Total - 35.

Whereupon the President declared [H 491](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 692](#) and [H 693](#) retained their place on the Third Reading Calendar for one legislative day.

[H 694](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke 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, Cook, Guthrie, Harris, Hartgen, Just, Lee, Lent, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 21.

NAYS–Carlson, Den Hartog, Foreman, Grow, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Ricks, Toews, Trakel, Zuiderveld. Total - 14.

Total - 35.

Whereupon the President declared [H 694](#) passed, title was approved, and the bill ordered returned to the House.

[H 408](#) 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?"

Pursuant to Senate Rule 39(H), Senator Semmelroth disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Adams, Anthon, Bernt, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS–Bjerke, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Ruchti, Toews, Zuiderveld. Total - 10.

Total - 35.

Whereupon the President declared [H 408](#) 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 Fourteenth Order of Business.

### General Calendar

On request by Senator Anthon, granted by unanimous consent, [S 1323](#) was referred to 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

March 14, 2024

The STATE AFFAIRS Committee reports out [H 645](#), [H 646](#), [H 665](#), [H 666](#), [H 668](#), and [H 691](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 645](#), [H 646](#), [H 665](#), [H 666](#), [H 668](#), and [H 691](#) were filed for second reading.

March 14, 2024

The TRANSPORTATION Committee reports out [H 638](#), as amended, and [H 689](#) with the recommendation that they do pass.

OKUNIEWICZ, Chairman

[H 638](#), as amended, and [H 689](#) were filed for second reading.

March 14, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 543](#) and [H 686](#) with the recommendation that they do pass.

COOK, Chairman

[H 543](#) and [H 686](#) were filed for second reading.

March 14, 2024

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:

Lori Wolff to the Public Employee Retirement System of Idaho Board, term to expire July 1, 2028.

COOK, 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 14, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 624](#) and [HCR 33](#) with the recommendation that they do pass.

RICKS, Chairman

[H 624](#) was filed for second reading.

[HCR 33](#) 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 14, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 14, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

### [S 1243](#)

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 14, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 399](#), [H 454](#), [H 441](#), [H 575](#), [H 439](#), [H 674](#), [H 676](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), [H 682](#), [H 502](#), [H 505](#), [H 547](#), [H 500](#), [H 527](#), [H 581](#), and [H 574](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 399](#), [H 454](#), [H 441](#), [H 575](#), [H 439](#), [H 674](#), [H 676](#), [H 677](#), [H 678](#), [H 679](#), [H 680](#), [H 681](#), [H 682](#), [H 502](#), [H 505](#), [H 547](#), [H 500](#), [H 527](#), [H 581](#), and [H 574](#) and ordered them returned to the House.

March 14, 2024

Dear Mr. President:

I return herewith Enrolled [S 1329](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), [S 1281](#), [S 1338](#), [S 1339](#), [S 1342](#), [S 1388](#), [S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), and [S 1401](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1329](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), [S 1281](#), [S 1338](#), [S 1339](#), [S 1342](#), [S 1388](#), [S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), and [S 1401](#) 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 1426](#)

#### BY FINANCE COMMITTEE

#### AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF CHILD WELFARE, SERVICES FOR THE DEVELOPMENTALLY DISABLED, AND SERVICE INTEGRATION FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF SERVICES FOR THE DEVELOPMENTALLY DISABLED AND SERVICE INTEGRATION FOR FISCAL YEAR 2025; REQUIRING A REPORT ON THE START CERTIFICATION PROGRAM; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR

THE DIVISIONS OF CHILD WELFARE, SERVICES FOR THE DEVELOPMENTALLY DISABLED, AND SERVICE INTEGRATION FOR FISCAL YEAR 2024; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PROGRAMS OF COMMUNITY DEVELOPMENTAL DISABILITY SERVICES AND SERVICE INTEGRATION FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

[S 1426](#) 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 Wintrow, by voice vote, the Senate adjourned at 5:22 p.m. until the hour of 10:30 a.m., Friday, March 15, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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SIXTY-EIGHTH LEGISLATIVE DAY  
FRIDAY, MARCH 15, 2024

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Keegan Watts, 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 14, 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

March 15, 2024

The JUDICIARY AND RULES Committee reports that [S 1426](#) has been correctly printed.

LAKEY, Chairman

[S 1426](#) was referred to the Finance Committee.

March 15, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1329](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), [S 1281](#), [S 1338](#), [S 1339](#), [S 1342](#), [S 1388](#), [S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), and [S 1401](#) were delivered to the Office of the Governor at 8:04 a.m., March 15, 2024.

LAKEY, Chairman

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

March 14, 2024

The EDUCATION Committee reports out [H 634](#) with the recommendation that it do pass.

LENT, Chairman

[H 634](#) was filed for second reading.

March 14, 2024

The HEALTH AND WELFARE Committee reports out [H 617](#), [H 685](#), [HCR 30](#), and [S 1416](#) with the recommendation that they do pass.

VANORDEN, Chairman

[H 617](#), [H 685](#), and [S 1416](#) were filed for second reading.

[HCR 30](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 14, 2024

The STATE AFFAIRS Committee reports out [H 630](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[H 630](#) was filed for second reading.

March 15, 2024

The STATE AFFAIRS Committee reports out [H 626](#) and [S 1421](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 626](#) and [S 1421](#) 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

March 15, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 14, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1216](#), [S 1282](#), and [S 1316](#)

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 14, 2024

Dear Mr. President:

I transmit herewith [HCR 35](#), which has passed the House.

MCGINNIS, Chief Clerk

[HCR 35](#) was filed for first reading.

March 14, 2024

Dear Mr. President:

I return herewith [S 1308](#), [S 1361](#), as amended, [S 1355](#), [S 1263](#), [S 1295](#), [S 1279](#), [S 1322](#), [S 1337](#), as amended, [S 1275](#), [S 1402](#), [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), and [S 1412](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1308](#), [S 1361](#), as amended, [S 1355](#), [S 1263](#), [S 1295](#), [S 1279](#), [S 1322](#), [S 1337](#), as amended, [S 1275](#), [S 1402](#), [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), and [S 1412](#) were 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, [SR 101](#), [SCR 112](#), [SCR 114](#), [SCR 115](#), and [HCR 25](#) retained their place on the calendar for one legislative day.

The President announced that [HCR 29](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Guthrie, seconded by Senator Ward-Engelking, [HCR 29](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [SCR 119](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Den Hartog, seconded by Senator Ruchti, [SCR 119](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 120](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Den Hartog, seconded by Senator Okuniewicz, [SCR 120](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 121](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Toews, seconded by Senator Ward-Engelking, [SCR 121](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 122](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Toews, seconded by Senator Ward-Engelking, [SCR 122](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 123](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Schroeder, seconded by Senator Taylor, [SCR 123](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 124](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator VanOrden, seconded by Senator Wintrow, [SCR 124](#) 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, [HCR 27](#) retained its place on the calendar for one legislative day.

The President announced that [HCR 33](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Schroeder, seconded by Senator Taylor, [HCR 33](#) 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 1427

##### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO PUBLIC WORKS; AMENDING SECTION 54-1903, IDAHO CODE, TO REVISE AN EXEMPTION; AMENDING SECTION 67-2803, IDAHO CODE, TO REVISE AN EXCLUSION; AMENDING SECTION 67-2805, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROCUREMENT OF PUBLIC WORKS CONSTRUCTION; AMENDING SECTION 67-2806, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROCURING SERVICES OR PERSONAL PROPERTY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1427](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 35](#), 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 645](#), [H 646](#), [H 665](#), [H 666](#), [H 668](#), and [H 691](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 638](#), as amended, and [H 689](#), by Ways and Means Committee, were read the second time at length and filed for third reading.

[H 543](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 686](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 624](#), by Revenue 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 1375](#), [S 1391](#), and [S 1392](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1358](#), as amended, 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—Adams, Anthon, Bjerke, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 30.

NAYS—Ward-Engelking, Wintrow. Total - 2.

Absent and excused—Bernt, Burtenshaw, Carlson. Total - 3.

Total - 35.

Whereupon the President declared [S 1358](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 607](#), 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—Adams, Anthon, Bjerke, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—None.

Absent and excused—Bernt, Burtenshaw, Carlson. Total - 3.

Total - 35.

Whereupon the President declared [H 607](#), 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, [H 644](#) was placed before the Senate for consideration at this time.

Having been held, [H 644](#) 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—Adams, Anthon, Bjerke, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Zuiderveld. Total - 31.

NAYS—Wintrow. Total - 1.

Absent and excused—Bernt, Burtenshaw, Carlson. Total - 3.

Total - 35.

Whereupon the President declared [H 644](#) passed, title was approved, and the bill ordered returned to the House.

The President announced that Senator Burtenshaw would be formally excused for the remainder of the day.

On request by Senator Anthon, granted by unanimous consent, [H 590](#) was placed before the Senate for consideration at this time.

Having been held, [H 590](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toews 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, Bjerke, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 29.

NAYS—Foreman, Lakey, Ricks. Total - 3.

Absent and excused—Bernt, Burtenshaw, Carlson. Total - 3.

Total - 35.

Whereupon the President declared [H 590](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 692](#) was placed before the Senate for consideration at this time.

Having been held, [H 692](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Bjerke, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 23.

NAYS—Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Zuiderveld. Total - 10.

Absent and excused—Bernt, Burtenshaw. Total - 2.

Paired and voting included in roll call:

AYE - Lee

NAY - Carlson



Total - 35.

Whereupon the President declared [H 692](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 693](#) was placed before the Senate for consideration at this time.

Having been held, [H 693](#) 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—Adams, Anthon, Bjerke, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 23.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Absent and excused—Bernt, Burtenshaw. Total - 2.

Paired and voting included in roll call:

AYE - Semmelroth                      NAY - Carlson

Total - 35.

Whereupon the President declared [H 693](#) 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 Fourteenth Order of Business.

#### **General Calendar**

On request by Senator Anthon, granted by unanimous consent, [H 486](#) was 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 Wintrow, by voice vote, the Senate adjourned at 11:57 a.m. until the hour of 10:30 a.m., Monday, March 18, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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SEVENTY-FIRST LEGISLATIVE DAY  
MONDAY, MARCH 18, 2024

Senate Chamber

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

Roll call showed all members present except Senator Lee, absent and formally excused by the Chair; and Senators Den Hartog and Schroeder, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Brody Benson, 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, 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 Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SCR 125

#### BY JUDICIARY AND RULES COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY REVIEWED BY THE SENATE RESOURCES AND ENVIRONMENT COMMITTEE.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate Resources and Environment Committee reviewed pending rules adopted by the Department of Environmental Quality; 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following pending rules adopted by the Department of Environmental Quality, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Resources and Environment Committee, be, and the same are hereby approved: 58.01.25, Rules Regulating the Idaho Pollutant Discharge Elimination System Program, Docket No. 58-0125-2301.

#### SCR 126

#### BY JUDICIARY AND RULES COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE IDAHO DEPARTMENT OF FISH AND GAME, THE IDAHO DEPARTMENT OF LANDS, THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES, THE DEPARTMENT OF PARKS AND RECREATION, AND THE IDAHO DEPARTMENT OF WATER RESOURCES REVIEWED BY THE SENATE RESOURCES AND ENVIRONMENT COMMITTEE AND THE HOUSE RESOURCES AND CONSERVATION COMMITTEE WITH EXCEPTIONS.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate Resources and Environment Committee and the House Resources and Conservation Committee reviewed pending rules adopted by the Idaho Department of Fish and Game, the Idaho Department of Lands, the Division of Occupational and Professional Licenses, the Department of Parks and Recreation, and the Idaho Department of Water Resources; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Parks and Recreation, Rules Governing the Administration of Park and Recreation Areas and Facilities, 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following pending rules adopted by the Idaho Department of Lands, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Resources and Environment Committee and the House Resources and Conservation Committee, be, and the same are hereby approved:

- (1) 20.01.01, Rules of Practice and Procedure Before the State Board of Land Commissioners, Docket No. 20-0101-2301;
- (2) 20.03.03, Rules Governing Administration of the Reclamation Fund, Docket No. 20.0303-2301;

(3) 20.03.05, Navigable Waterways Mineral Leasing in Idaho, Docket No. 20-0305-2301; and

(4) 20.05.01, Rules Pertaining to the Recreational Use of Endowment Land, Docket No. 20-0501-2301.

BE IT FURTHER RESOLVED that pending rules adopted by the Idaho Department of Fish and Game, the Division of Occupational and Professional Licenses, the Department of Parks and Recreation, and the Idaho Department of Water Resources, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Resources and Environment Committee and the House Resources and Conservation Committee, be, and the same are hereby approved, with the exception of, Rules Governing the Administration of Park and Recreation Areas and Facilities, IDAPA 26.01.20, Docket No. 26-0120-2301, Section 225., Subsection 07., and Sections 245., 247., 250., 254., 256., and 276., only, are hereby rejected and not approved, and thereby pursuant to Section 67-5291, Idaho Code, shall expire upon adjournment sine die of the legislative session and be null, void, and of no force and effect.

#### SCR 127

##### BY JUDICIARY AND RULES COMMITTEE

###### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE IDAHO DEPARTMENT OF LANDS REVIEWED BY THE SENATE RESOURCES AND ENVIRONMENT COMMITTEE.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate Resources and Environment Committee reviewed pending rules adopted by the Idaho Department of Lands; 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following pending rules adopted by the Idaho Department of Lands, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Resources and Environment Committee, be, and the same are hereby approved: 20.03.01, Rules Governing Dredge and Placer Mining Operations in Idaho, Docket No. 20-0301-2301.

#### SCR 128

##### BY JUDICIARY AND RULES COMMITTEE

###### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE DEPARTMENT OF HEALTH AND WELFARE REVIEWED BY THE SENATE HEALTH AND WELFARE COMMITTEE.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate Health and Welfare Committee reviewed pending rules adopted by the Department of Health and Welfare; 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following pending rules adopted by the Department of Health and Welfare, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Health and Welfare Committee, be, and the same are hereby approved: 16.03.02, Skilled Nursing Facilities, Docket No. 16-0302-2301.

#### SCR 129

##### BY JUDICIARY AND RULES COMMITTEE

###### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE DIVISION OF HUMAN RESOURCES AND PERSONNEL COMMISSION, THE IDAHO INDUSTRIAL COMMISSION, AND THE PUBLIC EMPLOYEES RETIREMENT SYSTEM OF IDAHO REVIEWED BY THE SENATE COMMERCE AND HUMAN RESOURCES COMMITTEE AND THE HOUSE COMMERCE AND HUMAN RESOURCES COMMITTEE, WITH EXCEPTIONS.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate Commerce and Human Resources Committee and the House Commerce and Human Resources Committee reviewed pending rules adopted by the Division of Human Resources and Personnel Commission, the Idaho Industrial Commission, and the Public Employees Retirement System of Idaho; and

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho Industrial Commission, Administrative Rules Under the Crime Victims Compensation Act, 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the pending rules adopted by the Division of Human Resources and Personnel Commission, the Idaho Industrial Commission, and the Public Employees Retirement

System of Idaho, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Commerce and Human Resources Committee and the House Commerce and Human Resources Committee, be, and the same are hereby approved with the exception of IDAPA 17.10.01, Administrative Rules Under the Crime Victims Compensation Act, Docket No. 17-1001-2301, Section 011., Subsection 07., and Section 013., Subsection 02., only.

[SCR 125](#), [SCR 126](#), [SCR 127](#), [SCR 128](#), and [SCR 129](#) 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

Senator Den Hartog was recorded present at this order of business.

March 18, 2024

The JUDICIARY AND RULES Committee reports that [S 1427](#) has been correctly printed.

LAKEY, Chairman

[S 1427](#) was referred to the State Affairs Committee.

March 15, 2024

The JUDICIARY AND RULES Committee reports that [S 1308](#), [S 1361](#), as amended, [S 1355](#), [S 1263](#), [S 1295](#), [S 1279](#), [S 1322](#), [S 1337](#), as amended, [S 1275](#), [S 1402](#), [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), and [S 1412](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1308](#), [S 1361](#), as amended, [S 1355](#), [S 1263](#), [S 1295](#), [S 1279](#), [S 1322](#), [S 1337](#), as amended, [S 1275](#), [S 1402](#), [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), and [S 1412](#) and ordered them transmitted to the House for the signature of the Speaker.

March 15, 2024

The FINANCE Committee reports out [S 1426](#) with the recommendation that it do pass.

GROW, Chairman

[S 1426](#) was filed for second reading.

March 15, 2024

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:

Paul Amador to the Public Charter School Commission, term to expire May 12, 2024.

LENT, 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 15, 2024

The JUDICIARY AND RULES Committee reports out [H 461](#), [H 494](#), and [H 610](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 461](#), [H 494](#), and [H 610](#) were filed for second reading.

March 15, 2024

The STATE AFFAIRS Committee reports out [HCR 31](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[HCR 31](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 18, 2024

The STATE AFFAIRS Committee reports out [H 561](#), [H 563](#), [H 620](#), as amended, and [HCR 28](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 561](#), [H 563](#), and [H 620](#), as amended, were filed for second reading.

[HCR 28](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 18, 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:

James Hammond to the State Building Authority, term to expire January 1, 2027;

Travis "Bear" Prairie to the Idaho Energy Resources Authority, term to expire June 30, 2028.

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 Ninth Order of Business.

### Messages from the House

March 15, 2024

Dear Mr. President:

I transmit herewith [H 538](#), [HCR 36](#), [HCR 37](#), [H 714](#), [H 697](#), [H 705](#), [HCR 39](#), [HCR 40](#), and [H 715](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 538](#), [HCR 36](#), [HCR 37](#), [H 714](#), [H 697](#), [H 705](#), [HCR 39](#), [HCR 40](#), and [H 715](#) were filed for first reading.

March 15, 2024

Dear Mr. President:

I return herewith [S 1359](#), [S 1280](#), [S 1311](#), [S 1317](#), and [S 1365](#), as amended, which have passed the House.

MCGINNIS, Chief Clerk

[S 1359](#), [S 1280](#), [S 1311](#), [S 1317](#), and [S 1365](#), as amended, were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

Senator Schroeder was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, [HCR 25](#) was placed before the Senate for final consideration at this time.

Having been held, the President announced that [HCR 25](#) was before the Senate for final consideration.

Moved by Senator Ward-Engelking, seconded by President Pro Tempore Winder, that [HCR 25](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS--None.

Absent and excused--Lee. Total - 1.

Total - 35.

Whereupon the President declared [HCR 25](#) adopted, title was approved, and the resolution ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [HCR 27](#) was placed before the Senate for final consideration at this time.

Having been held, the President announced that [HCR 27](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Taylor, seconded by Senator Bernt, [HCR 27](#) 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, [HCR 30](#) was placed before the Senate for final consideration at this time.

The President announced that [HCR 30](#) was before the Senate for final consideration.

Moved by Senator VanOrden, seconded by Senator Anthon, that [HCR 30](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Lakey, Lent, Okuniewicz, Ricks, Schroeder, Trakel, VanOrden, Winder. Total - 19.

NAYS--Carlson, Foreman, Hart, Herndon, Just, Lenney, Nichols, Rabe, Ruchti, Semmelroth, Taylor, Toews, Ward-Engelking, Wintrow, Zuiderveld. Total - 15.

Absent and excused--Lee. Total - 1.

Total - 35.

Whereupon the President declared [HCR 30](#) adopted, 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 1428

#### BY JUDICIARY AND RULES COMMITTEE

#### AN ACT

RELATING TO INCOME TAX; AMENDING SECTION 63-3022A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DEDUCTION OF MILITARY RETIREMENT PAY FROM TAXABLE INCOME AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### S 1429

#### BY JUDICIARY AND RULES COMMITTEE

#### AN ACT

RELATING TO THE OCCUPATIONAL LICENSING REFORM ACT; AMENDING CHAPTER 94, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-9415, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PETITIONS FOR WAIVERS OF OR VARIANCES FROM OCCUPATIONAL LICENSING REQUIREMENTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1428](#) and [S 1429](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 538](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 36](#) and [HCR 37](#), by Ways and Means Committee, were introduced, read at length, and referred to the Resources and Environment Committee.

[H 714](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 697](#) and [H 705](#), by Ways and Means Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.



Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Just disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 29.

NAYS—Carlson, Lenney, Nichols, Trakel. Total - 4.

Absent and excused—Adams, Lee. Total - 2.

Total - 35.

Whereupon the President declared [H 699](#) 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 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 Wintrow, by voice vote the Senate recessed at 12 noon until the hour of 3:30 p.m. of this day.

#### **RECESS AFTERNOON SESSION**

The Senate reconvened at 3:30 p.m., pursuant to recess, President Bedke presiding.

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

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

Senator Toews was recorded present at this order of business.

March 18, 2024

The JUDICIARY AND RULES Committee reports that [SCR 125](#), [SCR 126](#), [SCR 127](#), [SCR 128](#), [SCR 129](#), [S 1428](#), and [S 1429](#) have been correctly printed.

LAKEY, Chairman

[SCR 125](#), [SCR 126](#), [SCR 127](#), [SCR 128](#), and [SCR 129](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1428](#) was referred to the Local Government and Taxation Committee.

[S 1429](#) was referred to the Commerce and Human Resources Committee.

March 18, 2024

The JUDICIARY AND RULES Committee reports that [S 1359](#), [S 1280](#), [S 1311](#), [S 1317](#), and [S 1365](#), as amended, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1359](#), [S 1280](#), [S 1311](#), [S 1317](#), and [S 1365](#), as amended, and ordered them transmitted to the House for the signature of the Speaker.

March 18, 2024

The FINANCE Committee reports out [H 714](#) and [H 715](#) with the recommendation that they do pass.

GROW, Chairman

[H 714](#) and [H 715](#) were filed for second reading.

March 18, 2024

The JUDICIARY AND RULES Committee reports out [H 600](#) and [H 613](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 600](#) and [H 613](#) were filed for second reading.

March 18, 2024

The HEALTH AND WELFARE Committee reports out [H 489](#) and [H 597](#) with the recommendation that they do pass.

VANORDEN, Chairman

[H 489](#) and [H 597](#) were filed for second reading.

March 18, 2024

The HEALTH AND WELFARE Committee reports out [H 398](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

VANORDEN, Chairman

There being no objection, [H 398](#) 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, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 18, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1232](#), as amended, [S 1234](#), [S 1298](#), [S 1373](#),  
and [S 1382](#)

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, 2024

Dear Mr. President:

I return herewith [S 1352](#), [S 1414](#), [S 1246](#), [S 1271](#), [S 1283](#), [S 1299](#), [S 1303](#), as amended, [S 1297](#), [S 1301](#), [S 1379](#), [S 1380](#), [S 1312](#), [SCR 117](#), [S 1419](#), [S 1424](#), and [S 1425](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1352](#), [S 1414](#), [S 1246](#), [S 1271](#), [S 1283](#), [S 1299](#), [S 1303](#), as amended, [S 1297](#), [S 1301](#), [S 1379](#), [S 1380](#), [S 1312](#), [SCR 117](#), [S 1419](#), [S 1424](#), and [S 1425](#) were referred to the Judiciary and Rules Committee for enrolling.

March 18, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 498](#), [H 578](#), [H 591](#), [H 490](#), [H 491](#), [H 694](#), and [H 408](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 498](#), [H 578](#), [H 591](#), [H 490](#), [H 491](#), [H 694](#), and [H 408](#) 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 1430**

#### **BY FINANCE COMMITTEE**

#### **AN ACT**

RELATING TO THE APPROPRIATION TO THE COMMISSION OF PARDONS AND PAROLE; APPROPRIATING MONEYS TO THE COMMISSION OF PARDONS AND PAROLE FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### **S 1431**

#### **BY FINANCE COMMITTEE**

#### **AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF JUVENILE CORRECTIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1430](#) and [S 1431](#) 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**

On request by Senator Anthon, granted by unanimous consent, [S 1375](#), [S 1389](#), [S 1391](#), [S 1392](#), [H 460](#), [H 449](#), [H 576](#), [H 521](#), and [H 518](#) retained their place on the Third Reading Calendar for one legislative day.

On request by Senator Harris, granted by unanimous consent, [H 614](#) was referred to the Fourteenth Order of Business, General Calendar.

[H 700](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 700](#) passed, title was approved, and the bill ordered returned to the House.

[H 425](#) 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:

AYES—Adams, Anthon, Bernt, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Bjerke, Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Toews, Trakel, Zuiderveld. Total - 10.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 425](#) passed, title was approved, and the bill ordered returned to the House.

[H 540](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 540](#) passed, title was approved, and the bill ordered returned to the House.

[H 612](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Zuiderveld. Total - 9.

Absent and excused—Den Hartog, Lee. Total - 2.

Total - 35.

Whereupon the President declared [H 612](#) passed, title was approved, and the bill ordered returned to the House.

[H 654](#) 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—Adams, Anthon, Bernt, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 22.

NAYS—Bjerke, Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 11.

Absent and excused—Den Hartog, Lee. Total - 2.

Total - 35.

Whereupon the President declared [H 654](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 577](#) retained its place on the Third Reading Calendar for one legislative day.

[H 703](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Just, Lakey, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 28.

NAYS—Carlson, Herndon, Lenney, Nichols, Trakel, Zuiderveld. Total - 6.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 703](#) passed, title was approved, and the bill ordered returned to the House.

[H 640](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Okuniewicz 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, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 640](#) passed, title was approved, and the bill ordered returned to the House.

[H 589](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ruchti arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Nichols disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 589](#) passed, title was approved, and the bill ordered returned to the House.

[H 593](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 593](#) passed, title was approved, and the bill ordered returned to the House.

[H 604](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bernt, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lent, Rabe, Ricks, Ruchti,

Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 21.

NAYS—Anthon, Bjerke, Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 13.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 604](#) passed, title was approved, and the bill ordered returned to the House.

[H 526](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 526](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 633](#) retained its place on the Third Reading Calendar for one legislative day.

[H 656](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bernt 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, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 656](#) passed, title was approved, and the bill ordered returned to the House.

[H 387](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris,

Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Lee. Total - 1.

Total - 35.

Whereupon the President declared [H 387](#) 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 Wintrow, by voice vote, the Senate adjourned at 5 p.m. until the hour of 10 a.m., Tuesday, March 19, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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SEVENTY-SECOND LEGISLATIVE DAY  
TUESDAY, MARCH 19, 2024

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Talmage Cardon, 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 18, 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

March 19, 2024

The JUDICIARY AND RULES Committee reports that [S 1430](#) and [S 1431](#) have been correctly printed.

LAKEY, Chairman

[S 1430](#) and [S 1431](#) were referred to the Finance Committee.

March 19, 2024

The JUDICIARY AND RULES Committee reports that [S 1352](#), [S 1414](#), [S 1246](#), [S 1271](#), [S 1283](#), [S 1299](#), [S 1303](#), as amended, [S 1297](#), [S 1301](#), [S 1379](#), [S 1380](#), [S 1312](#), [SCR 117](#), [S 1419](#), [S 1424](#), and [S 1425](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1352](#), [S 1414](#), [S 1246](#), [S 1271](#), [S 1283](#), [S 1299](#), [S 1303](#), as amended, [S 1297](#), [S 1301](#), [S 1379](#), [S 1380](#), [S 1312](#), [SCR 117](#), [S 1419](#), [S 1424](#), and [S 1425](#) 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 Eighth Order of Business.

### Messages from the Governor

March 19, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 18, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1326](#), [S 1338](#), [S 1339](#), [S 1383](#), [S 1384](#),  
[S 1385](#), [S 1386](#), [S 1387](#), [S 1388](#), [S 1398](#),  
[S 1399](#), and [S 1401](#)

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, 2024

Dear Mr. President:

I transmit herewith [H 712](#) and [H 632](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 712](#) and [H 632](#) 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 712](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 632](#), by Health and Welfare 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 1426](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 461](#) and [H 494](#), by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[H 610](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 561](#), [H 563](#), and [H 620](#), as amended, by State Affairs Committee, were read the second time at length and filed for third reading.

[H 714](#) and [H 715](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 600](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 613](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 489](#) and [H 597](#), by Health and Welfare Committee, were 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.

Senator Okuniewicz was 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 583](#), [H 572](#), [H 570](#), [H 608](#), [H 596](#), [H 542](#), and [H 614](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO H 583

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 5 through 8, and insert: "~~A person, including a full-time student who has established a domicile in Idaho may declare residency earlier than ninety (90) days for vehicle registration, titling, driver's license and identification card purposes. However, any driver's license or identification card issued to a person who has been domiciled in Idaho for less than thirty (30) days may not be used for identification for the purpose of voting. The department may title or register a vehicle to a person who has an Idaho driver's license or identification card and has been domiciled in Idaho for less than thirty (30) days. Establishment of residency shall include a spouse and dependent.~~"

#### SENATE AMENDMENT TO H 572

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 14 through 17, and insert: "gram" means a plan funded or administered by the government under which an individual is provided with regular, unconditional cash payments to be used for any purpose by the individual. "Guaranteed income program" does not include a program under which an individual is required to seek reemployment, perform work, or attend training as a condition of any payments."

#### SENATE AMENDMENT TO H 570

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 21, following "located a" insert: "state"; in line 24, following "that" insert: "location and"; and in line 26, following "division" insert: ", including the provisions of the special distributor agreement. Such special distributor agreements shall not be assignable or transferable".

#### SENATE AMENDMENT TO H 608

##### AMENDMENT TO SECTION 1

On page 6 of the printed bill, in line 14, following "except for" insert: "the expansion or maintenance of an existing highway right-of-way or".

#### SENATE AMENDMENT TO H 596

##### AMENDMENT TO SECTION 1

On page 6 of the printed bill, in line 18, delete "sixty (60)" and insert: "ninety (90)"; in line 21, delete "sixty (60) days. The sixty (60)" and insert: "ninety (90) days. The ninety (90)"; in line 28, delete "or"; in line 30, following "2" insert: "or"; following line 30, insert:

"(iv) Has a generic, biosimilar, or interchangeable biologic approved by the United States food and drug administration;";

delete lines 31 through 33, and insert:

"(i) Require that in-network pharmacies receive dispensing fees that reasonably cover the costs of dispensing medications; and";

following line 42, insert:

"(12) The requirements of subsection (11) of this section shall not apply to specialty drugs. For the purposes of this section, "specialty drug" means:

(a) A drug that is subject to restricted distribution by the United States food and drug administration; or

(b) A drug that requires special handling, provider coordination, or patient education that a retail pharmacy cannot provide."; and

in line 43, delete "(12)" and insert: "(13)".

On page 7, in line 35, delete "(13)" and insert: "(14)".

On page 8, in line 35, following "fraud" insert: ", waste, or abuse"; in line 38, delete "due" and insert: "solely due"; and following line 46, insert:

"(15) In complying with the requirements of this section, a pharmacy benefit manager or its agents, and the director or the director's agents, shall not directly or indirectly publish or otherwise disclose any information reported to the director under this section that would reveal: the identity of a specific pharmacy benefits plan, program, or pharmaceutical manufacturer; the prices charged for a specific drug or class of drugs; the amount of any rebates provided for a specific drug or class of drugs or the pharmaceutical manufacturer; or information that would otherwise have the potential to compromise the financial, competitive, or proprietary nature of such information. Any such information shall be protected from disclosure as confidential and proprietary and shall not be regarded as a public record pursuant to section 74-101, Idaho Code. A pharmacy benefit manager shall impose the confidentiality protections and requirements of this section on any agent or downstream third party that performs health care or administrative services on behalf of the pharmacy benefit manager that may receive or have access to such information, and the director shall impose the confidentiality protections and requirements of this section on any agent or downstream third party directly or indirectly involved in the administration of this section that may receive or have access to such information."

#### AMENDMENT TO THE BILL

On page 8, delete lines 47 through 49, and insert:

"Section 2. This act shall be in full force and effect on and after January 1, 2025."

#### CORRECTION TO TITLE

On page 1, in line 10, delete "AND DECLARING AN EMERGENCY".

**SENATE AMENDMENT TO H 542**

## AMENDMENT TO SECTION 2

On page 2 of the printed bill, delete lines 44 and 45, and insert: "three (3) years after the completion of post-graduate medical training or completed at least five hundred (500) hours of clinical experience"; and in line 48, delete "(f)" and insert: "(e)".

On page 3, in line 1, delete "(g)", and insert: "(f)".

## AMENDMENT TO SECTION 5

On page 4, delete lines 32 through 39, and insert: "(4) The application shall require a fingerprint-based criminal history check as required by the administrator of the division of occupational and professional licenses."

**SENATE AMENDMENT TO H 614**

## AMENDMENT TO SECTION 1

On page 3 of the printed bill, in line 1, delete "ACCOUNTS" and insert: "FUND"; in line 2, delete "accounts" and insert: "fund"; in line 6, delete "appropriate"; also in line 6, delete "account" and insert: "fund"; in line 10, delete "appropriate"; in line 11, delete "account" and insert: "fund"; in line 12, delete "funds" and insert "moneys"; in line 13, delete "appropriate"; in line 14, delete "account" and insert: "fund"; in line 15, delete "Funds" and insert: "Moneys"; and also in line 15, delete "accounts" and insert: "fund".

## AMENDMENT TO SECTION 3

On page 4, in line 1, delete "ACCOUNTS" and insert "FUND"; in line 2, following "treasury" insert: "the"; also in line 2, delete "accounts" and insert: "fund"; in line 3, delete "funds" and insert: "moneys"; and in line 4, following "Code." insert: "Interest earned on moneys in the fund shall be retained by the fund."

## CORRECTION TO TITLE

On page 1, in line 5, following "FOR" insert: "THE"; also in line 5, delete "ACCOUNTS" and insert: "FUND"; in line 8, following "FOR" insert: "THE"; and in line 9, delete "ACCOUNTS" and insert: "FUND".

The Committee also has [S 1224](#), [S 1296](#), [S 1395](#), and [H 398](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Wintrow, the report was adopted by voice vote.

President Pro Tempore Winder assumed the Chair.

[H 583](#), as amended in the Senate, [H 572](#), as amended in the Senate, [H 570](#), as amended in the Senate, [H 608](#), as amended in the Senate, [H 596](#), as amended in the Senate, [H 542](#), as amended in the Senate, and [H 614](#), 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**

On request by Senator Anthon, granted by unanimous consent, [S 1375](#), [S 1389](#), [S 1391](#), and [S 1392](#) retained their place on the Third Reading Calendar for one legislative day.

President Bedke returned to the Chair.

[S 1416](#) 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.

Pursuant to Senate Rule 39(H), Senator Anthon disclosed a possible conflict of interest under applicable law.

President Pro Tempore Winder moved the previous question. Seconded by Senator Anthon.

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 32.

NAYS—Foreman, Nichols, Zuiderveld. Total - 3.

Total - 35.

Whereupon the President declared more than two-thirds of the members present having voted in the affirmative, the motion passed.

The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 26.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Toews, Trakel, Zuiderveld. Total - 9.

Total - 35.

Whereupon the President declared [S 1416](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1421](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Carlson, Cook, Den Hartog, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Burtenshaw, Foreman, Grow. Total - 3.

Total - 35.

Whereupon the President declared [S 1421](#) 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

March 19, 2024

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 583](#), [H 572](#), [H 570](#), [H 608](#), [H 596](#), [H 542](#), and [H 614](#) 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 Eleventh Order of Business.

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

[H 583](#), as amended in the Senate, and [H 572](#), as amended in the Senate, by State Affairs Committee, were read the first time at length and filed for second reading.

[H 570](#), as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

[H 608](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[H 596](#), as amended in the Senate, and [H 542](#), as amended in the Senate, by Health and Welfare Committee, were read the first time at length and filed for second reading.

[H 614](#), as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

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 Wintrow, by voice vote the Senate recessed at 12:04 p.m. until the hour of 3:30 p.m. of this day.

#### RECESS AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., pursuant to recess, President Bedke presiding.

Roll call showed all members present except Senators Bernt, Harris, and Lee, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 19, 2024

The FINANCE Committee reports out [S 1430](#) and [S 1431](#) with the recommendation that they do pass.

GROW, Chairman

[S 1430](#) and [S 1431](#) were filed for second reading.

March 19, 2024

The STATE AFFAIRS Committee reports out [HJR 5](#) and [S 1323](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[HJR 5](#) was filed for second reading.

[S 1323](#), having been previously on the Third Reading Calendar, was returned to the Thirteenth Order of Business, Third Reading of Bills.

March 19, 2024

The STATE AFFAIRS Committee reports out [H 708](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [H 708](#) was referred to the Fourteenth Order of Business, General Calendar.

March 19, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 501](#), as amended, and [H 621](#), as amended, with the recommendation that they do pass.

COOK, Chairman

[H 501](#), as amended, and [H 621](#), as amended, were filed for second reading.

March 19, 2024

The HEALTH AND WELFARE Committee reports out [H 670](#) with the recommendation that it do pass.

VANORDEN, Chairman

[H 670](#) was filed for second reading.

March 19, 2024

The HEALTH AND WELFARE Committee reports out [HCR 39](#) with the recommendation that it do pass.

VANORDEN, Chairman

[HCR 39](#) 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 returned to the Fifth Order of Business.

#### Petitions, Resolutions, and Memorials

Senator Lee was recorded present at this order of business.

#### SP 101 BY STATE AFFAIRS COMMITTEE A PROCLAMATION

COMMENDING DOUGLAS ROBERT GWIN FOR HIS SERVICE TO THE UNITED STATES AS A HIGH-SPEED RADIO OPERATOR DURING WORLD WAR II.

We, the members of the Senate of the State of Idaho assembled in the Second Regular Session of the Sixty-seventh Idaho Legislature, do hereby proclaim:

WHEREAS, Douglas Robert Gwin resides in Coeur d'Alene, Idaho, and served in the United States Army in World War II. Mr. Gwin will be turning 100 years old on April 13, 2024; and

WHEREAS, Mr. Gwin was selected to be in the Signal Corps and went through basic training at Camp Kohler in California. After excelling at learning Morse code, he was sent to radio school in Athens, Georgia. Mr. Gwin excelled there as well, passing 26 words per minute as a high-speed operator; and

WHEREAS, after graduation, Mr. Gwin was sent to Drew Field in Florida and assigned to the Tenth Air Force, which was operating in Burma; and

WHEREAS, he served in the Army as a high-speed radio operator from January 13, 1943, the day he was inducted, to November 19, 1945, after World War II ended; and

WHEREAS, Mr. Gwin was part of a ground observer unit, responsible for recording airplanes that flew overhead, both enemy and friendly, and transmitting that information via Morse code to headquarters at airfields; and

WHEREAS, Mr. Gwin's positive attitude toward life and his fierce loyalty and love for his service members and community is worthy of recognition.

NOW, THEREFORE, BE IT PROCLAIMED by the members of the Senate assembled in the Second Regular Session of the Sixty-seventh Idaho Legislature, that we recognize, honor, and commend Mr. Douglas Robert Gwin for his service to our country as he approaches his 100th birthday and a copy of this Proclamation shall be presented to Douglas Robert Gwin.

[SP 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 Ninth Order of Business.

#### Messages from the House

Senator Bernt was recorded present at this order of business.

March 19, 2024

Dear Mr. President:

I transmit herewith Enrolled [HCR 29](#), [HCR 33](#), [H 644](#), [H 590](#), [H 692](#), and [H 693](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [HCR 29](#), [HCR 33](#), [H 644](#), [H 590](#), [H 692](#), and [H 693](#) and ordered them returned to the House.

March 19, 2024

Dear Mr. President:

I return herewith Enrolled [S 1308](#), [S 1361](#), as amended, [S 1355](#), [S 1263](#), [S 1295](#), [S 1279](#), [S 1322](#), [S 1337](#), as amended, [S 1275](#), [S 1402](#), [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), [S 1412](#), [S 1359](#), [S 1280](#), [S 1311](#), [S 1317](#), [S 1365](#), as amended, [S 1352](#), [S 1414](#), [S 1246](#), [S 1271](#), [S 1283](#), [S 1299](#), [S 1303](#), as amended, [S 1297](#), [S 1301](#), [S 1379](#), [S 1380](#), [S 1312](#), [S 1419](#), [S 1424](#), and [S 1425](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1308](#), [S 1361](#), as amended, [S 1355](#), [S 1263](#), [S 1295](#), [S 1279](#), [S 1322](#), [S 1337](#), as amended, [S 1275](#), [S 1402](#), [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), [S 1412](#), [S 1359](#), [S 1280](#), [S 1311](#), [S 1317](#), [S 1365](#), as amended, [S 1352](#), [S 1414](#), [S 1246](#), [S 1271](#), [S 1283](#), [S 1299](#), [S 1303](#), as amended, [S 1297](#), [S 1301](#), [S 1379](#), [S 1380](#), [S 1312](#), [S 1419](#), [S 1424](#), and [S 1425](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 19, 2024

Dear Mr. President:

I return herewith Enrolled [SCR 117](#), which has been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [SCR 117](#) 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

Senator Harris was recorded present at this order of business.

#### S 1432

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO PESTICIDES; AMENDING CHAPTER 34, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-3427, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING WARNING LABELS; AMENDING CHAPTER 6, TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 48-620, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING WARNING LABELS; PROVIDING A SUNSET DATE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1433

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO PUBLIC WORKS; AMENDING SECTION 54-1903, IDAHO CODE, TO REVISE AN EXEMPTION; AMENDING SECTION 67-2803, IDAHO CODE, TO REVISE AN EXCLUSION; AMENDING SECTION 67-2805, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROCUREMENT OF PUBLIC WORKS CONSTRUCTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1432](#) and [S 1433](#) 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

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 596](#), as amended in the Senate, 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 596](#), as amended in the Senate, 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—Adams, Anthon, Bernt, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Bjerke, Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Toews, Trakel, Zuiderveld. Total - 10.

Total - 35.

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

[H 596](#), as amended in the Senate, 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 Cook 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, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 27.

NAYS—Carlson, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Zuiderveld. Total - 8.

Total - 35.

Whereupon the President declared [H 596](#), as amended in the Senate, 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

On request by Senator Anthon, granted by unanimous consent, [H 460](#) retained its place on the Third Reading Calendar for one legislative day.

Having been held, [H 449](#) 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, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 26.

NAYS—Bjerke, Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Trakel, Zuiderveld. Total - 9.

Total - 35.

Whereupon the President declared [H 449](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1391](#) was placed before the Senate for consideration at this time.

Having been held, [S 1391](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1391](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1392](#) was placed before the Senate for consideration at this time.

Having been held, [S 1392](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1392](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [H 576](#), [H 521](#), and [H 518](#) retained their place on the Third Reading Calendar for one legislative day.

Having been held, [H 577](#) 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:

AYES—Anthon, Bernt, Bjerke, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lee, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 21.

NAYS—Adams, Carlson, Den Hartog, Foreman, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 13.

Absent and excused—Lent. Total - 1.

Total - 35.

Whereupon the President declared [H 577](#) passed, title was approved, and the bill ordered returned to the House.

Having been held, [H 633](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lee, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Carlson, Foreman, Hart, Herndon, Lakey, Lenney, Nichols, Toews, Trakel, Zuiderveld. Total - 10.

Absent and excused—Lent. Total - 1.

Total - 35.

Whereupon the President declared [H 633](#) passed, title was approved, and the bill ordered returned to the House.



[H 465](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toews 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 465](#) passed, title was approved, and the bill ordered returned to the House.

[H 482](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Lent, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [H 482](#) 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 Lee, by voice vote, the Senate adjourned at 5:35 p.m. until the hour of 10 a.m., Wednesday, March 20, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

SEVENTY-THIRD LEGISLATIVE DAY  
WEDNESDAY, MARCH 20, 2024

Senate Chamber

President Bedke 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 Emma 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 March 19, 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

March 20, 2024

The JUDICIARY AND RULES Committee reports that [SP 101](#), [S 1432](#), and [S 1433](#) have been correctly printed.

LAKEY, Chairman

[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.

[S 1432](#) was referred to the Commerce and Human Resources Committee.

[S 1433](#) was referred to the State Affairs Committee.

March 20, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1308](#), [S 1361](#), as amended, [S 1355](#), [S 1263](#), [S 1295](#), [S 1279](#), [S 1322](#), [S 1337](#), as amended, [S 1275](#), [S 1402](#), [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), [S 1412](#), [S 1359](#), [S 1280](#), [S 1311](#), [S 1317](#), [S 1365](#), as amended, [S 1352](#), [S 1414](#), [S 1246](#), [S 1271](#), [S 1283](#), [S 1299](#), [S 1303](#), as amended, [S 1297](#), [S 1301](#), [S 1379](#), [S 1380](#), [S 1312](#), [S 1419](#), [S 1424](#), and [S 1425](#) were delivered to the Office of the Governor at 4:52 p.m., March 19, 2024.

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

March 20, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 19, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1281](#), [S 1342](#), and [S 1397](#)

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 19, 2024

Dear Mr. President:

I transmit herewith [HCR 41](#), [HCR 42](#), [HCR 43](#), [HCR 44](#), [H 716](#), [H 514](#), as amended, and [H 704](#), as amended, which have passed the House.

MCGINNIS, Chief Clerk

[HCR 41](#), [HCR 42](#), [HCR 43](#), [HCR 44](#), [H 716](#), [H 514](#), as amended, and [H 704](#), as amended, were filed for first reading.

March 19, 2024

Dear Mr. President:

I transmit herewith Enrolled [HCR 25](#), [HCR 27](#), [HCR 30](#), [H 462](#), [H 477](#), [H 664](#), [H 698](#), [H 699](#), [H 700](#), [H 425](#), [H 540](#), [H 612](#), [H 654](#), [H 703](#), [H 640](#), [H 589](#), [H 593](#), [H 604](#), [H 526](#), [H 656](#), and [H 387](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [HCR 25](#), [HCR 27](#), [HCR 30](#), [H 462](#), [H 477](#), [H 664](#), [H 698](#), [H 699](#), [H 700](#), [H 425](#), [H 540](#), [H 612](#), [H 654](#), [H 703](#), [H 640](#), [H 589](#), [H 593](#), [H 604](#), [H 526](#), [H 656](#), and [H 387](#) 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 1434**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE ATTORNEY GENERAL; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE

ATTORNEY GENERAL FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

[S 1434](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 41](#), by Ways and Means Committee, was introduced, read at length, and referred to the Agricultural Affairs Committee.

[HCR 42](#) and [HCR 43](#), by Ways and Means Committee, were introduced, read at length, and referred to the Judiciary and Rules Committee.

[HCR 44](#), by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[H 716](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 514](#), 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 704](#), as amended, by State Affairs 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 583](#), as amended in the Senate, and [H 572](#), as amended in the Senate, by State Affairs Committee, were read the second time at length and filed for third reading.

[H 570](#), as amended in the Senate, by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 608](#), as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

[H 542](#), as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 614](#), as amended in the Senate, by Ways and Means Committee, was read the second time at length and filed for third reading.

[S 1430](#) and [S 1431](#), by Finance Committee, were read the second time at length and filed for third reading.

[HJR 5](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 501](#), as amended, by Business Committee, was read the second time at length and filed for third reading.

[H 621](#), as amended, by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 670](#), 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

On request by Senator Anthon, granted by unanimous consent, [S 1375](#) and [S 1389](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1426](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 26.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Toews, Trakel, Zuiderveld. Total - 9.

Total - 35.

Whereupon the President declared [S 1426](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1323](#), [H 460](#), [H 576](#), and [H 521](#) retained their place on the Third Reading Calendar for one legislative day.

Having been held, [H 518](#) 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 518](#) passed, title was approved, and the bill ordered returned to the House.

[H 687](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 687](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 645](#) retained its place on the Third Reading Calendar for one legislative day.

[H 646](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator

Okuniewicz 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 646](#) passed, title was approved, and the bill ordered returned to the House.

[H 665](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 665](#) passed, title was approved, and the bill ordered returned to the House.

[H 666](#) 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:

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 [H 666](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 668](#) retained its place on the Third Reading Calendar for one legislative day.

[H 691](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 691](#) passed, title was approved, and the bill ordered returned to the House.

[H 638](#), as amended, 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Zuiderveld. Total - 32.

NAYS—Just, Rabe, Wintrow. Total - 3.

Total - 35.

Whereupon the President declared [H 638](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 689](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Okuniewicz 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, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Bjerke, Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Toews, Trakel, Zuiderveld. Total - 10.

Total - 35.

Whereupon the President declared [H 689](#) passed, title was approved, and the bill ordered returned to the House.

[H 543](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Hartgen and Nichols disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared [H 543](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 686](#) retained its place on the Third Reading Calendar.

On request by Senator Anthon, granted by unanimous consent, [H 624](#) retained its place on the Third Reading Calendar for one legislative day.

[H 634](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Semmelroth 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 634](#) passed, title was approved, and the bill ordered returned to the House.

[H 617](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke 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, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 27.

NAYS—Just, Lee, Rabe, Ruchti, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 8.

Total - 35.

Whereupon the President declared [H 617](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 685](#) and [H 630](#) retained their place on the Third Reading Calendar for one legislative day.

On request by Senator Anthon, granted by unanimous consent, [H 626](#) retained its place on the Third Reading Calendar.

[H 486](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Trakel 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 486](#) passed, title was approved, and the bill ordered returned to the House.

[H 461](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols,

Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 461](#) passed, title was approved, and the bill ordered returned to the House.

[H 494](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 494](#) 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 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 Wintrow, by voice vote the Senate recessed at 12:05 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 Bedke presiding.

Roll call showed all members present except Senators Adams, Ricks, Ruchti, Schroeder, and Trakel, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

Senator Ruchti was recorded present at this order of business.

March 20, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 117](#) was delivered to the Office of the Secretary of State at 1:38 p.m., March 20, 2024.

LAKEY, Chairman

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

March 20, 2024

The FINANCE Committee reports out [H 716](#) with the recommendation that it do pass.

GROW, Chairman

[H 716](#) was filed for second reading.

March 20, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [H 586](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BURTENSHAW, Chairman

There being no objection, [H 586](#) was referred to the Fourteenth Order of Business, General Calendar.

March 20, 2024

The JUDICIARY AND RULES Committee reports out [H 513](#), [H 601](#), and [H 629](#) with the recommendation that they do pass.

LAKEY, Chairman

[H 513](#), [H 601](#), and [H 629](#) were filed for second reading.

March 20, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 545](#) and [H 632](#) with the recommendation that they do pass.

COOK, Chairman

[H 545](#) and [H 632](#) 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 20, 2024

Dear Mr. President:

I return herewith [S 1305](#), as amended, [S 1244](#), and [S 1374](#), as amended, which have passed the House.

MCGINNIS, Chief Clerk

[S 1305](#), as amended, [S 1244](#), and [S 1374](#), as amended, were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

#### **Motions and Resolutions**

Senators Ricks, Schroeder, and Trakel were recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Gubernatorial appointment of Joseph Medeiros was placed before the Senate for final consideration at this time.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Joseph Medeiros 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 appointment of Joseph Medeiros as a member of the Hazardous Waste Facility Siting License Application Review Panel 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.

On request by Senator Anthon, granted by unanimous consent, the Gubernatorial appointment of Paul Amador was placed before the Senate for final consideration at this time.

The President announced that the Education Committee report relative to the Gubernatorial appointment of Paul Amador was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Okuniewicz, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Paul Amador 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 appointment confirmation for his 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 Gubernatorial reappointment of Richelle Sugiyama was placed before the Senate for final consideration at this time.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Richelle Sugiyama 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 Richelle Sugiyama 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 his 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 Gubernatorial appointment of Lori Wolff was placed before the Senate for final consideration at this time.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Lori Wolff 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 Lori Wolff 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 his 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 1435 BY FINANCE COMMITTEE AN ACT**

RELATING TO THE APPROPRIATION TO THE IDAHO STATE POLICE; APPROPRIATING ADDITIONAL MONEYS

TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2025; REDUCING MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1436**  
**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO JUDICIAL COMPENSATION; AMENDING SECTION 59-502, IDAHO CODE, TO REVISE PROVISIONS REGARDING SALARIES OF JUDGES AND TO PROVIDE FOR COMPENSATION ESTABLISHED BY THE CITIZENS' COMMITTEE ON JUDICIAL COMPENSATION; AMENDING CHAPTER 5, TITLE 59, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 59-502A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE CITIZENS' COMMITTEE ON JUDICIAL COMPENSATION; AMENDING CHAPTER 5, TITLE 59, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 59-502B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING JUDICIAL COMPENSATION AS DETERMINED BY THE CITIZENS' COMMITTEE ON JUDICIAL COMPENSATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1435](#) and [S 1436](#) 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**

[H 610](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen 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, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 23.

NAYS—Bjerke, Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Zuiderveld. Total - 9.

Absent and excused—Den Hartog, Ricks, Toews. Total - 3.

Total - 35.

Whereupon the President declared [H 610](#) passed, title was approved, and the bill ordered returned to the House.

[H 561](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 561](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 563](#) and [H 620](#), as amended, retained their place on the Third Reading Calendar for one legislative day.

[H 714](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 714](#) passed, title was approved, and the bill ordered returned to the House.

[H 715](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 715](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 600](#) retained its place on the Third Reading Calendar for one legislative day.

[H 613](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Trakel 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, Bjerke, Burtenshaw, Cook, Grow, Harris, Hartgen, Lakey, Lee, Lent, Okuniewicz, Ricks, Trakel, VanOrden, Winder. Total - 16.

NAYS—Bernt, Carlson, Foreman, Guthrie, Hart, Herndon, Just, Lenney, Nichols, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Ward-Engelking, Wintrow, Zuiderveld. Total - 18.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared that [H 613](#) had failed to pass the Senate and ordered the bill 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 motion by Senator Anthon, seconded by Senator Wintrow, by voice vote, the Senate adjourned at 4:46 p.m. until the hour of 10 a.m., Thursday, March 21, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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SEVENTY-FOURTH LEGISLATIVE DAY  
THURSDAY, MARCH 21, 2024

Senate Chamber

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

Roll call showed all members present except President Pro Tempore Winder, absent and formally excused by the Chair; and Senator Herndon, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Roy Hutchings, 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 20, 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 Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SCR 130

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE IDAHO STATE RACING COMMISSION, THE IDAHO STATE LIQUOR DIVISION, THE IDAHO PUBLIC UTILITIES COMMISSION, AND THE ENDOWMENT FUND INVESTMENT BOARD BY THE SENATE STATE AFFAIRS COMMITTEE AND THE HOUSE STATE AFFAIRS COMMITTEE.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate State Affairs Committee and the House State Affairs Committee reviewed pending rules adopted by the Idaho State Racing Commission, the Idaho State

Liquor Division, the Idaho Public Utilities Commission, and the Endowment Fund Investment Board; 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the pending rules adopted by the Idaho State Racing Commission, the Idaho State Liquor Division, the Idaho Public Utilities Commission, and the Endowment Fund Investment Board, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate State Affairs Committee and the House State Affairs Committee, be, and the same are hereby approved.

#### SCR 131

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING PENDING RULES OF THE IDAHO STATE LOTTERY COMMISSION REVIEWED BY THE SENATE STATE AFFAIRS COMMITTEE.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate State Affairs Committee reviewed pending rules adopted by the Idaho State Lottery Commission, Rules Governing Operations of the Idaho State Lottery; and

WHEREAS, the House State Affairs Committee reviewed pending rules adopted by the Idaho State Lottery Commission, Rules Governing Operations of the Idaho State Lottery, but took no action; 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following pending rules adopted by the Idaho State Lottery Commission, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate State Affairs Committee, be, and the same are hereby approved: 52.01.03, Rules Governing Operations of the Idaho State Lottery, Docket No. 52-0103-2301.

[SCR 130](#) and [SCR 131](#) 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 21, 2024

The JUDICIARY AND RULES Committee reports that [S 1434](#), [S 1435](#), and [S 1436](#) have been correctly printed.

LAKEY, Chairman

[S 1434](#) and [S 1435](#) were referred to the Finance Committee.

[S 1436](#) was referred to the Judiciary and Rules Committee.

March 20, 2024

The JUDICIARY AND RULES Committee reports that [S 1305](#), as amended, [S 1244](#), and [S 1374](#), as amended, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1305](#), as amended, [S 1244](#), and [S 1374](#), as amended, and ordered them transmitted to the House for the signature of the Speaker.

March 20, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1428](#) with the recommendation that it do pass.

RICKS, Chairman

[S 1428](#) was filed for second reading.

March 21, 2024

The STATE AFFAIRS Committee reports out [H 603](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [H 603](#) was referred to the Fourteenth Order of Business, General Calendar.

March 21, 2024

The AGRICULTURAL AFFAIRS Committee reports out [HCR 41](#) with the recommendation that it do pass.

HARTGEN, Chairman

[HCR 41](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 21, 2024

The AGRICULTURAL AFFAIRS Committee reports out [H 712](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HARTGEN, Chairman

There being no objection, [H 712](#) was referred to the Fourteenth Order of Business, General Calendar.

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

#### Messages from the Governor

Senator Herndon was recorded present at this order of business.

March 21, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 20, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1272](#), [S 1274](#), [S 1341](#), [S 1365](#), as amended,  
[S 1372](#), and [S 1400](#)

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 20, 2024

Dear Mr. President:

I transmit herewith [H 723](#), [H 720](#), and [H 719](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 723](#), [H 720](#), and [H 719](#) 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 1437

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF SUBSTANCE ABUSE TREATMENT AND PREVENTION, MENTAL HEALTH SERVICES, AND PSYCHIATRIC HOSPITALIZATION FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF MENTAL HEALTH SERVICES AND PSYCHIATRIC HOSPITALIZATION FOR FISCAL YEAR 2025; REQUIRING A REPORT ON SUBSTANCE ABUSE PREVENTION ACTIVITIES; DIRECTING THE USE OF THE STATE OPIOID RESPONSE GRANT; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF MENTAL HEALTH SERVICES AND PSYCHIATRIC HOSPITALIZATION FOR FISCAL YEAR 2024; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF MENTAL HEALTH SERVICES AND PSYCHIATRIC HOSPITALIZATION FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

##### S 1438

##### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO EDUCATION FUNDING; AMENDING SECTION 33-915, IDAHO CODE, AS ADDED BY SECTION 17 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS

REGARDING THE DISTRIBUTION OF SCHOOL MODERNIZATION FACILITIES FUNDS TO SCHOOL DISTRICTS; AMENDING SECTION 33-916, IDAHO CODE, AS ADDED BY SECTION 18 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE ELIGIBILITY OF SCHOOL DISTRICTS FOR SCHOOL MODERNIZATION FACILITIES FUND DISTRIBUTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1439**

**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO EDUCATION FUNDING; REPEALING SECTION 33-916, IDAHO CODE, AS ADDED BY SECTION 18 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, RELATING TO THE ELIGIBILITY OF SCHOOL DISTRICTS FOR SCHOOL MODERNIZATION FACILITIES FUND DISTRIBUTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1440**

**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO EDUCATION FUNDING; AMENDING SECTION 33-915, IDAHO CODE, AS ADDED BY SECTION 17 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE DISTRIBUTION OF SCHOOL MODERNIZATION FACILITIES FUNDS TO SCHOOL DISTRICTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1441**

**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-914, IDAHO CODE, AS ADDED BY SECTION 16 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE A DEADLINE FOR A SCHOOL DISTRICT TO MAKE A DISTRIBUTION ELECTION; AMENDING SECTION 33-915, IDAHO CODE, AS ADDED BY SECTION 17 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING SCHOOL MODERNIZATION FACILITIES FUND DISTRIBUTIONS; AMENDING SECTION 33-916, IDAHO CODE, AS ADDED BY SECTION 18 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE ELIGIBILITY OF SCHOOL DISTRICTS FOR SCHOOL MODERNIZATION FACILITIES FUND DISTRIBUTIONS; AMENDING SECTION 33-917, IDAHO CODE, AS ADDED BY SECTION 19 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE CREATION OF THE MODEL SCHOOL

FACILITY COUNCIL; AMENDING SECTION 36 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE CERTAIN EFFECTIVE DATES; AND DECLARING AN EMERGENCY.

[S 1437](#), [S 1438](#), [S 1439](#), [S 1440](#), and [S 1441](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 723](#), [H 720](#), and [H 719](#), 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 716](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 513](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 601](#), [H 629](#), and [H 545](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 632](#), 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 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 1395](#), [H 398](#), [H 708](#), and [H 586](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO S 1395**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 20, delete "its agent" and insert: "third-party service. "A third-party service" means a service that has entered into a contract with a health care provider to provide patient records on behalf of a health care provider"; delete lines 21 through 24, and insert:

"(2) Upon the request of a patient, patient's attorney, legal representative, or third-party service authorized to receive records, a health care provider, health care facility, or third-party service shall provide medical records and may charge reasonable fees pursuant to this section or other applicable law, whichever is less. Such reasonable fees shall not exceed those provided in this subsection.";

in line 27, delete "flat" and insert: "search"; in line 28, delete "Fifty-three cents (53)" and insert: "Sixty cents (60)"; in line 29, delete "thirty-two cents (32)" and insert: "thirty-six cents (36)"; in line 32, delete "; or" and insert: "; and"; in line 33, delete "sending" and insert: "postage to mail"; in line 37, delete "flat" and insert: "search"; in line 38, delete "Twenty-seven cents (27)" and insert: "Thirty cents (30)"; and in line 39, delete "sixteen cents (16)" and insert: "eighteen cents (18)".

On page 2, in line 1, delete "sending" and insert: "postage to mail"; in line 2, delete "or" and insert: "and"; in line 7, delete "one hundred fifty dollars (\$150)" and insert: "one hundred seventy-five dollars (\$175)"; in line 10, following "provider" insert: ", health care facility, or third-party service"; delete lines 12 and 13, and insert: "by a patient, former patient, patient's attorney, legal representative, or third-party service authorized to receive records, for a qualified claim or appeal for"; in line 23, delete "and"; following line 23, insert:

"(b) Be delivered in the electronic medium customarily used by the health care provider, the health care facility, or the health care provider's third-party service or in a universally readable image, such as portable document format, if the patient or the patient's attorney, legal representative, or a third-party service authorized to receive the records requests the record be delivered in an electronic medium; and";

in line 24, delete "(b)" and insert: "(c)"; and following line 24, insert:

"(5) A health care provider shall be exempt from the provisions of this section as long as the health care provider has less than fifty (50) employees, is independently owned, is not associated with a hospital system or health care system, and does not contract with a third-party service to provide medical records.

(6) When a health care provider is governed by the standards for privacy of individually identifiable health information, the fees allowed shall be the lesser of those allowed pursuant to 45 CFR 164.524(c)(4) or the provisions of this section."

#### CORRECTION TO TITLE

On page 1, delete lines 5 and 6, and insert: "A TERM, TO PROVIDE EXCEPTIONS, AND TO PROVIDE REQUIREMENTS FOR FULFILLMENT; AND DECLARING AN".

#### SENATE AMENDMENT TO H 398

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 14, following "act" insert: "that would expand coverage to any additional individuals or class of individuals or would increase any cost to the state".

#### SENATE AMENDMENT TO H 708

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 20 through 25, and insert:

"(2) Except as expressly authorized by the legislature through the enactment of general laws or pursuant to subsection (4) of this section, the state shall not file or cause to be filed on its behalf articles of incorporation for any corporation that is provided for in subsection (1) of this section. If any articles of incorporation are filed by the state or on its behalf without the authorization of the legislature as required pursuant to this subsection, the secretary of state shall not accept such articles of incorporation. In no instance shall the state constitute the voting majority of the board of directors or members of a corporation or its subsidiary. For purposes of"; and delete line 30, and insert:

"(3) The state shall not file or cause to be filed on its behalf articles of incorporation for a corporation to carry out a".

#### CORRECTION TO TITLE

On page 1, delete line 3, and insert: "VIDE CERTAIN PROHIBITIONS ON THE FILING OF ARTICLES OF INCORPORATION BY THE".

#### SENATE AMENDMENT TO H 586

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 12 through 14, and insert: "possessing, or transporting antlers or horns shed from deer, elk, moose, or pronghorn in this state shall be required to first procure a license entitling the nonresident to hunt big game as provided in chapter 4, title 36, Idaho Code. No license shall be required for a nonresident under twelve (12) years of age who is accompanied by a nonresident who is licensed in compliance with the provisions of this section or by a resident."

#### CORRECTION TO TITLE

On page 1, in line 4, delete "HUNTING"; and in line 5, following "STATE" insert: "AND TO PROVIDE AN EXCEPTION".

The Committee also has [S 1224](#) and [S 1296](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Wintrow, the report was adopted by voice vote.

[S 1395](#), 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 398](#), as amended in the Senate, [H 708](#), as amended in the Senate, and [H 586](#), 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

On request by Senator Anthon, granted by unanimous consent, [H 521](#) was placed before the Senate for consideration at this time.

Having been held, [H 521](#) 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—Anthon, Bernt, Bjerke, Burtenshaw, Cook, Grow, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Taylor, Toews, VanOrden, Ward-Engelking. Total - 23.

NAYS—Adams, Carlson, Den Hartog, Foreman, Guthrie, Lenney, Rabe, Semmelroth, Trakel, Wintrow, Zuiderveld. Total - 11.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [H 521](#) 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 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 Wintrow, by voice vote the Senate recessed at 1:07 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 Bedke presiding.

Roll call showed all members present except President Pro Tempore Winder and Senators Anthon, Burtenshaw, Guthrie, Nichols, and Ruchti, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 21, 2024

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1395](#), [H 398](#), [H 708](#), and [H 586](#) have been correctly printed.

LAKEY, Chairman

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

March 21, 2024

The JUDICIARY AND RULES Committee reports that [S 1395](#), as amended, has been correctly engrossed.

LAKEY, Chairman

[S 1395](#), as amended, was filed for first reading.

March 21, 2024

The FINANCE Committee reports out [H 719](#), [H 720](#), [H 723](#), [S 1434](#), and [S 1435](#) with the recommendation that they do pass.

GROW, Chairman

[H 719](#), [H 720](#), [H 723](#), [S 1434](#), and [S 1435](#) were filed for second reading.

March 21, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 697](#), [H 705](#), and [S 1429](#) with the recommendation that they do pass.

COOK, Chairman

[H 697](#), [H 705](#), and [S 1429](#) 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 21, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 21, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

**SENATE BILL 1329**

within the time prescribed by the law, the same having arrived in the Office of the Governor at the hour of 8:04 a.m. on March 15, 2024.

The mental health of Idaho's adolescents is of utmost importance to me. I urge all stakeholders to closely monitor any negative consequences this legislation has on our youth accessing the behavioral health supports they need. In the event this bill creates any unintended barriers for adolescent behavioral health care, I expect amendments will be made to address the issue accordingly.

Additionally, I am concerned the passage of this legislation without the express repeal of potentially conflicting sections of code will create confusion for medical professionals and complicate their ability to deliver necessary care to all Idahoans and protect patients' confidential information. I urge my colleagues in the Legislature to communicate with the health providers and endeavor to provide necessary clarity during the next legislative session as to the full scope of the policy and law in this bill.

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 21, 2024

Dear Mr. President:

I return herewith [S 1294](#), [S 1291](#), [S 1235](#), [SJM 103](#), [SCR 116](#), [SCR 111](#), [SCR 113](#), [SCR 119](#), [SCR 120](#), [SCR 121](#), and [SCR 124](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1294](#), [S 1291](#), [S 1235](#), [SJM 103](#), [SCR 116](#), [SCR 111](#), [SCR 113](#), [SCR 119](#), [SCR 120](#), [SCR 121](#), and [SCR 124](#) were referred to the Judiciary and Rules Committee for enrolling.

March 21, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 449](#), [H 577](#), [H 633](#), [H 465](#), [H 482](#), [H 518](#), [H 687](#), [H 646](#), [H 665](#), [H 666](#), [H 691](#), [H 638](#), as amended, [H 689](#), [H 543](#), [H 634](#), [H 617](#), [H 486](#), [H 461](#), [H 494](#), [H 610](#), [H 561](#), [H 714](#), and [H 715](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 449](#), [H 577](#), [H 633](#), [H 465](#), [H 482](#), [H 518](#), [H 687](#), [H 646](#), [H 665](#), [H 666](#), [H 691](#), [H 638](#), as amended, [H 689](#), [H 543](#), [H 634](#), [H 617](#), [H 486](#), [H 461](#), [H 494](#), [H 610](#), [H 561](#), [H 714](#), and [H 715](#) and ordered them returned to the House.

March 21, 2024

Dear Mr. President:

I return herewith Enrolled [S 1305](#), as amended, [S 1244](#), and [S 1374](#), as amended, which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1305](#), as amended, [S 1244](#), and [S 1374](#), as amended, 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**

Senator Anthon was recorded present at this order of business.

**S 1442  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES FOR FISCAL YEAR 2025; REQUIRING A REPORT ON FUND BALANCES; PROVIDING REAPPROPRIATION AUTHORITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1442](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 398](#), as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[H 708](#), as amended in the Senate, and [H 586](#), as amended in the Senate, by Ways and Means Committee, were read the first time at length and filed for second reading.

[S 1395](#), as amended, by Judiciary and Rules 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 Thirteenth Order of Business.

**Third Reading of Bills**

On request by Senator Anthon, granted by unanimous consent, [S 1375](#) and [S 1389](#) retained their place on the Third Reading Calendar for one legislative day.

Having been held, [S 1323](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toews 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, Carlson, Cook, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 25.

NAYS—Den Hartog, Lee, Rabe, Ruchti, Schroeder, Semmelroth, Taylor, Wintrow. Total - 8.

Absent and excused—Burtenshaw, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [S 1323](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1430](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Just 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, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Burtenshaw, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [S 1430](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1431](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Just 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, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Burtenshaw, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [S 1431](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 583](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hart 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, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Burtenshaw, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [H 583](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 572](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lenney 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, 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 - 27.

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

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [H 572](#), 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, [H 570](#), as amended in the Senate, retained its place on the Third Reading Calendar for one legislative day.

[H 608](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen 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, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [H 608](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 542](#), as amended in the Senate, 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—Adams, Anthon, Bernt, Bjerke, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Foreman. Total - 1.

Absent and excused—Burtenshaw, Lakey. Total - 2.

Total - 35.

Whereupon the President declared [H 542](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 614](#), 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:

AYES—Adams, Anthon, Bernt, Bjerke, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [H 614](#), 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 Tenth Order of Business.

#### Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, [HCR 28](#) was placed before the Senate for final consideration at this time.

The President announced that [HCR 28](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lakey, seconded by Senator Harris, [HCR 28](#) 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

On request by Senator Anthon, granted by unanimous consent, [H 460](#), [H 576](#), [H 645](#), and [H 668](#) retained their place on the Third Reading Calendar for one legislative day.

Having been held, [H 686](#) 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—Adams, Anthon, Bernt, Bjerke, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lee, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Zuiderveld. Total - 29.

NAYS—Rabe, Semmelroth, Wintrow. Total - 3.

Absent and excused—Burtenshaw, Lakey, Lenney. Total - 3.

Total - 35.

Whereupon the President declared [H 686](#) passed, title was approved, and the bill ordered returned to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 632](#) 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 632](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Burtenshaw, Lakey. Total - 2.

Total - 35.

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

[H 632](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [H 632](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1375](#) was referred to the Fourteenth Order of Business, General Calendar.

Having been held, [H 624](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bernt 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, Cook, Grow, Guthrie, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 21.

NAYS—Bjerke, Carlson, Den Hartog, Foreman, Harris, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 13.

Absent and excused—Burtenshaw. Total - 1.

Total - 35.

Whereupon the President declared [H 624](#) 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 21, 2024

The JUDICIARY AND RULES Committee reports that [SCR 130](#), [SCR 131](#), [S 1437](#), [S 1438](#), [S 1439](#), [S 1440](#), and [S 1441](#) have been correctly printed.

LAKEY, Chairman

[SCR 130](#) and [SCR 131](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1437](#) was referred to the Finance Committee.

[S 1438](#), [S 1439](#), [S 1440](#), and [S 1441](#) were 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 Wintrow, by voice vote, the Senate adjourned at 5:32 p.m. until the hour of 10 a.m., Friday, March 22, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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SEVENTY-FIFTH LEGISLATIVE DAY  
FRIDAY, MARCH 22, 2024

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Alexis Marshall, 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 21, 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 Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SCR 132

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES AND THE DEPARTMENT OF INSURANCE REVIEWED BY THE SENATE COMMERCE AND HUMAN RESOURCES COMMITTEE, WITH AN EXCEPTION.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate Commerce and Human Resources Committee reviewed pending rules adopted by the Division of Occupational and Professional Licenses and the Department of Insurance; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Insurance, The Managed Care Reform Act Rule, 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following pending rules adopted by the Division of Occupational and Professional Licenses, Rules of the Public Works Contractors License Board, and the Department of Insurance, The Managed Care Reform Act Rule, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Commerce and Human Resources Committee, be, and the same are hereby approved, with the exception of IDAPA 18.04.04, The Managed Care Reform Act Rule, Docket No. 18-0404-2301, Section 011., Subsection 03., only, that is rejected and not approved, and thereby pursuant to Section 67-5291, Idaho Code, shall expire upon adjournment sine die of the legislative session and be null, void, and of no force and effect.

[SCR 132](#) 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 22, 2024

The JUDICIARY AND RULES Committee reports that [S 1442](#) has been correctly printed.

LAKEY, Chairman

[S 1442](#) was referred to the Finance Committee.

March 22, 2024

The JUDICIARY AND RULES Committee reports that [S 1294](#), [S 1291](#), [S 1235](#), [SJM 103](#), [SCR 116](#), [SCR 111](#), [SCR 113](#), [SCR 119](#), [SCR 120](#), [SCR 121](#), and [SCR 124](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1294](#), [S 1291](#), [S 1235](#), [SJM 103](#), [SCR 116](#), [SCR 111](#), [SCR 113](#), [SCR 119](#), [SCR 120](#), [SCR 121](#), and [SCR 124](#) and ordered them transmitted to the House for the signature of the Speaker.

March 21, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1305](#), as amended, [S 1244](#), and [S 1374](#), as amended, were delivered to the Office of the Governor at 4:40 p.m., March 21, 2024.

LAKEY, Chairman

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

March 22, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1420](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICKS, Chairman

There being no objection, [S 1420](#) was referred to the Fourteenth Order of Business, General Calendar.

March 22, 2024

The STATE AFFAIRS Committee reports out [S 1438](#), [S 1439](#), [S 1440](#), and [S 1441](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[S 1438](#), [S 1439](#), [S 1440](#), and [S 1441](#) 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

March 21, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 21, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1263](#), [S 1271](#), [S 1279](#), [S 1280](#), [S 1297](#),  
[S 1301](#), [S 1308](#), [S 1311](#), [S 1312](#), [S 1322](#),  
[S 1352](#), [S 1355](#), [S 1359](#), [S 1361](#), as amended,  
[S 1379](#), [S 1402](#), [S 1405](#), [S 1406](#), [S 1407](#),  
[S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), [S 1412](#),  
[S 1414](#), [S 1419](#), [S 1424](#), and [S 1425](#)

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 21, 2024

Dear Mr. President:

I transmit herewith [H 696](#), as amended, and [H 722](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 696](#), as amended, and [H 722](#) 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 1443

##### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO ENDOWMENT TRUST LANDS; AMENDING CHAPTER 3, TITLE 58, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 58-304B, IDAHO CODE, TO CLARIFY THE DUTIES OF THE STATE BOARD OF LAND COMMISSIONERS IN THE LEASE OF STATE

ENDOWMENT TRUST LANDS, TO REQUIRE BONDS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE FOR RULEMAKING; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1444

##### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-102A, IDAHO CODE, AS AMENDED IN SECTION 5 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE APPOINTMENT OF THE EXECUTIVE OFFICER OF THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-916, IDAHO CODE, AS ADDED IN SECTION 18 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE ELIGIBILITY OF SCHOOL DISTRICTS FOR SCHOOL MODERNIZATION FACILITIES FUND DISTRIBUTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1443](#) and [S 1444](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 696](#), as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 722](#), 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 1428](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 719](#), [H 720](#), and [H 723](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1434](#) and [S 1435](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 697](#) and [H 705](#), by Ways and Means Committee, were read the second time at length and filed for third reading.

[S 1429](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 398](#), as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 708](#), as amended in the Senate, and [H 586](#), as amended in the Senate, by Ways and Means Committee, were read the second time at length and filed for third reading.

[S 1395](#), as amended, by Judiciary and Rules 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, Chairman of the Committee of the Whole, reported out [H 712](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO H 712

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 13, delete "trespassing".

##### AMENDMENT TO SECTION 4

On page 2, in line 18, delete "up to"; in line 19, delete "up to"; and in line 21, delete "up to".

The Committee also has [S 1224](#), [S 1296](#), [H 603](#), and [S 1375](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Wintrow, the report was adopted by voice vote.

[H 712](#), 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

#### 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 1429](#) 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 1429](#) 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:

AYES—Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Adams. Total - 1.

Total - 35.

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

[S 1429](#) 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, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Adams. Total - 1.

Total - 35.

Whereupon the President declared [S 1429](#) passed, title was approved, and the bill ordered transmitted to the House.

#### 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 1395](#), 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 1395](#), as amended, 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:

AYES—Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Adams. Total - 1.

Total - 35.

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

[S 1395](#), as amended, 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?"

Pursuant to Senate Rule 39(H), Senators Ricks and Ruchti disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bernt, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 21.

NAYS—Bjerke, Carlson, Den Hartog, Foreman, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 13.

Absent and excused—Adams. Total - 1.

Total - 35.

Whereupon the President declared [S 1395](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1389](#) and [H 570](#), as amended in the Senate, retained their place on the Third Reading Calendar for one legislative day.

Having been held, [H 460](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Adams. Total - 1.

Total - 35.

Whereupon the President declared [H 460](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 576](#) retained its place on the Third Reading Calendar for one legislative day.

Having been held, [H 645](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder 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, Guthrie, Hartgen, Just, Lee, Lent, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 18.

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

Absent and excused—Adams. Total - 1.

Total - 35.

Whereupon the President declared [H 645](#) passed, title was approved, and the bill ordered returned to the House.

Having been held, [H 668](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toews arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 26.

NAYS—Just, Lee, Rabe, Ruchti, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 8.

Absent and excused—Adams. Total - 1.

Total - 35.

Whereupon the President declared [H 668](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 501](#), as amended, was placed before the Senate for consideration at this time.

[H 501](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ruchti arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Adams. Total - 1.

Total - 35.

Whereupon the President declared [H 501](#), as amended, 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

March 22, 2024

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 712](#) 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 Eleventh Order of Business.

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

[H 712](#), as amended in the Senate, by Ways and Means 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 Wintrow, by voice vote, the Senate adjourned at 12:03 p.m. until the hour of 9 a.m., Monday, March 25, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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SEVENTY-EIGHTH LEGISLATIVE DAY  
MONDAY, MARCH 25, 2024

Senate Chamber

President Bedke called the Senate to order at 9 a.m.

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Kate Paine, 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 22, 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.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

March 22, 2024

Dear President Pro Tempore,

I have the honor to inform you that pursuant to Title 67-412, I have designated Mary Shea of Pocatello, Idaho 83201, as a qualified substitute for Legislative District 29, Bannock County, State of Idaho.

This appointment is effective Monday, March 25th, 2024, and will continue until Friday, March 29th, 2024.

Sincerely,  
/s/ James D. Ruchti

Having previously received the Oath of Office, Acting Senator Shea was recorded as present at this order of business and the correspondence was ordered filed in the office of the Secretary.

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

### Reports of Standing Committees

March 25, 2024

The JUDICIARY AND RULES Committee reports that [SCR 132](#), [S 1443](#), and [S 1444](#) have been correctly printed.

LAKEY, Chairman

[SCR 132](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1443](#) and [S 1444](#) were referred to the State Affairs Committee.

March 22, 2024

The FINANCE Committee reports out [H 722](#), [S 1437](#), and [S 1442](#) with the recommendation that they do pass.

GROW, Chairman

[H 722](#), [S 1437](#), and [S 1442](#) were filed for second reading.

March 22, 2024

The JUDICIARY AND RULES Committee reports out [H 514](#), as amended, with the recommendation that it do pass.

LAKEY, Chairman

[H 514](#), as amended, was filed for second reading.

March 22, 2024

The JUDICIARY AND RULES Committee reports out [HCR 42](#) and [HCR 43](#) with the recommendation that they do pass.

LAKEY, Chairman

[HCR 42](#) and [HCR 43](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 22, 2024

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:

Darin Burrell to the Sexual Offender Management Board, term to expire January 1, 2027;

John Dinger to the Sexual Offender Management Board, term to expire January 1, 2027.

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 25, 2024

The STATE AFFAIRS Committee reports out [H 710](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [H 710](#) 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 22, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 22, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1295](#), [S 1299](#), [S 1246](#), and [S 1337](#), as amended

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 22, 2024

Dear Mr. President:

I transmit herewith [H 725](#), [H 726](#), and [H 731](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 725](#), [H 726](#), and [H 731](#) were filed for first reading.

March 22, 2024

Dear Mr. President:

I return herewith [S 1426](#), which has passed the House.

MCGINNIS, Chief Clerk

[S 1426](#) was referred to the Judiciary and Rules Committee for enrolling.

March 22, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 607](#), as amended in the Senate, for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 607](#), as amended in the Senate, and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, [SR 101](#) was referred to the Judiciary and Rules Committee.

On request by Senator Anthon, granted by unanimous consent, [SCR 112](#), [SCR 114](#), [SCR 115](#), and [HCR 31](#) retained its place on the calendar for one legislative day.

The President announced that [SCR 125](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Burtenshaw, seconded by Senator Semmelroth, [SCR 125](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 126](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Burtenshaw, seconded by Senator Semmelroth, [SCR 126](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 127](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Burtenshaw, seconded by Senator Semmelroth, [SCR 127](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 128](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator VanOrden, seconded by Senator Ward-Engelking, [SCR 128](#) 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, [SCR 129](#) retained its place on the calendar for one legislative day.

The President announced that [HCR 39](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator VanOrden, seconded by Senator Ward-Engelking, [HCR 39](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [SP 101](#) was before the Senate for final consideration, the question being, "Shall the proclamation be adopted?"

On motion by Senator Okuniewicz, seconded by Senator Harris, [SP 101](#) was adopted by voice vote, title was approved, and the proclamation ordered transmitted to the House.

The President announced that [HCR 41](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Nichols, seconded by Senator Lenney, [HCR 41](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [SCR 130](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Guthrie, seconded by Senator Wintrow, [SCR 130](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 39](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator VanOrden, seconded by Senator Harris, [HCR 39](#) 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, [SCR 129](#) was placed before the Senate for final consideration at this time.

The President announced that [SCR 129](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Cook, seconded by Senator Ward-Engelking, [SCR 129](#) 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 Eleventh Order of Business.

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

**S 1445**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2025; PROVIDING DIRECTION TO MAXIMIZE FEDERAL FUNDS FOR CHILD CARE DEVELOPMENT BLOCK GRANTS; PROVIDING REPORTING REQUIREMENTS FOR THE SUMMER EBT PROGRAM; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2024; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2024; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

**S 1446**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE LEGISLATIVE SERVICES OFFICE; APPROPRIATING ADDITIONAL MONEYS TO THE LEGISLATIVE SERVICES OFFICE FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1447**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO APPROPRIATIONS OF MONEYS FOR FISCAL YEARS 2024 AND 2025; APPROPRIATING AND TRANSFERRING MONEYS FROM THE PUBLIC DEFENSE FUND TO THE GENERAL FUND FOR FISCAL YEAR 2024; LIMITING CASH TRANSFERS FROM THE BUDGET

STABILIZATION FUND FOR FISCAL YEARS 2024 AND 2025; AND DECLARING AN EMERGENCY.

**S 1448**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF COMMERCE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2025; PROVIDING REQUIREMENTS FOR BROADBAND FUNDING FROM THE INFRASTRUCTURE INVESTMENT AND JOBS ACT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1449**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO ADVERTISING ILLEGAL PRODUCTS AND SERVICES; AMENDING TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 89, TITLE 18, IDAHO CODE, TO PROHIBIT THE ADVERTISING OF ILLEGAL PRODUCTS AND SERVICES AND TO PROVIDE A PENALTY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1450**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 28, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2818, IDAHO CODE, TO PROVIDE A SHORT TITLE; AMENDING CHAPTER 28, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2819, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 28, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2820, IDAHO CODE, TO ESTABLISH AN INDEPENDENT PUBLIC BODY CORPORATE AND POLITIC AND TO ESTABLISH PROVISIONS REGARDING THE BOARD; AMENDING CHAPTER 28, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2821, IDAHO CODE, TO PROVIDE FOR BOARD MEETINGS AND THE SELECTION OF A BOARD CHAIR; AMENDING CHAPTER 28, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2822, IDAHO CODE, TO PROVIDE FOR THE POWERS AND AUTHORITIES OF FOUR THREE EDUCATION; AMENDING CHAPTER 28, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2823, IDAHO CODE, TO ESTABLISH THE FOUR THREE EDUCATION FUND; AMENDING CHAPTER 28, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2824, IDAHO CODE, TO PROVIDE FOR A REPORT; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

[S 1445](#), [S 1446](#), [S 1447](#), [S 1448](#), [S 1449](#), and [S 1450](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 725](#), [H 726](#), and [H 731](#), 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 1438](#), [S 1439](#), [S 1440](#), and [S 1441](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 712](#), as amended in the Senate, 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

On request by Senator Anthon, granted by unanimous consent, [S 1389](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1428](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Trakel arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Foreman, Lakey, and Schroeder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Burtenshaw, Cook, Guthrie, Harris, Hartgen, Just, Lakey, Lent, Okuniewicz, Rabe, Schroeder, Shea (Ruchti), Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 22.

NAYS—Carlson, Den Hartog, Foreman, Grow, Hart, Herndon, Lenney, Nichols, Ricks, Toews. Total - 10.

Absent and excused—Bjerke, Lee, Semmelroth. Total - 3.

Total - 35.

Whereupon the President declared [S 1428](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1434](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1435](#) 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, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lent, Okuniewicz, Rabe, Ricks, Schroeder, Shea (Ruchti), Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Zuiderveld. Total - 7.

Absent and excused—Lee, Semmelroth, Toews. Total - 3.

Total - 35.

Whereupon the President declared [S 1435](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [H 570](#), as amended in the Senate, [H 398](#), as amended in the Senate, and [H 708](#), as amended in the Senate, retained their place on the Third Reading Calendar for one legislative day.

[H 586](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Okuniewicz 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, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lent, Okuniewicz, Rabe, Ricks, Schroeder, Shea (Ruchti), Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 22.

NAYS—Bjerke, Carlson, Den Hartog, Foreman, Hart, Herndon, Lakey, Lenney, Nichols, Trakel, Zuiderveld. Total - 11.

Absent and excused—Lee, Semmelroth. Total - 2.

Total - 35.

Whereupon the President declared [H 586](#), 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, [H 576](#) retained its place on the Third Reading Calendar for one legislative day.

Having been held, [H 685](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bernt, Burtenshaw, Cook, Guthrie, Harris, Hartgen, Just, Lent, Rabe, Schroeder, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 17.

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

Absent and excused—Lee, Semmelroth. Total - 2.

Total - 35.

Whereupon the President declared [H 685](#) passed, title was approved, and the bill ordered returned to the House.

Having been held, [H 630](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Lee, Semmelroth. Total - 2.

Total - 35.

Whereupon the President declared [H 630](#) passed, title was approved, and the bill ordered returned to the House.

Having been held, [H 626](#) 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:

AYES--Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Shea (Ruchti), Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS--Taylor. Total - 1.

Absent and excused--Lee, Semmelroth. Total - 2.

Total - 35.

Whereupon the President declared [H 626](#) passed, title was approved, and the bill ordered returned to the House.

Having been held, [H 563](#) 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:

AYES--Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS--None.

Absent and excused--Lee, Semmelroth. Total - 2.

Total - 35.

Whereupon the President declared [H 563](#) 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 Wintrow, by voice vote the Senate recessed at 11:06 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 Bedke presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

#### SCR 133

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE DIVISION

OF OCCUPATIONAL AND PROFESSIONAL LICENSES REVIEWED BY THE SENATE COMMERCE AND HUMAN RESOURCES COMMITTEE AND THE HOUSE BUSINESS COMMITTEE.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must approve pending administrative rules by adoption of a concurrent resolution; and

WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any pending rule that is not approved by adoption of a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the Legislature for review; and

WHEREAS, the Senate Commerce and Human Resources Committee and the House Business Committee reviewed pending rules adopted by the Division of Occupational and Professional Licenses, Rules of the Idaho Electrical Board; 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 Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the following pending rules adopted by the Division of Occupational and Professional Licenses, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2024 legislative session and reviewed by the Senate Commerce and Human Resources Committee and the House Business Committee, be, and the same are hereby approved: IDAPA 24.39.10, Rules of the Idaho Electrical Board, Docket No. 24-3910-2302, the entire docket.

[SCR 133](#) 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 25, 2024

The JUDICIARY AND RULES Committee reports that [S 1426](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1426](#) and ordered it transmitted to the House for the signature of the Speaker.

March 25, 2024

The FINANCE Committee reports out [H 725](#), [H 726](#), and [H 731](#) with the recommendation that they do pass.

GROW, Chairman

[H 725](#), [H 726](#), and [H 731](#) 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

March 25, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 25, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

**SENATE BILL 1283**

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 4:52 p.m. on March 19, 2024.

I support the merits of the legislation to ensure that temporary and seasonal employees are not inadvertently subject to benefits they would no longer qualify for in rare years where a crisis event causes them to work more than anticipated. Both the employer and the employee should not be subject to contributions in this instance. Senate Bill 1283 provides local soil and water conservation districts with additional flexibility to appropriately plan and prepare for the ongoing prevention and monitoring of invasive species.

Idaho Code 73-101 provides that no part of Idaho Code is retroactive unless expressly declared to be retroactive. Senate Bill 1283 contains this express declaration of emergency need to retroactively apply this legislative action. In this instance, due to the extremely unique nature of the battle against invasive species and the need for soil and water conservation districts to act, both in the past and in the future, the language in Senate Bill 1283, and only Senate Bill 1283, is appropriate.

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 25, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 521](#), [HCR 28](#), [H 686](#), [H 632](#), and [H 624](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 521](#), [HCR 28](#), [H 686](#), [H 632](#), and [H 624](#) and ordered them returned to the House.

March 25, 2024

Dear Mr. President:

I return herewith Enrolled [S 1294](#), [S 1291](#), and [S 1235](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1294](#), [S 1291](#), and [S 1235](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 25, 2024

Dear Mr. President:

I return herewith Enrolled [SJM 103](#), [SCR 116](#), [SCR 111](#), [SCR 113](#), [SCR 119](#), [SCR 120](#), [SCR 121](#), and [SCR 124](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [SJM 103](#), [SCR 116](#), [SCR 111](#), [SCR 113](#), [SCR 119](#), [SCR 120](#), [SCR 121](#), and [SCR 124](#) 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 Health and Welfare Committee report relative to the Gubernatorial appointment of Tim Morgan 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 appointment of Tim Morgan as a member of the Hazardous Waste Facility Siting License Application Review Panel 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 the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Scott Madison 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 Scott Madison as a member of the Idaho Judicial 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 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 the State Affairs Committee report relative to the Gubernatorial reappointment of Evelyn Johnson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by President Pro Tempore Winder, the Gubernatorial reappointment 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 reappointment 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 the Health and Welfare Committee report relative to the Gubernatorial appointment of James McNamara was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Rabe, seconded by Senator Lakey, the Gubernatorial appointment of James McNamara as a member of the Hazardous Waste Facility Siting License Application Review Panel 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.



**H 621**, 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 31.

NAYS—Foreman, Lakey, Lenney. Total - 3.

Absent and excused—Shea (Ruchti). Total - 1.

Total - 35.

Whereupon the President declared **H 621**, as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, **H 670** was referred to the Fourteenth Order of Business, General Calendar.

**H 716** 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:

AYES—Adams, Burtenshaw, Cook, Grow, Hartgen, Just, Lent, Rabe, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Wintrow. Total - 15.

NAYS—Anthon, Bernt, Bjerke, Carlson, Den Hartog, Foreman, Guthrie, Harris, Hart, Herndon, Lakey, Lee, Lenney, Nichols, Okuniewicz, Ricks, Toews, Trakel, Winder, Zuiderveld. Total - 20.

Total - 35.

Whereupon the President declared that **H 716** had failed to pass the Senate and ordered the bill returned to the House.

**H 513** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Trakel 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared **H 513** passed, title was approved, and the bill ordered returned to the House.

**H 601** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toews 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, Grow, Guthrie, Harris, Hart, Hartgen,

Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 26.

NAYS—Foreman, Just, Rabe, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Ward-Engelking, Wintrow. Total - 9.

Total - 35.

Whereupon the President declared **H 601** passed, title was approved, and the bill ordered returned to the House.

**H 629** 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared **H 629** passed, title was approved, and the bill ordered returned to the House.

**H 545** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Okuniewicz arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Nichols disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Herndon, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 26.

NAYS—Hartgen, Just, Lee, Rabe, Semmelroth, Shea (Ruchti), Taylor, Ward-Engelking, Wintrow. Total - 9.

Total - 35.

Whereupon the President declared **H 545** passed, title was approved, and the bill ordered returned to the House.

**H 719** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 28.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz. Total - 7.

Total - 35.

Whereupon the President declared **H 719** passed, title was approved, and the bill ordered returned to the House.

[H 720](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 11.

Total - 35.

Whereupon the President declared [H 720](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 723](#) retained its place on the Third Reading Calendar for one legislative day.

[H 697](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 697](#) passed, title was approved, and the bill ordered returned to the House.

[H 705](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [H 705](#) passed, title was approved, and the bill ordered returned to the House.

#### **Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 712](#), as amended in the Senate, 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 712](#), as amended in the Senate, 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

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

[H 712](#), 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:

AYES—Adams, Anthon, Bernt, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Nichols, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 27.

NAYS—Bjerke, Foreman, Hart, Herndon, Lenney, Okuniewicz, Toews, Trakel. Total - 8.

Total - 35.

Whereupon the President declared [H 712](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On motion by Senator Anthon, seconded by Senator Wintrow, by voice vote the Senate recessed at 4:14 p.m. until the hour of 4:45 p.m. of this day.

#### **RECESS AFTERNOON SESSION**

The Senate reconvened at 4:45 p.m., pursuant to recess, President Bedke presiding.

Roll call showed all members present except Senators Den Hartog and VanOrden, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third 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**

March 25, 2024

The JUDICIARY AND RULES Committee reports that [SCR 133](#), [S 1445](#), [S 1446](#), [S 1447](#), [S 1448](#), [S 1449](#), [S 1450](#), and [S 1451](#) have been correctly printed.

LAKEY, Chairman

[SCR 133](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1445](#), [S 1446](#), [S 1447](#), and [S 1448](#) were referred to the Finance Committee.

[S 1449](#) and [S 1450](#) were referred to the State Affairs Committee.

[S 1451](#) was referred to the Finance 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 Wintrow, by voice vote, the Senate adjourned in memory and reverence of Senator Grow's mother, Elsie Mae Grow, at 5:35 p.m. until the hour of 10:15 a.m., Tuesday, March 26, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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SEVENTY-NINTH LEGISLATIVE DAY  
TUESDAY, MARCH 26, 2024

Senate Chamber

President Bedke called the Senate to order at 10:15 a.m.

Roll call showed all members present except Senators Cook, Den Hartog, and VanOrden, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Benjamin Price, 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 25, 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 Lee, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

Senator Cook was recorded present at this order of business.

### SCR 134

#### BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF DIVERSITY, EQUITY, AND INCLUSION AND SOCIAL JUSTICE IN IDAHO'S PUBLIC POSTSECONDARY INSTITUTIONS.

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

WHEREAS, the State of Idaho is committed to fostering a fair and nondiscriminatory environment in public postsecondary institutions where all citizens, including students and faculty, are treated equally; and

WHEREAS, the advancement of knowledge is the fundamental purpose of the public postsecondary education system, and such advancement requires the free exchange of views as well as the open discussion and debate of contested public policy issues from varying perspectives; and

WHEREAS, the Constitution of the United States, the Constitution of the State of Idaho, and federal and state

laws afford broad protections against the disparate treatment of individuals, including students and faculty, in public postsecondary institutions; and

WHEREAS, in recent years, diversity, equity, and inclusion (DEI) programs, initiatives, and related staff members have become more common nationwide; and

WHEREAS, DEI programs and initiatives generally seek non-neutral, preferential outcomes based on providing a benefit to individuals on the basis of race, color, ethnicity, national origin, disability, or religion; and

WHEREAS, together with DEI, social justice ideology has become more commonplace with respect to public postsecondary education across the nation; and

WHEREAS, proponents of social justice ideology advocate for a fair balance in the distribution of wealth, opportunities, and privileges within a society; and

WHEREAS, the use of DEI and social justice ideologies may influence hiring or employment practices, the promotion of differential treatment with respect to policies and procedures, the favoring of certain points of view within education and discourse, and training or instruction meant to promote DEI and social justice ideologies; and

WHEREAS, in recent years, public postsecondary educational institutions across the country have increased the number of non-instructional or administrative staff, particularly in DEI-related positions; and

WHEREAS, in addition to the hiring of DEI-related faculty, there are other costs associated with DEI requirements, including faculty time spent preparing and teaching such courses and time and tuition dollars that students spend on such material; and

WHEREAS, spending on DEI and social justice initiatives has, nationwide, taken away valuable resources that could have been committed to supporting more students' academic pursuits and improving education outcomes; and

WHEREAS, tuition for most public postsecondary educational institutions is already expensive and is cost-prohibitive for some students; and

WHEREAS, the Legislature is committed to the sound and prudent use of taxpayer dollars to provide for beneficial and cost-effective public postsecondary education; and

WHEREAS, the public has a right to know about activities that are funded by taxpayers; and

WHEREAS, it is the intent of the Legislature that Idaho's public postsecondary educational institutions teach the knowledge and skills that students need to be thoughtful and productive citizens without additional and unnecessary expense and bureaucracy; and

WHEREAS, it is also the intent of the Legislature that no state-appropriated funds are used to support diversity, equity, and inclusion, or social justice ideology as part of any student activities, clubs, events, or organizations on the campuses of Idaho's public postsecondary institutions.

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 undertake and complete a study of the prevalence and impacts of diversity, equity, and inclusion and social justice ideology in Idaho's public postsecondary institutions, including any associated policies, procedures, staffing, and related costs. 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 First Regular Session of the Sixty-eighth Idaho Legislature.

[SCR 134](#) 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 25, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [SJM 103](#), [SCR 116](#), [SCR 111](#), [SCR 113](#), [SCR 119](#), [SCR 120](#), [SCR 121](#), and [SCR 124](#) were delivered to the Office of the Secretary of State at 2:33 p.m., March 25, 2024.

LAKEY, Chairman

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

March 25, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1294](#), [S 1291](#), and [S 1235](#) were delivered to the Office of the Governor at 2:42 p.m., March 25, 2024.

LAKEY, Chairman

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

March 26, 2024

The FINANCE Committee reports out [S 1445](#), [S 1446](#), [S 1447](#), [S 1448](#), and [S 1451](#) with the recommendation that they do pass.

GROW, Chairman

[S 1445](#), [S 1446](#), [S 1447](#), [S 1448](#), and [S 1451](#) were filed for second reading.

March 26, 2024

The STATE AFFAIRS Committee reports out [S 1443](#) and [S 1450](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[S 1443](#) and [S 1450](#) 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 25, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 25, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1275](#), [S 1303](#), as amended, [S 1305](#), as amended, and [S 1317](#)

Sincerely,  
/s/ Brad Little  
Governor of Idaho

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

March 25, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 25, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[SENATE BILL 1380](#)

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 4:52 p.m. on March 19, 2024.

Maintaining public trust and confidence in government is of paramount importance, especially when the mission is serving the best interests of Idaho's most vulnerable children. I believe Senate Bill 1380, by creating an independent ombudsman's office, will further public confidence and help identify productive and innovative ideas by which Idaho can better support children and those serving critical roles in foster care and child protection.

I look forward to my administration implementing this bill and identifying possible amendments next year to ensure the ombudsman's office is most effective. Currently, I have two recommendations for the Legislature to consider:

First, to maximize the independence of the ombudsman's office, the Legislature should consider amending code to allow the ombudsman's office to have legal counsel different than that advising the department it is tasked with overseeing. Unless amended, the Office of the Attorney General will be statutorily obligated to represent both the ombudsman's office and the Department of Health and Welfare. Dual representation by the same legal office conflicts with the legislative mandate for independence and will impair the ombudsman's authority to "pursue all necessary action, including legal action, to protect the child's welfare and rights." This recommendation can be accomplished simply by adding the ombudsman's office to the list of self-governing agencies already enumerated in Idaho Code 67-1406(2).

Second, the Legislature should consider broadening the oversight functions of the ombudsman's office to other key executive functions, such as officials' compliance with laws governing public records, open meetings, and ethics. Legal conflicts arise when one executive office attempts to investigate another for advice the former rendered to the latter. Such conflicts are proven to be counterproductive and expensive for Idaho's taxpayers. I believe the public trust in government is best maintained when the roles of general counsel and inspector general served by two distinct offices of state government.



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 25, 2024

Dear Mr. President:

I transmit herewith [H 730](#) and [H 729](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 730](#) and [H 729](#) were filed for first reading.

March 25, 2024

Dear Mr. President:

I return herewith [S 1431](#), [S 1430](#), [S 1403](#), [S 1284](#), [S 1292](#), [S 1262](#), [S 1278](#), [S 1309](#), as amended, [S 1350](#), [S 1368](#), and [S 1247](#), as amended, which have passed the House.

MCGINNIS, Chief Clerk

[S 1431](#), [S 1430](#), [S 1403](#), [S 1284](#), [S 1292](#), [S 1262](#), [S 1278](#), [S 1309](#), as amended, [S 1350](#), [S 1368](#), and [S 1247](#), as amended, were referred to the Judiciary and Rules Committee for enrolling.

March 25, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 460](#), [H 645](#), [H 668](#), and [H 501](#), as amended, for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 460](#), [H 645](#), [H 668](#), and [H 501](#), as amended, and ordered them returned to the House.

March 25, 2024

Dear Mr. President:

I return herewith Enrolled [S 1426](#), which has been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1426](#) 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 Tenth Order of Business.

### Motions and Resolutions

On request by Senator Lee, granted by unanimous consent, [SCR 112](#), [SCR 114](#), [SCR 115](#), and [HCR 31](#) retained their place on the calendar for one legislative day.

The President announced that [SCR 132](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Cook, seconded by Senator Ward-Engelking, [SCR 132](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 42](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Foreman, seconded by Senator Rabe, [HCR 42](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 43](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Foreman, seconded by Senator Lakey, [HCR 43](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [SCR 133](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Cook, seconded by Senator Ward-Engelking, [SCR 133](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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

Pursuant to Senate Rule 39(H), Senator Okuniewicz disclosed a possible conflict of interest under applicable law.

On motion by Senator Toews, seconded by Senator Ward-Engelking, the Gubernatorial appointment of James Hammond as a member of the State Building Authority 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 the State Affairs Committee report relative to the Gubernatorial reappointment of Travis "Bear" Prairie was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Semmelroth, the Gubernatorial reappointment of Travis "Bear" Prairie as a member of the Idaho Energy Resources Authority 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.

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

On motion by Senator Ricks, seconded by Senator Wintrow, the Gubernatorial appointment of Darin Burrell 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 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 the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of John Dinger 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 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 reappointment confirmation for his 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, [HCR 31](#) was placed before the Senate for final consideration at this time.

The President announced that [HCR 31](#), having been held, was before the Senate for final consideration.

Moved by Senator Anthon, seconded by President Pro Tempore Winder, that [HCR 31](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Herndon, Lenney. Total - 2.

Absent and excused—VanOrden. Total - 1.

Total - 35.

Whereupon the President declared [HCR 31](#) 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 1452 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO EDUCATION FUNDING; AMENDING SECTION 33-916, IDAHO CODE, AS ADDED BY SECTION 18 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE ELIGIBILITY OF SCHOOL DISTRICTS FOR SCHOOL MODERNIZATION FACILITIES FUND DISTRIBUTIONS; AMENDING SECTION 33-102A, IDAHO CODE, AS AMENDED IN SECTION 5 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE APPOINTMENT OF A CERTAIN EXECUTIVE OFFICER; AND DECLARING

AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1452](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 730](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 729](#), by Ways and Means 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**

[H 722](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1437](#) and [S 1442](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 514](#), as amended, by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 725](#), [H 726](#), and [H 731](#), 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 Anthon, granted by unanimous consent, [S 1389](#), [S 1434](#), [H 570](#), as amended in the Senate, and [H 398](#), as amended in the Senate, retained their place on the Third Reading Calendar for one legislative day.

On request by Senator Cook, granted by unanimous consent, [H 723](#) was recommitted to the Finance Committee.

President Pro Tempore Winder made a unanimous consent request to recommit [H 726](#) to the Finance Committee.

Senator Herndon objected to the unanimous consent request.

Moved by President Pro Tempore Winder, seconded by Senator Wintrow, the question being "Shall [H 726](#) be recommitted to the Finance Committee?"

The President announced that the motion to recommit [H 726](#) to the Finance Committee prevailed by voice vote.

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

#### **Reports of Standing Committees**

March 26, 2024

The JUDICIARY AND RULES Committee reports that [SCR 134](#) and [S 1452](#) have been correctly printed.

LAKEY, Chairman

[SCR 134](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1452](#) was referred to the State Affairs Committee.

On motion by Senator Anthon, seconded by Senator Wintrow, by voice vote the Senate recessed at 12:10 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 Bedke presiding.

Roll call showed all members present except President Pro Tempore Winder and Senators Hart, Lee, Ricks, and VanOrden, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

Senator Ricks was recorded present at this order of business.

March 26, 2024

The JUDICIARY AND RULES Committee reports that [S 1431](#), [S 1430](#), [S 1403](#), [S 1284](#), [S 1292](#), [S 1262](#), [S 1278](#), [S 1309](#), as amended, [S 1350](#), [S 1368](#), and [S 1247](#), as amended, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1431](#), [S 1430](#), [S 1403](#), [S 1284](#), [S 1292](#), [S 1262](#), [S 1278](#), [S 1309](#), as amended, [S 1350](#), [S 1368](#), and [S 1247](#), as amended, and ordered them transmitted to the House for the signature of the Speaker.

March 26, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1426](#) was delivered to the Office of the Governor at 12:28 p.m., March 26, 2024.

LAKEY, Chairman

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

March 26, 2024

The STATE AFFAIRS Committee reports out [S 1452](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[S 1452](#) was filed for second reading.

March 26, 2024

The TRANSPORTATION Committee reports out [H 729](#) with the recommendation that it do pass.

OKUNIEWICZ, Chairman

[H 729](#) 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 26, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 26, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1235](#) and [S 1244](#)

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 26, 2024

Dear Mr. President:

I transmit herewith Enrolled [HCR 39](#), [HCR 41](#), [H 685](#), [H 630](#), [H 626](#), [H 563](#), and [H 596](#), as amended in the Senate, for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [HCR 39](#), [HCR 41](#), [H 685](#), [H 630](#), [H 626](#), [H 563](#), and [H 596](#), as amended in the Senate, 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 1453  
BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF INDIRECT SUPPORT SERVICES, LICENSING AND CERTIFICATION, AND INDEPENDENT COUNCILS FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR DEPARTMENT OVERSIGHT POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2024; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF LICENSING AND CERTIFICATION FOR FISCAL YEAR 2024; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2024; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF LICENSING AND CERTIFICATION FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

[S 1453](#) 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

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

### Second Reading of Bills

Senator Lee was recorded present at this order of business.

### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [S 1452](#) 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 1452](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—VanOrden. Total - 1.

Total - 35.

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

[S 1452](#) 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 Lent 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 Harris disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Grow. Total - 1.

Absent and excused—VanOrden. Total - 1.

Total - 35.

Whereupon the President declared [S 1452](#) 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

On request by Senator Anthon, granted by unanimous consent, [S 1440](#) was placed before the Senate for consideration at this time.

[S 1440](#) 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—Anthon, Burtenshaw, Cook, Guthrie, Harris, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Ward-Engelking, Wintrow. Total - 22.

NAYS—Adams, Bernt, Bjerke, Carlson, Den Hartog, Foreman, Grow, Hart, Just, Okuniewicz, Winder, Zuiderveld. Total - 12.

Absent and excused—VanOrden. Total - 1.

Total - 35.

Whereupon the President declared [S 1440](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 708](#), 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Semmelroth, Taylor, Toews, Trakel, Zuiderveld. Total - 29.

NAYS—Rabe, Shea (Ruchti), Ward-Engelking, Wintrow. Total - 4.

Absent and excused—VanOrden, Winder. Total - 2.

Total - 35.

Whereupon the President declared [H 708](#), 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, [H 398](#), as amended in the Senate, was placed before the Senate for consideration at this time.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, Zuiderveld. Total - 27.

NAYS—Rabe, Semmelroth, Shea (Ruchti), Taylor, Ward-Engelking, Wintrow. Total - 6.

Absent and excused—VanOrden, Winder. Total - 2.

Total - 35.

Whereupon the President declared [H 398](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 725](#) 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 725](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Ward-Engelking, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—VanOrden, Winder. Total - 2.

Total - 35.

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

[H 725](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke 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, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Ward-Engelking, Wintrow, Zuiderveld. Total - 29.

NAYS—Den Hartog, Lenney, Trakel. Total - 3.

Absent and excused—Schroeder, VanOrden, Winder. Total - 3.

Total - 35.

Whereupon the President declared [H 725](#) passed, title was approved, and the bill ordered returned to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 731](#) 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 731](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Ward-Engelking, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—VanOrden, Winder. Total - 2.

Total - 35.

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

[H 731](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Semmelroth, Shea (Ruchti), Taylor, Ward-Engelking, Wintrow. Total - 22.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Absent and excused—Schroeder, VanOrden, Winder. Total - 3.

Total - 35.

Whereupon the President declared [H 731](#) 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

March 26, 2024

Dear Mr. President:

I return herewith [S 1381](#), as amended in the House, which has passed the House.

MCGINNIS, Chief Clerk

On request by Senator Guthrie, granted by unanimous consent, [S 1381](#), 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.

March 26, 2024

Dear Mr. President:

I return herewith [S 1394](#), [SCR 125](#), [SCR 126](#), and [SCR 129](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1394](#), [SCR 125](#), [SCR 126](#), and [SCR 129](#) were referred to the Judiciary and Rules Committee for enrolling.

March 26, 2024

Dear Mr. President:

I return herewith [SP 101](#), which has passed the House.

MCGINNIS, Chief Clerk

[SP 101](#) was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that the House amendments to [S 1381](#), 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 1381](#), as amended in the House?"

On request by Senator Guthrie, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1381](#), as amended in the House.

[S 1381](#), 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 Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Wintrow, by voice vote, the Senate adjourned at 5:09 p.m. until the hour of 10 a.m., Wednesday, March 27, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**EIGHTIETH LEGISLATIVE DAY**  
**WEDNESDAY, MARCH 27, 2024**

Senate Chamber

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

Roll call showed all members present except Senator Ward-Engelking, absent and formally excused by the Chair; and Senators Cook and VanOrden, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Ashley Richardson, 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 26, 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.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

Senator Cook was recorded present at this order of business.

March 26, 2024

Dear President Pro Tempore,

I have the honor to inform you that pursuant to Title 67-412, I have designated Stephen Patterson of Boise, ID, 83716 as a qualified substitute for Legislative District 18, Ada County, State of Idaho.

This appointment is effective Wednesday, March 27, 2024, and will continue until Friday, March 29, 2024.

Sincerely,  
/s/ Senator Ward-Engelking

Having previously received the Oath of Office, Acting Senator Patterson was recorded present at this order of business and the correspondence was ordered filed in the office of the Secretary.

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

### Reports of Standing Committees

March 27, 2024

The JUDICIARY AND RULES Committee reports that [S 1453](#) has been correctly printed.

LAKEY, Chairman

[S 1453](#) was referred to the Finance Committee.

March 27, 2024

The JUDICIARY AND RULES Committee reports that [S 1381](#), as amended in the House, has been correctly engrossed.

LAKEY, Chairman

[S 1381](#), as amended in the House, was filed for first reading.

March 27, 2024

The JUDICIARY AND RULES Committee reports that [S 1394](#), [SCR 125](#), [SCR 126](#), and [SCR 129](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1394](#), [SCR 125](#), [SCR 126](#), and [SCR 129](#) 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 Eighth Order of Business.

### Messages from the Governor

March 26, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 26, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1294](#)

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 26, 2024

Dear Mr. President:

I return herewith [S 1293](#), as amended, as amended in the House, which has passed the House.

MCGINNIS, Chief Clerk

On request by Senator Anthon, granted by unanimous consent, [S 1293](#), as amended, 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.

March 26, 2024

Dear Mr. President:

I transmit herewith [H 727](#), [HCR 47](#), [HCR 48](#), [H 742](#), and [H 745](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 727](#), [HCR 47](#), [HCR 48](#), [H 742](#), and [H 745](#) were filed for first reading.

March 26, 2024

Dear Mr. President:

I return herewith [S 1276](#), [S 1277](#), [S 1327](#), [S 1328](#), as amended, and [S 1376](#), as amended, which have passed the House.

MCGINNIS, Chief Clerk

[S 1276](#), [S 1277](#), [S 1327](#), [S 1328](#), as amended, and [S 1376](#), as amended, were referred to the Judiciary and Rules Committee for enrolling.

March 26, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 620](#), as amended, [H 600](#), [H 489](#), [H 597](#), [HJR 5](#), [H 621](#), as amended, [H 513](#), [H 601](#), [H 629](#), [H 545](#), [H 719](#), [H 720](#), [H 697](#), [H 705](#), [H 583](#), as amended in the Senate, [H 572](#), as amended in the Senate, [H 608](#), as amended in the Senate, [H 542](#), as amended in the Senate, and [H 614](#), as amended in the Senate, for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 620](#), as amended, [H 600](#), [H 489](#), [H 597](#), [HJR 5](#), [H 621](#), as amended, [H 513](#), [H 601](#), [H 629](#), [H 545](#), [H 719](#), [H 720](#), [H 697](#), [H 705](#), [H 583](#), as amended in the Senate, [H 572](#), as amended in the Senate, [H 608](#), as amended in the Senate, [H 542](#), as amended in the Senate, and [H 614](#), as amended in the Senate, and ordered them returned to the House.

March 26, 2024

Dear Mr. President:

I return herewith Enrolled [S 1431](#), [S 1430](#), [S 1403](#), [S 1284](#), [S 1292](#), [S 1262](#), [S 1278](#), [S 1309](#), as amended, [S 1350](#), [S 1368](#), and [S 1247](#), as amended, which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1431](#), [S 1430](#), [S 1403](#), [S 1284](#), [S 1292](#), [S 1262](#), [S 1278](#), [S 1309](#), as amended, [S 1350](#), [S 1368](#), and [S 1247](#), as amended, 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 the House amendments to [S 1293](#), as amended, 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 1293](#), as amended, as amended in the House?"

On request by Senator Anthon, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1293](#), as amended, as amended in the House.

[S 1293](#), as amended, 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 Eleventh Order of Business.

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

##### S 1454

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE EXECUTIVE OFFICE OF THE GOVERNOR; APPROPRIATING ADDITIONAL MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1455

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PUBLIC HEALTH SERVICES DIVISION FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PUBLIC HEALTH SERVICES DIVISION FOR FISCAL YEAR 2025; REDUCING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; REQUIRING NOTIFICATION TO THE LEGISLATURE OF CERTAIN FEDERAL GRANTS; ALLOCATING FUNDING FOR SMOKING CESSATION; DIRECTING USE OF THE STATE OPIOID RESPONSE GRANT; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PUBLIC HEALTH SERVICES DIVISION FOR FISCAL YEAR 2024; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PUBLIC HEALTH SERVICES DIVISION FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

[S 1454](#) and [S 1455](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1381](#), as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

[H 727](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 47](#), by Ways and Means Committee, was introduced, read at length, and referred to the Local Government and Taxation Committee.

[HCR 48](#), by Ways and Means Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[H 742](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.



[H 745](#), 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 1445](#), [S 1446](#), [S 1447](#), [S 1448](#), and [S 1451](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1443](#) and [S 1450](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 729](#), 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

On request by Senator Anthon, granted by unanimous consent, [H 514](#), as amended, was placed before the Senate for consideration at this time.

[H 514](#), 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:

AYES—Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Adams, VanOrden. Total - 2.

Total - 35.

Whereupon the President declared [H 514](#), as amended, passed, title was approved, and the bill ordered returned to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [S 1446](#) 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 1446](#) 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:

AYES—Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Adams, VanOrden. Total - 2.

Total - 35.

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

[S 1446](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Winder, Wintrow. Total - 31.

NAYS—Foreman, Trakel, Zuiderveld. Total - 3.

Absent and excused—VanOrden. Total - 1.

Total - 35.

Whereupon the President declared [S 1446](#) passed, title was approved, and the bill ordered transmitted to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [S 1447](#) 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 1447](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—VanOrden. Total - 1.

Total - 35.

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

[S 1447](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Winder, Wintrow. Total - 24.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Absent and excused—VanOrden. Total - 1.

Total - 35.

Whereupon the President declared [S 1447](#) passed, title was approved, and the bill ordered transmitted to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [S 1443](#) 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 1443](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—VanOrden. Total - 1.

Total - 35.

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

[S 1443](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—VanOrden. Total - 1.

Total - 35.

Whereupon the President declared [S 1443](#) 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 Wintrow, by voice vote the Senate recessed at 11 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 Bedke presiding.

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

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 27, 2024

The JUDICIARY AND RULES Committee reports that [S 1454](#) and [S 1455](#) have been correctly printed.

LAKEY, Chairman

[S 1454](#) and [S 1455](#) were referred to the Finance Committee.

March 27, 2024

The JUDICIARY AND RULES Committee reports that [S 1293](#), as amended, as amended in the House, has been correctly engrossed.

LAKEY, Chairman

[S 1293](#), as amended, as amended in the House, was filed for first reading.

March 27, 2024

The JUDICIARY AND RULES Committee reports that [S 1276](#), [S 1277](#), [S 1327](#), [S 1328](#), as amended, and [S 1376](#), as amended, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1276](#), [S 1277](#), [S 1327](#), [S 1328](#), as amended, and [S 1376](#), as amended, and ordered them transmitted to the House for the signature of the Speaker.

March 27, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1431](#), [S 1430](#), [S 1403](#), [S 1284](#), [S 1292](#), [S 1262](#), [S 1278](#), [S 1309](#), as amended, [S 1350](#), [S 1368](#), and [S 1247](#), as amended, were delivered to the Office of the Governor at 11:43 a.m., March 27, 2024.

LAKEY, Chairman

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

March 27, 2024

The FINANCE Committee reports out [S 1453](#) with the recommendation that it do pass.

GROW, Chairman

[S 1453](#) was filed for second reading.

March 27, 2024

The COMMERCE AND HUMAN RESOURCES Committee reports out [HCR 48](#) with the recommendation that it do pass.

COOK, Chairman

[HCR 48](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 27, 2024

The LOCAL GOVERNMENT AND TAXATION Committee reports out [HCR 47](#) with the recommendation that it do pass.

RICKS, Chairman

[HCR 47](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 27, 2024

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:

Monty Prow to the Sexual Offender Management Board, term to expire January 1, 2027.

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.

March 27, 2024

The FINANCE Committee reports out [H 723](#) and [H 726](#) with the recommendation that they do pass.

GROW, Chairman

[H 723](#) and [H 726](#), having been previously on the Second Reading Calendar, were referred to the Thirteenth Order of Business, Third Reading of Bills.

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

#### Petitions, Resolutions, and Memorials

#### SR 102

#### BY STATE AFFAIRS COMMITTEE

#### A SENATE RESOLUTION

STATING FINDINGS OF THE SENATE AND STATING THE INTENTION OF THE SENATE IN PASSING HOUSE CONCURRENT RESOLUTION NO. 29 REGARDING RULES OF THE DEPARTMENT OF ADMINISTRATION, RULES OF THE DIVISION OF PURCHASING.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code; and

WHEREAS, pursuant to House Concurrent Resolution No. 29, as adopted by the Second Regular Session of the Sixty-seventh Idaho Legislature, the Legislature has rejected certain executive agency rules of the Department of Administration relating to Rules of the Division of Purchasing, with respect to the type of solicitation called an "invitation to negotiate" or "competitive negotiation"; and

WHEREAS, the Senate acknowledges that over the last several years multiple state contracts have been entered into using the "invitation to negotiate" and/or "competitive negotiation" solicitation types.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the Second Regular Session of

the Sixty-seventh Idaho Legislature, that when passing House Concurrent Resolution No. 29, the Senate intended not to supplant any findings of fact and conclusions of law by a court of law, nor to alter, impair, or otherwise impact any contracts entered into or now in effect, nor to alter, impair, or otherwise impact any prior solicitations that included an "invitation to negotiate" or "competitive negotiations."

BE IT FURTHER RESOLVED that the intention of the Senate when passing House Concurrent Resolution No. 29 was for the rule rejection to apply prospectively to future solicitations only and shall be deemed to have an effective date of July 1, 2024.

[SR 102](#) 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

March 27, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 27, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1374](#), as amended

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 27, 2024

Dear Mr. President:

I transmit herewith [H 733](#), [H 734](#), [H 735](#), and [H 738](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 733](#), [H 734](#), [H 735](#), and [H 738](#) were filed for first reading.

March 27, 2024

Dear Mr. President:

I return herewith [S 1435](#) and [SCR 128](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1435](#) and [SCR 128](#) were referred to the Judiciary and Rules Committee for enrolling.

March 27, 2024

Dear Mr. President:

I transmit herewith Enrolled [HCR 42](#), [HCR 43](#), and [HCR 31](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [HCR 42](#), [HCR 43](#), and [HCR 31](#) 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 1456  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR FISCAL YEAR 2025; REQUIRING A REPORT ON PROVIDER RATE INCREASES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2024; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

**S 1457  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO DUTIES OF THE GOVERNOR; AMENDING SECTION 67-802, IDAHO CODE, TO PROVIDE THAT THE GOVERNOR SHALL MAKE APPOINTMENTS AND FILL VACANCIES WITHIN A CERTAIN TIME AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-303, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1456](#) and [S 1457](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1293](#), as amended, as amended in the House, by Local Government and Taxation Committee, was read the first time at length and filed for second reading.

[H 733](#) and [H 734](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 735](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 738](#), 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 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 729](#) 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 729](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Patterson (Ward-Engelking). Total - 1.

Absent and excused—Burtenshaw, VanOrden. Total - 2.

Total - 35.

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

[H 729](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Okuniewicz 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, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, Winder, Zuiderveld. Total - 26.

NAYS—Just, Patterson (Ward-Engelking), Rabe, Semmelroth, Shea (Ruchti), Taylor, Wintrow. Total - 7.

Absent and excused—Burtenshaw, VanOrden. Total - 2.

Total - 35.

Whereupon the President declared [H 729](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 576](#) was placed before the Senate for consideration at this time.

Having been held, [H 576](#) 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:

AYES—Adams, Anthon, Bernt, Bjerke, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea

(Ruchti), Taylor, Toews, Trakel, Winder, Wintrow, Zuiderveld.  
Total - 33.

NAYS–None.

Absent and excused–Burtenshaw, VanOrden. Total - 2.

Total - 35.

Whereupon the President declared [H 576](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1442](#) was placed before the Senate for consideration at this time.

[S 1442](#) 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:

AYES–Adams, Anthon, Bernt, Bjerke, Cook, Den Hartog, Grow, Guthrie, Hartgen, Just, Lakey, Lee, Lent, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Winder, Wintrow. Total - 22.

NAYS–Carlson, Foreman, Harris, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 11.

Absent and excused–Burtenshaw, VanOrden. Total - 2.

Total - 35.

Whereupon the President declared [S 1442](#) passed, title was approved, and the bill ordered transmitted to the House.

#### **Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [S 1450](#) 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 1450](#) 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:

AYES–Adams, Anthon, Bernt, Bjerke, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, Winder, Wintrow. Total - 28.

NAYS–Carlson, Herndon, Lenney, Nichols, Zuiderveld. Total - 5.

Absent and excused–Burtenshaw, VanOrden. Total - 2.

Total - 35.

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

[S 1450](#) 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–Anthon, Bernt, Cook, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Patterson (Ward-Engelking), Schroeder, Shea (Ruchti), Winder. Total - 14.

NAYS–Adams, Bjerke, Carlson, Den Hartog, Foreman, Grow, Hart, Herndon, Lenney, Nichols, Okuniewicz, Rabe, Ricks, Semmelroth, Taylor, Toews, Trakel, Wintrow, Zuiderveld. Total - 19.

Absent and excused–Burtenshaw, VanOrden. Total - 2.

Total - 35.

Whereupon the President declared that [S 1450](#) had failed to pass the Senate and ordered the bill filed in Office of the Secretary of 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 Wintrow, by voice vote, the Senate adjourned at 4:12 p.m. until the hour of 9:30 a.m., Thursday, March 28, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**EIGHTY-FIRST LEGISLATIVE DAY**  
**THURSDAY, MARCH 28, 2024**

Senate Chamber

President Bedke called the Senate to order at 9:30 a.m.

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Cameron Spencer, 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 27, 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

March 28, 2024

The JUDICIARY AND RULES Committee reports that [SR 102](#), [S 1456](#), and [S 1457](#) have been correctly printed.

LAKEY, Chairman

[SR 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 1456](#) was referred to the Finance Committee.

[S 1457](#) was referred to the State Affairs Committee.

March 27, 2024

The JUDICIARY AND RULES Committee reports that [S 1435](#) and [SCR 128](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1435](#) and [SCR 128](#) and ordered them transmitted to the House for the signature of the Speaker.

March 27, 2024

The EDUCATION Committee reports out [H 745](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LENT, Chairman

There being no objection, [H 745](#) 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

Senator Trakel was recorded present at this order of business.

March 27, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 27, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1292](#), [S 1430](#), and [S 1431](#)

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 27, 2024

Dear Mr. President:

I transmit herewith [H 747](#), [H 748](#), [H 749](#), and [H 750](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 747](#), [H 748](#), [H 749](#), and [H 750](#) were filed for first reading.

March 27, 2024

Dear Mr. President:

I return herewith [S 1377](#) and [S 1226](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1377](#) and [S 1226](#) were referred to the Judiciary and Rules Committee for enrolling.

March 27, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 725](#) and [H 731](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 725](#) and [H 731](#) and ordered them returned to the House.

March 27, 2024

Dear Mr. President:

I return herewith Enrolled [S 1394](#), which has been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1394](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 27, 2024

Dear Mr. President:

I return herewith Enrolled [SCR 125](#), [SCR 126](#), and [SCR 129](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [SCR 125](#), [SCR 126](#), and [SCR 129](#) 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**

On request by Senator Anthon, granted by unanimous consent, [HCR 48](#) was placed before the Senate for final consideration at this time.

The President announced that [HCR 48](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Cook, seconded by Senator Harris, [HCR 48](#) 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, [HCR 47](#) was placed before the Senate for final consideration at this time.

The President announced that [HCR 47](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Schroeder, seconded by Senator Rabe, [HCR 47](#) 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 Gubernatorial appointment of Monty Prow was placed before the Senate for final consideration at this time.

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

On motion by Senator Lakey, seconded by Senator Wintrow, the Gubernatorial appointment of Monty Prow 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 his 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**

[H 747](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 748](#), [H 749](#), and [H 750](#), 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 1381](#), as amended in the House, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1453](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1293](#), as amended, as amended in the House, 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 1437](#) was placed before the Senate for consideration at this time.

[S 1437](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Wintrow. Total - 24.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Winder, Zuiderveld. Total - 11.

Total - 35.

Whereupon the President declared [S 1437](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1445](#) was placed before the Senate for consideration at this time.

[S 1445](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Hartgen, Just, Lee, Patterson (Ward-Engelking), Rabe, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Wintrow. Total - 10.

NAYS—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Herndon, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, Winder, Zuiderveld. Total - 25.

Total - 35.

Whereupon the President declared that [S 1445](#) 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 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 Wintrow, by voice vote the Senate recessed at 10:55 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 Bedke presiding.

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

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

Senator Adams was recorded present at this order of business.

March 28, 2024

The JUDICIARY AND RULES Committee reports that [S 1377](#) and [S 1226](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1377](#) and [S 1226](#) and ordered them transmitted to the House for the signature of the Speaker.

March 28, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1394](#) was delivered to the Office of the Governor at 10:23 a.m., March 28, 2024.

LAKEY, Chairman

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

March 28, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 125](#), [SCR 126](#), and [SCR 129](#) were delivered to the Office of the Secretary of State at 10:24 a.m., March 28, 2024.

LAKEY, Chairman

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

March 28, 2024

The FINANCE Committee reports out [H 733](#), [H 734](#), [H 738](#), [S 1454](#), [S 1455](#), [S 1456](#), [H 748](#), [H 749](#), and [H 750](#) with the recommendation that they do pass.

GROW, Chairman

[H 733](#), [H 734](#), [H 738](#), [S 1454](#), [S 1455](#), [S 1456](#), [H 748](#), [H 749](#), and [H 750](#) were filed for second reading.

March 28, 2024

The STATE AFFAIRS Committee reports out [H 727](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[H 727](#) was filed for second reading.

March 28, 2024

The EDUCATION Committee reports out [H 747](#) with the recommendation that it do pass.

LENT, Chairman

[H 747](#) was 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

##### SCR 135

##### BY STATE AFFAIRS COMMITTEE

##### A CONCURRENT RESOLUTION

##### STATING FINDINGS OF THE LEGISLATURE AND DENOUNCING RACISM AND HATE SPEECH.

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

WHEREAS, last week, while visiting Idaho, the University of Utah women's basketball team experienced an incident of racism that may have constituted, according to law enforcement, malicious harassment and disorderly conduct; and

WHEREAS, the Aryan Nations and other hate groups have existed in Idaho in the past; and

WHEREAS, the racist incident that the University of Utah women's basketball team experienced is not a protected speech issue; and

WHEREAS, for the same reason that one cannot yell "fire!" in a crowded theater, one cannot yell racial slurs at a group of young Black women while attempting to intimidate them; and

WHEREAS, yelling a racial slur in a manner meant to symbolize hatred towards a particular race at a person of such race while acting in a confrontational manner was likely to incite genuine fear in the victims of such speech; and

WHEREAS, inciting genuine fear in an attempt to intimidate a person jeopardizes such person's health and safety and is, therefore, not protected speech; and

WHEREAS, the racist incident involving the University of Utah women's basketball team reflects negatively on Idaho and is harmful to the state's reputation and interests; and

WHEREAS, to positively affect change, Idaho's leaders must do more than issue public statements denouncing racist acts after they occur; and

WHEREAS, Idaho's citizens have a proud history of combating violence and hatred; and



WHEREAS, people of color who are citizens of Idaho or who visit Idaho do not always feel safe; and

WHEREAS, all people, regardless of race, deserve to feel safe in Idaho.

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 Legislature hereby denounces acts of racism and commits to eradicating the conditions that allow racial animus and undue prejudice to persist in Idaho.

[SCR 135](#) 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 Ninth Order of Business.

**Messages from the House**

March 28, 2024

Dear Mr. President:

I return herewith [S 1314](#), as amended, and [SJM 102](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1314](#), as amended, and [SJM 102](#) were referred to the Judiciary and Rules Committee for enrolling.

March 28, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 514](#), as amended, for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 514](#), as amended, and ordered it returned to the House.

March 28, 2024

Dear Mr. President:

I return herewith Enrolled [S 1276](#), [S 1277](#), [S 1327](#), [S 1328](#), as amended, and [S 1376](#), as amended, which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1276](#), [S 1277](#), [S 1327](#), [S 1328](#), as amended, and [S 1376](#), 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 1458  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LANDS AND THE OFFICE OF THE ATTORNEY GENERAL; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; REDUCING THE APPROPRIATION TO THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2025; REDUCING THE

NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1459  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE AND TO THE OFFICE OF HEALTH AND SOCIAL SERVICES OMBUDSMAN; APPROPRIATING MONEYS TO THE OFFICE OF HEALTH AND SOCIAL SERVICES OMBUDSMAN FOR FISCAL YEAR 2025; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS FOR THE OFFICE OF HEALTH AND SOCIAL SERVICES OMBUDSMAN FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2025; REDUCING THE AUTHORIZED FULL-TIME EQUIVALENT POSITIONS FOR THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF INDIRECT SUPPORT SERVICES; REQUIRING A REPORT TO THE LEGISLATURE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1458](#) and [S 1459](#) 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 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 1296](#), [H 603](#), [H 710](#), [H 670](#), and [H 745](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO S 1296  
AMENDMENT TO THE BILL**

On page 1 of the printed bill, delete lines 11 through 39. Delete pages 2 and 3, and insert:

"SECTION 1. That Title 28, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 54, Title 28, Idaho Code, and to read as follows:

**CHAPTER 54  
DISTRIBUTED LEDGER TECHNOLOGY**

28-5401. SHORT TITLE. This chapter shall be known and may be cited as the "Distributed Ledger Technology Act."

28-5402. LEGISLATIVE FINDINGS AND INTENT. The legislature finds that the use of distributed ledger technology provides substantial positive economic value for

individuals, nonprofit organizations, corporations, cities, and states throughout the United States. However, distributed ledger technology has often faced difficulty with regulations at the state and local level. For these reasons, it is the intent of the legislature to protect the right of individuals and businesses to use distributed ledger technology and to create legal certainty for the distributed ledger technology industry.

28-5403. DEFINITIONS. As used in this chapter:

(1) "Data center" means a use involving a building or premises in which the majority of the use is occupied by computers, telecommunications, or related equipment, including supporting equipment, where information is processed, transferred, and stored.

(2) "Distributed ledger technology" means a peer-to-peer network of computers or computing devices that enable the operation and use of distributed databases for various purposes. Users hold private keys that are used to sign database entries. Nodes in the peer-to-peer network verify database entries through cryptographic proof conditions and record them in a public distributed ledger, without centralized human oversight according to rules established in an algorithmic protocol. Distributed ledger technology tokens are digital assets and can be used as a store of value and a currency.

(3) "Distributed ledger technology node" means a computational device that contains a copy of a distributed ledger technology and that acts as a network communication hub, validates database entries, and relays information on a distributed ledger technology network.

(4) "Distributed ledger technology verification" means the use of electricity or other energy source to power a computer or other computational device for the purpose of validating and securing a distributed ledger technology network, the generation of tokens, or both.

(5) "Distributed ledger technology verification business" means a group of computers or other computational devices working at a single site that consume more than one (1) megawatt of energy on an average annual basis for the purpose of securing a distributed ledger technology network, verifying transactions on a distributed ledger technology network, operating a node on a distributed ledger technology network, or generating tokens on a distributed ledger technology network.

(6) "Hardware cryptocurrency wallet" means a physical device capable of storing distributed ledger technology private and public keys offline.

(7) "Private keys" means a part of an asymmetric cryptographic system that uses a pair of related one-way cryptographic keys to secure access to information recorded in a distributed ledger technology network that is privately held by individual network users.

(8) "Public keys" means a part of an asymmetric cryptographic system that uses a pair of related one-way cryptographic keys to secure access to information recorded in a distributed ledger technology network that is generally viewable by all network users.

28-5404. RIGHT TO OPERATE DISTRIBUTED LEDGER TECHNOLOGY NODES. (1) A governing body of a city or county or any combination of such governing bodies shall not enact an ordinance, resolution, or rule that:

- (a) Imposes requirements on a distributed ledger technology verification business that are not also requirements for data centers in its area of jurisdiction;
- (b) Prevents a distributed ledger technology verification business from operating in an area zoned for industrial use;

(c) Prevents home distributed ledger technology verification, node operation, or token generation at a private residence, except as related to existing noise ordinances;

(d) Rezones an area in which a distributed ledger technology verification business is located without complying with applicable state law and local zoning ordinances; or

(e) Rezones an area with the intent or effect of discriminating against a distributed ledger technology verification business.

(2) A distributed ledger technology verification business may appeal a change in zoning of an area by a local government under any applicable state law or local zoning ordinance.

(3) Any distributed ledger technology verification business operating on or before the effective date of this act may continue to operate regardless of any change in zoning or regulations as long as the business does not expand its operations.

(4) A person that is engaged in home distributed ledger technology verification or that has a distributed ledger technology verification business shall not be considered a money transmitter under the Idaho money transmitters act, chapter 29, title 26, Idaho Code.

28-5405. RIGHT TO SELF-CUSTODY AND USE OF DISTRIBUTED LEDGER TECHNOLOGY TOKENS. A governing body of a city or county or any combination of such governing bodies shall not enact an ordinance, resolution, or rule that prohibits, restricts, or otherwise impairs the ability of an individual to use:

(1) A software or hardware cryptocurrency wallet for self-custody of distributed ledger technology private or public keys; or

(2) Distributed ledger technology tokens for the purchase of legal goods or services.

28-5406. TAXATION OF DISTRIBUTED LEDGER TECHNOLOGY TOKENS. (1) Distributed ledger technology tokens used as a method of payment shall not be subject to any additional tax, withholding, assessment, or charge by the state or a local government that is based solely on the use of distributed ledger technology tokens as the method of payment.

(2) Nothing in this section prohibits the state or a local government from imposing or collecting a tax, withholding, assessment, or charge otherwise authorized pursuant to title 63, Idaho Code.

28-5407. RIGHT TO RUN DISTRIBUTED LEDGER TECHNOLOGY NODES. A governing body of a city or county or any combination of such governing bodies shall not enact an ordinance, resolution, or rule that prohibits, restricts, or otherwise impairs the ability of an individual to run a distributed ledger technology node.

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, delete lines 2 through 9, and insert:  
 "RELATING TO THE DISTRIBUTED LEDGER TECHNOLOGY ACT; AMENDING TITLE 28, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 54, TITLE 28, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE FINDINGS AND INTENT, TO DEFINE TERMS, TO PROVIDE FOR THE RIGHT TO OPERATE DISTRIBUTED

LEDGER TECHNOLOGY NODES, TO PROVIDE A RIGHT TO SELF-CUSTODY AND USE OF DISTRIBUTED LEDGER TECHNOLOGY TOKENS, TO PROHIBIT CERTAIN TAXATION AND TO PROVIDE FOR THE APPLICATION OF IDAHO TAX CODE, AND TO PROVIDE FOR THE RIGHT TO RUN DISTRIBUTED LEDGER TECHNOLOGY NODES; AND DECLARING AN EMERGENCY."

**SENATE AMENDMENT TO H 603**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 21, delete "governor" and insert: "director of such department"; following line 39, insert:

"(5) The provisions of this section shall not apply to any board, commission, or other organization of this state that obtains its funding from dues, fees, or tax assessments paid by its members.";

and delete lines 40 and 41.

On page 2, delete lines 1 and 2.

CORRECTION TO TITLE

On page 1, in line 10, delete "A PENALTY" and insert: "AN EXEMPTION".

**SENATE AMENDMENT TO H 710**

AMENDMENT TO SECTION 2

On page 3 of the printed bill, in line 9, delete "thirty (30)" and insert: "sixty (60)"; in line 12, delete "thirty (30)" and insert: "sixty (60)"; and in line 37, following "have a" insert: "policy and".

**SENATE AMENDMENT TO H 670**

AMENDMENT TO SECTION 4

On page 4 of the printed bill, in line 7, following "analysis" insert: "if the final product is"; in line 9, following "subsidiary" insert: "or affiliate"; and delete line 11, and insert: "genetic analysis. Nothing in this section shall apply to final products that have been merely assembled within a foreign adversary or which subcomponent parts or inputs have been sourced from foreign adversaries but that are not produced by foreign adversary companies. Nothing in this section shall apply to companies domiciled within a foreign adversary but who are owned by or whom a controlling financial interest is held by a United States business or a business owned by a United States alliance country."

CORRECTION TO TITLE

On page 1, in line 8, following "GIES" insert: "AND PROVIDING EXCEPTIONS".

**SENATE AMENDMENT TO H 745**

AMENDMENT TO THE BILL

On page 5 of the printed bill, delete lines 32 through 34, and insert:

"SECTION 3. That Section 33-916, Idaho Code, as added by Section 18 of Bill No.

**521**

, if enacted by the Second Regular Session of the Sixty-seventh Idaho Legislature, be, and the same is hereby amended to read as follows:

33-916. ELIGIBILITY OF SCHOOL DISTRICTS FOR SCHOOL MODERNIZATION FACILITIES FUND DISTRIBUTIONS. The state department of education shall not approve school district requests for annualized distributions

or for distribution from the applicable bond proceeds until the following conditions are satisfied:

(1) The school district has submitted a ten (10) year facilities plan in accordance with provisions of section 33-918, Idaho Code; and

~~(2) The school district attests that if it operated on a five (5) day school week during fiscal year 2024, it will not convert to a four (4) day school week during the period for which the school district has elected to receive funding from the school modernization facilities fund. If the school district does convert from a five (5) day school week to a four (4) day school week or if it operated on a four (4) day school week during fiscal year 2024, it must attest that it meets the minimum contract days and minimum student instructional day requirements of the state board of education, which requirements shall be implemented no later than August 1, 2024; and~~

(3) (2) The school district attests compliance with the dignity and nondiscrimination in public education requirements specified in section 33-138, Idaho Code, and further attests that the school district does not require job applicants to sign written diversity statements.

SECTION 4. That Section 33-102A, Idaho Code, as amended in Section 5 of Bill No.

**521**

, if enacted by the Second Regular Session of the Sixty-seventh Idaho Legislature, be, and the same is hereby amended to read as follows:

33-102A. OFFICE OF THE STATE BOARD – EXECUTIVE OFFICER – APPOINTMENT – COMPENSATION – DUTIES AND POWERS. (1) There is hereby created as an executive agency of the state board of education the office of the state board of education. The governor is hereby authorized to appoint an executive officer of the state board, subject to the advice and consent of the senate, who shall serve at the pleasure of the governor and shall receive such salary as fixed by the governor.

(2) The executive officer shall, under the direction of the state board, have such duties and powers as prescribed by the said board of regents and the state board of education, not otherwise assigned by law.

(3) The executive officer shall, together with the president of the state board of education, submit an annual report to the legislature no later than January 15 of each year, detailing the uses and impact of the school modernization facilities fund.

SECTION 5. An emergency existing therefor, which emergency is hereby declared to exist, Sections 1 and 2 of this act shall be in full force and effect on and after passage and approval, and Sections 3 and 4 of this act shall be in full force and effect on and after July 1, 2024."

CORRECTION TO TITLE

On page 1, delete line 9, and insert: "RENEWAL; AMENDING SECTION 33-916, IDAHO CODE, AS ADDED BY SECTION 18 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE ELIGIBILITY OF SCHOOL DISTRICTS FOR SCHOOL MODERNIZATION FACILITIES FUND DISTRIBUTIONS; AMENDING SECTION 33-102A, IDAHO CODE, AS AMENDED IN SECTION 5 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO

LEGISLATURE, TO REVISE PROVISIONS REGARDING THE APPOINTMENT OF A CERTAIN EXECUTIVE OFFICER; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES."

The Committee also has [S 1224](#), [S 1375](#), and [S 1420](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chairman

On motion by Senator Lee, seconded by Senator Wintrow, the report was adopted by voice vote.

[S 1296](#) 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 603](#), [H 710](#), [H 670](#), and [H 745](#) 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

On request by Senator Anthon, granted by unanimous consent, [H 570](#), as amended in the Senate, was placed before the Senate for consideration at this time.

Having been held, [H 570](#), as amended in the Senate, 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:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Den Hartog, Foreman, Guthrie, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Nichols, Okuniewicz, Patterson (Ward-Engelking), Rabe, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 30.

NAYS—Cook, Grow, Harris, Lent, Ricks. Total - 5.

Total - 35.

Whereupon the President declared [H 570](#), 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, [S 1448](#) was placed before the Senate for consideration at this time.

[S 1448](#) 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Trakel, VanOrden, Wintrow. Total - 25.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Winder, Zuiderveld. Total - 10.

Total - 35.

Whereupon the President declared [S 1448](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1451](#) was placed before the Senate for consideration at this time.

[S 1451](#) 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?"

Pursuant to Senate Rule 39(H), Senator Ricks disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Trakel, VanOrden, Wintrow. Total - 25.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Winder, Zuiderveld. Total - 10.

Total - 35.

Whereupon the President declared [S 1451](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [H 723](#) was placed before the Senate for consideration at this time.

Having been held, [H 723](#) 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:

AYES—Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Hart, Herndon, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, VanOrden, Zuiderveld. Total - 16.

NAYS—Adams, Anthon, Bernt, Foreman, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Patterson (Ward-Engelking), Rabe, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Trakel, Winder, Wintrow. Total - 19.

Total - 35.

Whereupon the President declared that [H 723](#) 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 Sixth Order of Business.

### Reports of Standing Committees

March 28, 2024

The JUDICIARY AND RULES Committee reports that [SCR 135](#), [S 1458](#), and [S 1459](#) have been correctly printed.

LAKEY, Chairman

[SCR 135](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1458](#) and [S 1459](#) were referred to the Finance Committee.

March 28, 2024

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1296](#), [H 603](#), [H 710](#), [H 670](#), and [H 745](#) have been correctly printed.

LAKEY, Chairman

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

March 28, 2024

The JUDICIARY AND RULES Committee reports that [S 1296](#), as amended, has been correctly engrossed.

LAKEY, Chairman

[S 1296](#), as amended, was filed for first reading.

March 28, 2024

The JUDICIARY AND RULES Committee reports that [S 1314](#), as amended, and [SJM 102](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1314](#), as amended, and [SJM 102](#) 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

March 28, 2024

Dear Mr. President:

I transmit herewith [H 741](#) and [H 751](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 741](#) and [H 751](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate consideration of [SR 102](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Winder, Wintrow. Total - 28.

NAYS—Hart, Herndon, Lenney, Nichols, Zuiderveld. Total - 5.

Absent and excused—Adams, Bernt. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [SR 102](#) was before the Senate for final consideration.

Roll call resulted as follows:

AYES—Anthon, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Winder, Wintrow. Total - 28.

NAYS—Hart, Herndon, Lenney, Nichols, Zuiderveld. Total - 5.

Absent and excused—Adams, Bernt. Total - 2.

Total - 35.

Whereupon the President declared [SR 102](#) adopted, title was approved, and the resolution ordered filed in the office of the Secretary of the Senate.

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate consideration of [SCR 135](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Adams, Anthon, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hartgen, Herndon, Just, Lakey, Lee, Lent, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Winder, Wintrow. Total - 29.

NAYS—Lenney, Nichols, Zuiderveld. Total - 3.

Absent and excused—Bernt, Bjerke, Hart. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [SCR 135](#) was before the Senate for final consideration.

Moved by Senator Lee, seconded by Senator Wintrow, that [SCR 135](#) be adopted. The question being, "Shall the resolution be adopted?"

Pursuant to Senate Rule 39(C), a roll call vote was requested by Senator Wintrow, and was supported by Senators Semmelroth, and Taylor.

Pursuant to Senate Rule 45(A), a Call of the Senate was requested by President Pro Tempore Winder and was supported by Senators Lee and Wintrow.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senator Bernt, absent and formally excused by the Chair; and Senators Hart and Lenney, absent and excused.

The President directed the Sergeant at Arms to find and present Senators Hart and Lenney to the Senate.

Senators Hart and Lenney were recorded present.

On request by Senator Anthon, granted by unanimous consent, the Call was lifted.

Roll call resulted as follows:

AYES—Adams, Anthon, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Hart. Total - 1.

Absent and excused—Bernt. Total - 1.

Total - 35.

Whereupon the President declared [SCR 135](#) 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 Eleventh Order of Business.

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

[H 603](#), as amended in the Senate, and [H 710](#), as amended in the Senate, by State Affairs Committee, were read the first time at length and filed for second reading.

[H 670](#), as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[H 745](#), as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

[S 1296](#), as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

[H 741](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 751](#), by Revenue and Taxation 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 Twelfth Order of Business.

#### **Second Reading of Bills**

##### **Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 745](#), as amended in the Senate, 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 745](#), as amended in the Senate, 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—Adams, Anthon, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea

(Ruchti), Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Bernt, Grow. Total - 2.

Total - 35.

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

[H 745](#), as amended in the Senate, 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 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—Adams, Anthon, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Patterson (Ward-Engelking), Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Bernt. Total - 1.

Total - 35.

Whereupon the President declared [H 745](#), as amended in the Senate, 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**

On request by Senator Grow, granted by unanimous consent, [H 726](#) was recommitted to the Finance 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 Wintrow, by voice vote, the Senate adjourned at 6:08 p.m. until the hour of 10 a.m., Friday, March 29, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**EIGHTY-SECOND LEGISLATIVE DAY**  
**FRIDAY, MARCH 29, 2024**

Senate Chamber

President Pro Tempore Winder 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 Senator Toews, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Keegan Watts, 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 28, 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 Lee, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 29, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1276](#), [S 1277](#), [S 1327](#), [S 1328](#), as amended, and [S 1376](#), as amended, were delivered to the Office of the Governor at 8:06 a.m., March 29, 2024.

LAKEY, Chairman

The report was 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 Eighth Order of Business.

### Messages from the Governor

March 28, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 28, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1309](#), as amended, [S 1368](#), and [S 1403](#)

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 28, 2024

Dear Mr. President:

I transmit herewith [H 752](#) and [H 746](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 752](#) and [H 746](#) were filed for first reading.

March 28, 2024

Dear Mr. President:

I return herewith [S 1367](#), [S 1313](#), and [S 1358](#), as amended, which have passed the House.

MCGINNIS, Chief Clerk

[S 1367](#), [S 1313](#), and [S 1358](#), as amended, were referred to the Judiciary and Rules Committee for enrolling.

March 28, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 729](#), [H 576](#), [H 586](#), as amended in the Senate, [H 712](#), as amended in the Senate, [HCR 48](#), [HCR 47](#), [H 708](#), as amended in the Senate, and [H 398](#), as amended in the Senate, for the signature of the President.

MCGINNIS, Chief Clerk

The President Pro Tempore signed Enrolled [H 729](#), [H 576](#), [H 586](#), as amended in the Senate, [H 712](#), as amended in the Senate, [HCR 48](#), [HCR 47](#), [H 708](#), as amended in the Senate, and [H 398](#), as amended in the Senate, and ordered them returned to the House.

March 28, 2024

Dear Mr. President:

I return herewith Enrolled [S 1435](#), [S 1377](#), and [S 1226](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1435](#), [S 1377](#), and [S 1226](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 28, 2024

Dear Mr. President:

I return herewith Enrolled [SCR 128](#), which has been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [SCR 128](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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 752](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 746](#), by Ways and Means 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 733](#), [H 734](#), and [H 738](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1454](#), [S 1455](#), and [S 1456](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 748](#), [H 749](#), and [H 750](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 727](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 747](#), by Education Committee, was read the second time at length and filed for third reading.

[H 603](#), as amended in the Senate, and [H 710](#), as amended in the Senate, by State Affairs Committee, were read the second time at length and filed for third reading.

[H 670](#), as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1296](#), as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

President Bedke assumed the Chair.

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 Wintrow, by voice vote, the Senate adjourned at 10:46 a.m. until the hour of 10 a.m., Tuesday, April 2, 2024.

CHUCK WINDER, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**EIGHTY-SIXTH LEGISLATIVE DAY**  
**TUESDAY, APRIL 2, 2024**

Senate Chamber

President Bedke 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 Kate Paine, 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 29, 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.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

March 29, 2024

Dear President Pro Tempore,

I have the honor to inform you that pursuant to Title 67-412, I have designated Mary Shea of Pocatello, ID, 83201 to continue serving as a qualified substitute for Legislative District 29, Bannock County, State of Idaho.

This appointment shall continue through Friday, April 5th, 2024.

Sincerely,  
/s/ Senator Ruchti

The correspondence was orderd 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 1, 2024

The JUDICIARY AND RULES Committee reports that [S 1367](#), [S 1313](#), and [S 1358](#), as amended, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1367](#), [S 1313](#), and [S 1358](#), as amended, and ordered them transmitted to the House for the signature of the Speaker.

April 1, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1435](#), [S 1377](#), and [S 1226](#) were delivered to the Office of the Governor at 1:27 p.m., March 29, 2024.

LAKEY, Chairman

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

April 1, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 128](#) was delivered to the Office of the Secretary of State at 1:32 p.m., March 29, 2024.

LAKEY, Chairman

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

March 29, 2024

The FINANCE Committee reports out [H 726](#), [H 752](#), [S 1458](#), and [S 1459](#) with the recommendation that they do pass.

GROW, Chairman

[H 726](#) having been previously on the Third Reading Calendar, was returned to the Thirteenth Order of Business, Third Reading of Bills.

[H 752](#), [S 1458](#), and [S 1459](#) were filed for second reading.

March 29, 2024

The STATE AFFAIRS Committee reports out [H 421](#), [H 538](#), and [H 599](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 421](#), [H 538](#), and [H 599](#) were filed for second reading.

April 2, 2024

The JUDICIARY AND RULES Committee reports out [H 746](#) with the recommendation that it do pass.

LAKEY, Chairman

[H 746](#) 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 29, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 29, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1291](#)

Sincerely,  
/s/ Brad Little  
Governor of Idaho

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

April 1, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on April 1, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1262](#), [S 1276](#), [S 1277](#), [S 1278](#), [S 1284](#),  
[S 1328](#), as amended, [S 1350](#), and [S 1394](#)

Sincerely,  
/s/ Brad Little  
Governor of Idaho

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

April 1, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on April 1, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[SENATE BILL 1426](#)

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 12:28 p.m. on March 26, 2024.

Although signing this bill, I will note there is an ongoing reduction of personnel costs from the Department of Health and Welfare's Service Integration and Developmental Disabilities programs. During the 2023 legislative session, the Legislature incorporated intent language within the department's budget restricting the transfer of personnel costs to other expense classes, which resulted in the department requesting fiscal year 2024 supplementals to make those transfers. Personnel surpluses are not created by programs with the intent of covering growing operating costs. Rather, they have historically been available due to difficulty in recruiting and retaining personnel due to labor market challenges.

While Senate Bill 1426 provides the one-time transfers of personnel costs to operating expenditures for these programs, the ongoing reduction of personnel funding starting in fiscal year 2025 will leave a hole in both programs' budgets. By doing so, the department will likely require a fiscal year 2025 supplemental appropriation to maintain its workforce and provide the essential services offered by the Developmental Disabilities and Service Integration programs.

I look forward to continuing to work with you next session to find a more adequate, long-term solution to address the department's ability to manage its operations responsibly.

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 29, 2024

Dear Mr. President:

I transmit herewith [H 753](#), [H 754](#), [H 757](#), [H 758](#), [HCR 49](#), [H 761](#), and [H 762](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 753](#), [H 754](#), [H 757](#), [H 758](#), [HCR 49](#), [H 761](#), and [H 762](#) were filed for first reading.

March 29, 2024

Dear Mr. President:

I return herewith [S 1437](#), which has passed the House.

MCGINNIS, Chief Clerk

[S 1437](#) was referred to the Judiciary and Rules Committee for enrolling.

March 29, 2024

Dear Mr. President:

I return herewith Enrolled [S 1314](#), as amended, which has been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1314](#), as amended, was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 29, 2024

Dear Mr. President:

I return herewith Enrolled [SJM 102](#), which has been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [SJM 102](#) 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**

[H 753](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 754](#), [H 757](#), and [H 758](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[HCR 49](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 761](#) and [H 762](#), 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 advanced to the Thirteenth Order of Business.

### Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [S 1389](#), [S 1434](#), [S 1438](#), [S 1439](#), and [S 1441](#) retained their place on the Third Reading Calendar for one legislative day.

[H 722](#) 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—Anthon, Bernt, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 21.

NAYS—Adams, Bjerke, Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Ricks, Toews, Trakel, Zuiderveld. Total - 14.

Total - 35.

Whereupon the President declared [H 722](#) passed, title was approved, and the bill ordered returned to the House.

[S 1381](#), as amended in the House, 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:

AYES—Adams, Anthon, Bernt, Bjerke, Carlson, Den Hartog, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Nichols, Okuniewicz, Rabe, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 29.

NAYS—Burtenshaw, Cook, Foreman, Grow, Lent, Ricks. Total - 6.

Total - 35.

Whereupon the President declared [S 1381](#), as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

[S 1453](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Total - 35.

Whereupon the President declared [S 1453](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1293](#), as amended, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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 Schroeder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Hart, Herndon, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, Trakel, VanOrden, Zuiderveld. Total - 19.

NAYS—Anthon, Bernt, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Rabe, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Ward-Engelking, Winder, Wintrow. Total - 16.

Total - 35.

Whereupon the President declared [S 1293](#), as amended, 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, [S 1296](#), as amended, was placed before the Senate for consideration at this time.

[S 1296](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Bjerke, Carlson, Den Hartog, Foreman, Grow, Hart, Herndon, Lakey, Lenney, Lent, Nichols, Okuniewicz, Toews, VanOrden, Zuiderveld. Total - 17.

NAYS—Bernt, Burtenshaw, Cook, Guthrie, Harris, Hartgen, Just, Lee, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Trakel, Ward-Engelking, Winder, Wintrow. Total - 18.

Total - 35.

Whereupon the President declared that [S 1296](#), as amended, had failed to pass the Senate and ordered the bill returned to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1454](#) was placed before the Senate for consideration at this time.

[S 1454](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke 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, Just, Lakey, Lee, Lenney, Lent, Nichols,

Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—Trakel. Total - 1.

Total - 35.

Whereupon the President declared [S 1454](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1456](#) was placed before the Senate for consideration at this time.

[S 1456](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Bjerke, Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 11.

Paired and voting included in roll call:

AYE - Schroeder                      NAY - Foreman

Total - 35.

Whereupon the President declared [S 1456](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [H 670](#), as amended in the Senate, was placed before the Senate for consideration at this time.

[H 670](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lenney 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 670](#), 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 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 Wintrow, by voice vote the Senate recessed at 12:24 p.m. until the hour of 2:15 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 2:15 p.m., pursuant to recess, President Bedke presiding.

Roll call showed all members present except Senators Rabe and Schroeder, absent and formally excused by the Chair; and Senators Hart, Herndon, Lenney, Toews, and Trakel, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 2, 2024

The JUDICIARY AND RULES Committee reports that [S 1437](#), [S 1381](#), as amended in the House, and [S 1293](#), as amended, as amended in the House, have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1437](#), [S 1381](#), as amended in the House, and [S 1293](#), as amended, as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

April 2, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1314](#), as amended, was delivered to the Office of the Governor at 11:15 a.m., April 2, 2024.

LAKEY, Chairman

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

April 2, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [SJM 102](#) was delivered to the Office of the Secretary of State at 11:19 a.m., April 2, 2024.

LAKEY, Chairman

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

April 2, 2024

The FINANCE Committee reports out [H 754](#), [H 757](#), [H 758](#), [H 761](#), and [H 762](#) with the recommendation that they do pass.

GROW, Chairman

[H 754](#), [H 757](#), [H 758](#), [H 761](#), and [H 762](#) were filed for second reading.

April 2, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [HCR 49](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[HCR 49](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

April 2, 2024

The STATE AFFAIRS Committee reports out [H 751](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[H 751](#) was filed for second reading.

April 2, 2024

The STATE AFFAIRS Committee reports out [H 741](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [H 741](#) was referred to the Fourteenth Order of Business, General Calendar.

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

#### Reading of Communications

April 1, 2024

Dear President Pro Tempore,

I have the honor to inform you that pursuant to Title 67-412, I have designated Lisa Bearg of Boise, Idaho, 83703, as a qualified substitute for Legislative District 16, Ada County, State of Idaho.

This appointment is effective Tuesday afternoon, April 2, 2024, and will continue until the afternoon of Thursday, April 4, 2024.

Sincerely,  
/s/ Senator Alison "Ali" Rabe

Having previously received the Oath of Office, Acting Senator Bearg was recorded present at this order of business. 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 Eighth Order of Business.

#### Messages from the Governor

April 2, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on April 2, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1226](#) and [S 1247](#), as amended

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 2, 2024

Dear Mr. President:

I return herewith [S 1354](#), as amended, as amended in the House, and [S 1429](#), as amended in the House, which have passed the House.

MCGINNIS, Chief Clerk

On request by Senator Lee, granted by unanimous consent, [S 1354](#), as amended, 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 request by Senator Den Hartog, granted by unanimous consent, [S 1429](#), 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 2, 2024

Dear Mr. President:

I return herewith [S 1323](#), [S 1446](#), [S 1447](#), and [S 1442](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1323](#), [S 1446](#), [S 1447](#), and [S 1442](#) 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 1354](#), as amended, 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 1354](#), as amended, as amended in the House?"

On request by Senator Lee, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1354](#), as amended, as amended in the House.

[S 1354](#), as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the House amendments to [S 1429](#), 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 1429](#), as amended in the House?"

On request by Senator Den Hartog, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1429](#), as amended in the House.

[S 1429](#), 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 Eleventh Order of Business.

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

**S 1460**

**BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2025; PROVIDING DIRECTION TO MAXIMIZE FEDERAL FUNDS FOR CHILD CARE DEVELOPMENT BLOCK GRANTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2024; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2024; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

**S 1460** 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**

On request by Senator Anthon, granted by unanimous consent, **H 734** was placed before the Senate for consideration at this time.

**H 734** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Semmelroth disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 23.

NAYS—Bjerke, Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 12.

Paired and voting included in roll call:

AYE - Schroeder                      NAY - Foreman  
AYE - Lee                                NAY - Bjerke

Total - 35.

Whereupon the President declared **H 734** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, **H 748** was placed before the Senate for consideration at this time.

**H 748** 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lent, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 26.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Toews, Zuiderveld. Total - 8.

Absent and excused—Lee. Total - 1.

Paired and voting included in roll call:

AYE - Schroeder                      NAY - Foreman

Total - 35.

Whereupon the President declared **H 748** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, **H 749** was placed before the Senate for consideration at this time.

**H 749** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Lee, Schroeder. Total - 2.

Total - 35.

Whereupon the President declared **H 749** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, **H 733** was placed before the Senate for consideration at this time.

**H 733** 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lent, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Absent and excused—Lee. Total - 1.

Paired and voting included in roll call:

AYE - Schroeder                      NAY - Foreman

Total - 35.

Whereupon the President declared [H 733](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 738](#) was placed before the Senate for consideration at this time.

[H 738](#) 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Lee, Schroeder. Total - 2.

Total - 35.

Whereupon the President declared [H 738](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1455](#) was placed before the Senate for consideration at this time.

[S 1455](#) 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 30.

NAYS—Lenney, Trakel, Zuiderveld. Total - 3.

Absent and excused—Lee, Schroeder. Total - 2.

Total - 35.

Whereupon the President declared [S 1455](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [H 727](#) was placed before the Senate for consideration at this time.

[H 727](#) 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow,

Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Lee, Schroeder. Total - 2.

Total - 35.

Whereupon the President declared [H 727](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 747](#) was placed before the Senate for consideration at this time.

[H 747](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nichols 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, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Lee, Schroeder. Total - 2.

Total - 35.

Whereupon the President declared [H 747](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, [H 603](#), as amended in the Senate, was placed before the Senate for consideration at this time.

[H 603](#), 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—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Shea (Ruchti), Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 27.

NAYS—Bearg (Rabe), Just, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 6.

Absent and excused—Lee, Schroeder. Total - 2.

Total - 35.

Whereupon the President declared [H 603](#), 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, [H 750](#) was placed before the Senate for consideration at this time.

[H 750](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lent, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 23.

NAYS—Carlson, Foreman, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 11.

Absent and excused—Lee. Total - 1.

Paired and voting included in roll call:

AYE - Schroeder                      NAY - Foreman

Total - 35.

Whereupon the President declared [H 750](#) 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 Twelfth Order of Business.

### Second Reading of Bills

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 752](#) 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 752](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Lee, Schroeder. Total - 2.

Total - 35.

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

[H 752](#) 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 Bjerke 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, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Lee, Schroeder. Total - 2.

Total - 35.

Whereupon the President declared [H 752](#) passed, title was approved, and the bill ordered returned to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [S 1458](#) 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 1458](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Lee, Schroeder. Total - 2.

Total - 35.

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

[S 1458](#) 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 Burtenshaw 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, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Lee, Schroeder. Total - 2.

Total - 35.

Whereupon the President declared [S 1458](#) passed, title was approved, and the bill ordered transmitted to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [S 1459](#) 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 1459](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow,





### Reports of Standing Committees

April 2, 2024

The JUDICIARY AND RULES Committee reports that [S 1354](#), as amended, as amended in the House, and [S 1429](#), as amended in the House, have been correctly engrossed.

LAKEY, Chairman

[S 1354](#), as amended, as amended in the House, and [S 1429](#), as amended in the House, were filed for first reading.

April 2, 2024

The JUDICIARY AND RULES Committee reports that [S 1323](#), [S 1446](#), [S 1447](#), and [S 1442](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1323](#), [S 1446](#), [S 1447](#), and [S 1442](#) 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

April 2, 2024

Dear Mr. President:

I transmit herewith [H 744](#), [H 763](#), [H 764](#), [H 765](#), [H 766](#), [H 767](#), and [H 768](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 744](#), [H 763](#), [H 764](#), [H 765](#), [H 766](#), [H 767](#), and [H 768](#) were filed for first reading.

April 2, 2024

Dear Mr. President:

I return herewith [S 1251](#), [S 1260](#), [S 1364](#), as amended, [SJM 104](#), [S 1448](#), [S 1451](#), [S 1453](#), [S 1454](#), and [S 1456](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1251](#), [S 1260](#), [S 1364](#), as amended, [SJM 104](#), [S 1448](#), [S 1451](#), [S 1453](#), [S 1454](#), and [S 1456](#) were referred to the Judiciary and Rules Committee for enrolling.

April 2, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 722](#) and [H 570](#), as amended in the Senate, for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 722](#) and [H 570](#), as amended in the Senate, and ordered them returned to the House.

April 2, 2024

Dear Mr. President:

I return herewith Enrolled [S 1367](#), [S 1313](#), and [S 1358](#), as amended, which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1367](#), [S 1313](#), and [S 1358](#), 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 1461

#### BY FINANCE COMMITTEE

#### AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO TRANSPORTATION DEPARTMENT; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2025; REDUCING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE CAPITAL FACILITIES PROGRAM; PROVIDING REAPPROPRIATION AUTHORITY FOR AIRPORT DEVELOPMENT GRANTS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION DIVISION; REVOKING AUTHORITY FOR THE SALE OF CERTAIN PROPERTY AND PROVIDING FOR ITS REHABILITATION; PROVIDING FOR THE REHABILITATION OF THE DISTRICT 4 SHOSHONE HEADQUARTERS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE STRATEGIC INITIATIVES PROGRAM (DEDICATED) FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE STRATEGIC INITIATIVES PROGRAM (LOCAL) FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE LOCAL HIGHWAY DISTRIBUTION FUND; PROVIDING DIRECTION ON THE LOCAL HIGHWAY DISTRIBUTION FUND; PROVIDING FOR AMERICAN RESCUE PLAN STATE AND LOCAL FISCAL RECOVERY FUND PROJECTS; PROVIDING FOR ALLOCATION OF FUNDS FOR SPECIFIC PROJECTS; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

[S 1461](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1354](#), as amended, as amended in the House, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[S 1429](#), as amended in the House, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[H 744](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 763](#), [H 764](#), and [H 765](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 766](#), by Education Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 767](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 768](#), 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

Pursuant to Senate Rule 44, Senator Hart requested by unanimous consent that the following protest be entered into the Journal without alterations, commitment, or delay.

April 2, 2024

Protest by Senator Hart by personal privilege.

In accordance with Mason's Manual section 696 paragraph 3, and Senate Rule 44, I wish to protest the accelerated fashion in which Senate Concurrent Resolution 135 was rushed to the Senate Floor for final consideration. The rules were suspended so that the final consideration of the Resolution occurred on the same day it was printed, that being March 28, 2024.

SCR135 concerned an alleged racism experience the University of Utah women's basketball team had in North Idaho. I am a former University of Utah athlete and graduate. I also make North Idaho my home. The rushed process for consideration of SCR135 prevented me from taking an informed position on the measure that included two features that were in conflict and were personal to me.

I request this protest be printed in the Journal without delay.

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

April 2, 2024

The JUDICIARY AND RULES Committee reports that [S 1460](#) and [S 1461](#) have been correctly printed.

LAKEY, Chairman

[S 1460](#) and [S 1461](#) were referred to the Finance Committee.

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 Wintrow, that all rules of the Senate interfering with the immediate passage of [H 599](#) 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 599](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

[H 599](#) 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 Bernt 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, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 28.

NAYS—Bearg (Rabe), Semmelroth, Shea (Ruchti), Taylor, Ward-Engelking, Wintrow. Total - 6.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 599](#) passed, title was approved, and the bill ordered returned to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 746](#) 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 746](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

[H 746](#) 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 Lee 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, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Shea (Ruchti),

Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS–Semmelroth, Trakel. Total - 2.

Absent and excused–Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 746](#) 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**

On request by Senator Anthon, granted by unanimous consent, [H 726](#) was recommitted to the Finance 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 Wintrow, by voice vote, the Senate adjourned at 7:58 p.m. until the hour of 9 a.m., Wednesday, April 3, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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EIGHTY-SEVENTH LEGISLATIVE DAY  
WEDNESDAY, APRIL 3, 2024

Senate Chamber

President Bedke called the Senate to order at 9 a.m.

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Cameron Spencer, 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 2, 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

April 3, 2024

The JUDICIARY AND RULES Committee reports that [S 1251](#), [S 1260](#), [S 1364](#), as amended, [SJM 104](#), [S 1448](#), [S 1451](#), [S 1453](#), [S 1454](#), and [S 1456](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1251](#), [S 1260](#), [S 1364](#), as amended, [SJM 104](#), [S 1448](#), [S 1451](#), [S 1453](#), [S 1454](#), and [S 1456](#) and ordered them transmitted to the House for the signature of the Speaker.

April 3, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1367](#), [S 1313](#), and [S 1358](#), as amended, were delivered to the Office of the Governor at 8:40 a.m., April 3, 2024.

LAKEY, Chairman

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

April 2, 2024

The FINANCE Committee reports out [H 763](#), [H 764](#), [H 765](#), [H 768](#), [S 1460](#), and [S 1461](#) with the recommendation that they do pass.

GROW, Chairman

[H 763](#), [H 764](#), [H 765](#), [H 768](#), [S 1460](#), and [S 1461](#) were filed for second reading.

April 3, 2024

The STATE AFFAIRS Committee reports out [H 766](#) and [H 767](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 766](#) and [H 767](#) were filed for second reading.

April 3, 2024

The STATE AFFAIRS Committee reports out [H 409](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [H 409](#) was referred to the Fourteenth Order of Business, General Calendar.

April 3, 2024

The FINANCE Committee reports out [H 726](#) with the recommendation that it do pass.

GROW, Chairman

Having previously been read a second time and having previously been on the Third Reading Calendar, [H 726](#) was filed for third reading.

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

### Messages from the House

April 2, 2024

Dear Mr. President:

I transmit herewith [HCR 51](#) and [HCR 52](#), which have passed the House.

MCGINNIS, Chief Clerk

[HCR 51](#) and [HCR 52](#) were filed for first reading.

April 2, 2024

Dear Mr. President:

I return herewith [S 1455](#), [S 1458](#), [S 1459](#), and [S 1421](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1455](#), [S 1458](#), [S 1459](#), and [S 1421](#) were referred to the Judiciary and Rules Committee for enrolling.

April 2, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 734](#), [H 748](#), [H 749](#), [H 733](#), [H 738](#), [H 727](#), [H 747](#), [H 750](#), [H 752](#), [H 421](#), and [H 538](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 734](#), [H 748](#), [H 749](#), [H 733](#), [H 738](#), [H 727](#), [H 747](#), [H 750](#), [H 752](#), [H 421](#), and [H 538](#) and ordered them returned to the House.

April 2, 2024

Dear Mr. President:

I return herewith Enrolled [S 1437](#), [S 1381](#), as amended in the House, and [S 1293](#), as amended, as amended in the House, which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1437](#), [S 1381](#), as amended in the House, and [S 1293](#), as amended, 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**

[HCR 51](#) and [HCR 52](#), by Ways and Means Committee, were 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 754](#), [H 757](#), [H 758](#), [H 761](#), and [H 762](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 751](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1354](#), as amended, as amended in the House, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1429](#), as amended in the House, by Judiciary and Rules 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 1389](#) retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Anthon, granted by unanimous consent, [S 1438](#), [S 1439](#), and [S 1441](#) were recommitted to the Education Committee.

Senator Hart was recorded present at this order of business.

Having been held, [S 1434](#) 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—Adams, Anthon, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Hart, Hartgen, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 23.

NAYS—Bearg (Rabe), Bernt, Foreman, Harris, Herndon, Just, Lee, Semmelroth, Shea (Ruchti), Taylor, Ward-Engelking, Wintrow. Total - 12.

Total - 35.

Whereupon the President declared [S 1434](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 710](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Carlson 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 Schroeder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Herndon, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, Winder, Zuiderveld. Total - 24.

NAYS—Bearg (Rabe), Bernt, Hartgen, Just, Lee, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Wintrow. Total - 11.

Total - 35.

Whereupon the President declared [H 710](#), 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 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 Wintrow, by voice vote the Senate recessed at 12:08 p.m. until the hour of 1 p.m. of this day.

#### **RECESS AFTERNOON SESSION**

The Senate reconvened at 1 p.m., pursuant to recess, President Bedke presiding.

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

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 3, 2024

The JUDICIARY AND RULES Committee reports that [S 1455](#), [S 1458](#), [S 1459](#), and [S 1421](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1455](#), [S 1458](#), [S 1459](#), and [S 1421](#) and ordered them transmitted to the House for the signature of the Speaker.

April 3, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1437](#), [S 1381](#), as amended in the House, and [S 1293](#), as amended, as amended in the House, were delivered to the Office of the Governor at 10:20 a.m., April 3, 2024.

LAKEY, Chairman

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

April 3, 2024

The STATE AFFAIRS Committee reports out [HCR 51](#) and [HCR 52](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[HCR 51](#) and [HCR 52](#) 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 3, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on April 3, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1313](#), [S 1327](#), and [S 1376](#), as amended

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 3, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 599](#), [H 746](#), [H 670](#), as amended in the Senate, and [H 603](#), as amended in the Senate, for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 599](#), [H 746](#), [H 670](#), as amended in the Senate, and [H 603](#), as amended in the Senate, and ordered them returned to the House.

April 3, 2024

Dear Mr. President:

I return herewith Enrolled [S 1323](#), [S 1446](#), [S 1447](#), [S 1442](#), [S 1251](#), [S 1260](#), [S 1364](#), as amended, [S 1448](#), [S 1451](#), [S 1453](#), [S 1454](#), and [S 1456](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1323](#), [S 1446](#), [S 1447](#), [S 1442](#), [S 1251](#), [S 1260](#), [S 1364](#), as amended, [S 1448](#), [S 1451](#), [S 1453](#), [S 1454](#), and [S 1456](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 3, 2024

Dear Mr. President:

I return herewith Enrolled [SJM 104](#), which has been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [SJM 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 Twelfth Order of Business.

#### Second Reading of Bills

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 763](#) 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 763](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

[H 763](#) 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 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Ricks, Semmelroth, Shea (Ruchti), Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Zuiderveld. Total - 9.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 763](#) passed, title was approved, and the bill ordered returned to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 764](#) 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 764](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

[H 764](#) 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 Cook 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, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 31.

NAYS—Carlson, Trakel, Zuiderveld. Total - 3.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 764](#) passed, title was approved, and the bill ordered returned to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 765](#) 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 765](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

[H 765](#) 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 Cook 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, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 26.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Trakel, Zuiderveld. Total - 8.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 765](#) passed, title was approved, and the bill ordered returned to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 768](#) 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 768](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

[H 768](#) 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 Lent 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, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Toews, Trakel, Zuiderveld. Total - 9.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 768](#) passed, title was approved, and the bill ordered returned to the House.

#### **Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [S 1460](#) 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 1460](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

[S 1460](#) 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 VanOrden 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, Grow, Guthrie, Harris, Hartgen, Herndon, Lakey, Lent, Nichols, Okuniewicz, Ricks, Toews, VanOrden, Winder, Zuiderveld. Total - 22.

NAYS—Bearg (Rabe), Foreman, Hart, Just, Lee, Lenney, Semmelroth, Shea (Ruchti), Taylor, Trakel, Ward-Engelking, Wintrow. Total - 12.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [S 1460](#) passed, title was approved, and the bill ordered transmitted to the House.

#### **Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage

of [H 766](#) 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 766](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

[H 766](#) 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 Lent 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, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 766](#) passed, title was approved, and the bill ordered returned to the House.

#### **Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 767](#) 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 767](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

[H 767](#) was read the second time by title and 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 767](#) passed, title was approved, and the bill ordered returned to the House.

#### **Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [S 1461](#) 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 1461](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

President Pro Tempore Winder objected to the consideration of [S 1461](#), pursuant to Mason's Manual Section 159, subpart 5 which states, "A bill having precisely the same title and subject as one previously rejected by the house may be refused introduction."

President Bedke ruled in favor of the objection.

Moved by Senator Anthon, seconded by Senator Cook to appeal the ruling of the chair.

The motion failed by voice vote, whereupon President Bedke declared the ruling upheld.

On motion by Senator Anthon, seconded by Senator Wintrow, by voice vote the Senate recessed at 2:20 p.m. until the hour of 3:15 p.m. of this day.

#### **RECESS AFTERNOON SESSION**

The Senate reconvened at 3:15 p.m., pursuant to recess, President Bedke presiding.

Roll call showed all members present except Senator Schroeder, absent and formally excused by the Chair; and Senators Okuniewicz and Trakel, 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 advanced to the Fourteenth Order of Business.

[H 741](#) was filed for second reading.

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

#### **Third Reading of Bills**

#### **Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 754](#) 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 754](#) 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

[H 754](#) 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 754](#) passed, title was approved, and the bill ordered returned to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 757](#) 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 757](#) 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

[H 757](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—Foreman. Total - 1.

Absent and excused—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [H 757](#) passed, title was approved, and the bill ordered returned to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 758](#) 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 758](#) 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Semmelroth, Shea

(Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Schroeder. Total - 1.

Total - 35.

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

[H 758](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon 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, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—Trakel. Total - 1.

Paired and voting included in roll call:

AYE - Schroeder                      NAY - Trakel

Total - 35.

Whereupon the President declared [H 758](#) passed, title was approved, and the bill ordered returned to the House.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 761](#) 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 761](#) 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

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

[H 761](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 28.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Zuiderveld. Total - 7.

Total - 35.

Whereupon the President declared [H 761](#) passed, title was approved, and the bill ordered returned to the House.

#### **Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 762](#) 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 762](#) 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

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

[H 762](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 25.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 10.

Total - 35.

Whereupon the President declared [H 762](#) passed, title was approved, and the bill ordered returned to the House.

#### **Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 751](#) 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 751](#) 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

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

[H 751](#) 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—Foreman. Total - 1.

Total - 35.

Whereupon the President declared [H 751](#) passed, title was approved, and the bill ordered returned to the House.

Pursuant to Senate Rule 14(E), Senator Nichols called for H 493 to be reported forthwith from the State Affairs Committee.

Moved by Senator Lee, seconded by Senator Wintrow, that the State Affairs Committee be excused from reporting out H 493.

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 26.

NAYS—Carlson, Foreman, Hart, Herndon, Lenney, Nichols, Toews, Trakel, Zuiderveld. Total - 9.

Total - 35.

#### **Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [S 1354](#), 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 1354](#), 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

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

Roll call resulted as follows:

AYES—Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 24.

NAYS—Adams, Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Toews, Trakel, Zuiderveld. Total - 11.

Total - 35.

Whereupon the President declared [S 1354](#), as amended, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

#### Motion to Suspend Rules

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [S 1429](#), 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 1429](#), 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:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

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

Roll call resulted as follows:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1429](#), 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 Tenth Order of Business.

#### Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, [HCR 49](#) was placed before the Senate for final consideration at this time.

The President announced that [HCR 49](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Burtenshaw, seconded by Senator Taylor, [HCR 49](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate consideration of [HCR 52](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow,

Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Semmelroth, Shea (Ruchti), Taylor, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Lenney, Toews. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [HCR 52](#) was before the Senate for final consideration.

On motion by President Pro Tempore Winder, seconded by Senator Wintrow, [HCR 52](#) 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 returned to the Ninth Order of Business.

#### Messages from the House

April 3, 2024

Dear Mr. President:

I transmit herewith [H 770](#), which has passed the House.

MCGINNIS, Chief Clerk

[H 770](#) was filed for first reading.

April 3, 2024

Dear Mr. President:

I return herewith [S 1434](#), which has passed the House.

MCGINNIS, Chief Clerk

[S 1434](#) was referred to the Judiciary and Rules Committee for enrolling.

April 3, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 710](#), as amended in the Senate, [H 763](#), [H 764](#), [H 765](#), [H 768](#), [H 766](#), and [H 767](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 710](#), as amended in the Senate, [H 763](#), [H 764](#), [H 765](#), [H 768](#), [H 766](#), and [H 767](#) and ordered them returned to the House.

April 3, 2024

Dear Mr. President:

I return herewith Enrolled [S 1455](#), [S 1458](#), [S 1459](#), and [S 1421](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1455](#), [S 1458](#), [S 1459](#), and [S 1421](#) 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 770](#), 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**

April 3, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1323](#), [S 1446](#), [S 1447](#), [S 1442](#), [S 1251](#), [S 1260](#), [S 1364](#), as amended, [S 1448](#), [S 1451](#), [S 1453](#), [S 1454](#), and [S 1456](#) were delivered to the Office of the Governor at 1:40 p.m., April 3, 2024.

LAKEY, Chairman

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

April 3, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [SJM 104](#) was delivered to the Office of the Secretary of State at 1:43 p.m., April 3, 2024.

LAKEY, Chairman

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

April 3, 2024

The FINANCE Committee reports out [H 770](#) with the recommendation that it do pass.

GROW, Chairman

[H 770](#) 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 3, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on April 3, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1367](#)

Sincerely,  
/s/ Brad Little  
Governor of Idaho

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

April 3, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on April 3, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[SENATE BILL 1435](#)

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 1:27 p.m. on March 29, 2024.

Idaho is a state that proudly “backs the blue.” Our commitment to public safety is a huge part of what makes Idaho an attractive place to live and raise a family, which is why funding critical ongoing needs at the Idaho State Police, such as body armor and bullets, with one-time funding causes me significant concern.

In 2019, the Legislature decided to gradually remove ISP from the Highway Distribution Account funded by fuel taxes. Fiscal Year 2025 is the final year ISP will be partially funded by fuel taxes. This dedicated funding source was historically used to support the ISP Patrol Division by providing salaries for troopers as well as repair and replacement needs for items such as vehicles, bulletproof vests, sidearms, and ammunition. Consequently, ISP’s reliance on the General Fund for repair and replacement items has grown over the last four years and will continue to grow in the future.

Two weeks ago, we were all reminded of ISP’s indispensable statewide law enforcement mission. ISP coordinated efforts with federal, state, and local enforcement partners to peacefully end a deadly 36-hour manhunt that stretched the entire state.

An appropriation bill cannot be considered a maintenance of operations budget if it does not account for equipping troopers with essential items for their work. ISP’s repair and replacement items that directly support troopers and investigators are not one-time expenses. They have predictable replacement schedules, and these essential items should be built into the base of ISP’s budget. This appropriation runs contrary to previous commitments as ISP was eased off the Highway Distribution Account, and it is not structurally sound budgeting.

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**

**Motion to Suspend Rules**

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate passage of [H 770](#) 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 770](#) 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—Adams, Anthon, Bearg (Rabe), Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee,



NAYS–None.

Absent and excused–Toews. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [HCR 51](#) was before the Senate for final consideration.

On motion by Senator Anthon, seconded by Senator Wintrow, [HCR 51](#) 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 Fifteenth Order of Business.

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Wintrow, by voice vote, the Senate adjourned at 8:04 p.m. until the hour of 11 a.m., Wednesday, April 10, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

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[Note: The following is action recorded during RECESS.]

April 4, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1455](#), [S 1458](#), [S 1459](#), and [S 1421](#) were delivered to the Office of the Governor at 9 a.m., April 4, 2024.

LAKEY, Chairman

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

April 4, 2024

The JUDICIARY AND RULES Committee reports that [S 1354](#), as amended, as amended in the House, [S 1429](#), as amended in the House, and [S 1434](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1354](#), as amended, as amended in the House, [S 1429](#), as amended in the House, and [S 1434](#) and ordered them transmitted to the House for the signature of the Speaker.

April 4, 2024

Dear Mr. President:

I return herewith Enrolled [S 1354](#), as amended, as amended in the House, [S 1429](#), as amended in the House, and [S 1434](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1354](#), as amended, as amended in the House, [S 1429](#), as amended in the House, and [S 1434](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 4, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1354](#), as amended, as amended in the House, [S 1429](#), as amended in the House, and [S 1434](#) were delivered to the Office of the Governor at 12:30 p.m., April 4, 2024.

LAKEY, Chairman

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

April 4, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 754](#), [H 757](#), [H 758](#), [H 761](#), [H 762](#), [H 751](#), [HCR 49](#), [HCR 52](#), [H 770](#), [H 726](#), [H 741](#), and [HCR 51](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 754](#), [H 757](#), [H 758](#), [H 761](#), [H 762](#), [H 751](#), [HCR 49](#), [HCR 52](#), [H 770](#), [H 726](#), [H 741](#), and [HCR 51](#) and ordered them returned to the House.

April 4, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on April 4, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1251](#), [S 1358](#), as amended, [S 1364](#), as amended, [S 1377](#), [S 1381](#), as amended in the House, [S 1442](#), [S 1447](#), [S 1451](#), and [S 1454](#)

Sincerely,  
/s/ Brad Little  
Governor of Idaho

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

April 8, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on April 8, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1260](#), [S 1354](#), as amended, as amended in the House, [S 1421](#), [S 1429](#), as amended in the House, [S 1434](#), [S 1437](#), [S 1448](#), [S 1453](#), [S 1455](#), [S 1458](#), and [S 1459](#)

Sincerely,  
/s/ Brad Little  
Governor of Idaho

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



April 9, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on April 9, 2024 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1293](#), as amended, as amended in the House, [S 1456](#), and [S 1446](#)

Sincerely,  
/s/ Brad Little  
Governor of Idaho

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

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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NINETY-FOURTH LEGISLATIVE DAY  
WEDNESDAY, APRIL 10, 2024

Senate Chamber

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

Roll call showed all members present except Senators Lent and Ruchti, absent and formally excused by the Chair; and Senator Ricks, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Sawyer Crenshaw, Assistant Clerk.

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 3, 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.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

Senator Ricks was recorded present at this order of business.

April 10, 2024

Dear President Pro Tempore,

I have the honor to inform you that pursuant to Title 67-412, I have designated Hayden Paulsen of Pocatello, Idaho, 83201, as a qualified substitute for Legislative District 29, Bannock County, State of Idaho.

This appointment is effective Wednesday, April 10, 2024, and will continue until Thursday April 11, 2024.

Sincerely,  
/s/ Senator James D. Ruchti

Having previously received the Oath of Office, Acting Senator Paulsen was recorded present at this order of business and the correspondence was 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 10, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [HCR 44](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[HCR 44](#) 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 Tenth Order of Business.

### Motions and Resolutions

Moved by Senator Anthon, seconded by Senator Wintrow, that all rules of the Senate interfering with the immediate consideration of [HCR 44](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Nichols, Okuniewicz, Paulsen (Ruchti), Rabe, Ricks, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Lent. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [HCR 44](#) was before the Senate for final consideration.

On motion by Senator Burtenshaw, seconded by Senator Semmelroth, [HCR 44](#) 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 returned to the Eighth Order of Business.

### Messages from the Governor

April 10, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. 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 1314, as amended

This vetoed legislation and my objections were hand delivered during the legislative recess on April 8, 2024, at 10:00 a.m. to Senate Member Treg Bernt. 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 of Idaho

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

April 8, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I hereby advise you that I am returning to you, without my approval, disapproved and vetoed, the following Senate Bill, to wit:

**Senate Bill 1314**, as amended

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 11:15 a.m. on April 2, 2024.

While the Legislature sought to provide additional flexibility for the state's investment portfolio, we have a fiduciary responsibility to manage taxpayer dollars with the utmost care and caution. This legislation and its fiscal note fail to take into account the many additional costs that will be borne by taxpayers for the storage, safeguard, and purchase of commodities such as gold or silver.

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, **S 1314**, as amended, was recommitted to the State Affairs Committee.

April 10, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. 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 1323**

This vetoed legislation and my objections were hand delivered during the legislative recess on April 9, 2024, at 12:15 p.m. to Senate Member Melissa Wintrow. 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 of Idaho

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

April 9, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I hereby advise you that I am returning to you, without my approval, disapproved and vetoed, the following Senate Bill, to wit:

**Senate Bill 1323**

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 1:40 p.m. on April 3, 2024.

While this legislation sought to clarify terms within Title 61, Idaho Public Utility Regulation, I am concerned it would have unintended consequences on Idaho ratepayers. I am vetoing this bill because it would create a carveout for water companies to operate in Idaho as a monopoly. By exempting these water companies, their customers in Idaho would be without the Idaho Public Utilities Commission's protections regarding fair, just and reasonable rates, safe and reliable service, and consumer protection.

Sincerely,  
/s/ Brad Little  
Governor of Idaho

The question being, "Shall **S 1323** become law, the Governor's veto notwithstanding?"

Roll call resulted as follows:

AYES—Anthon, Bjerke, Carlson, Den Hartog, Foreman, Grow, Hart, Herndon, Lakey, Lenney, Nichols, Okuniewicz, Ricks, Toews, Trakel, Winder, Zuiderveld. Total - 17.

NAYS—Adams, Bernt, Burtenshaw, Cook, Guthrie, Harris, Hartgen, Just, Lee, Paulsen (Ruchti), Rabe, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Wintrow. Total - 17.

Absent and excused—Lent. Total - 1.

Total - 35.

Less than two-thirds having voted in the affirmative, the President declared that **S 1323** has failed to become law, the Governor's veto sustained. **S 1323** and the Governor's message will be 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 VanOrden, Chair, and Senators Nichols and Taylor 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 Lee, Chair, and Senators Bjerke and Just 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 Burtenshaw, Chairman, and Senators Carlson and Wintrow to escort the committee from the House of Representatives into the Senate Chamber. Representatives Scott, Kingsley, and Gannon informed the Senate that the House had completed its business and was ready to adjourn *Sine Die*.

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.

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.

On motion by Senator Anthon, seconded by Senator Wintrow, by voice vote the Second Regular Session of the Sixty-seventh Legislature of the Idaho Senate adjourned *Sine Die* at 2:42 p.m., Wednesday, April 10, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

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

April 10, 2024

Dear Mr. President:

I transmit herewith Enrolled [HCR 44](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [HCR 44](#) and ordered it returned to the House.

April 10, 2024

Dear Mr. President:

I return herewith [S 1460](#), which has passed the House.

MCGINNIS, Chief Clerk

[S 1460](#) was referred to the Judiciary and Rules Committee for enrolling.

April 10, 2024

The JUDICIARY AND RULES Committee reports that [S 1460](#) has been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1460](#) and ordered it transmitted to the House for the signature of the Speaker.

April 10, 2024

Dear Mr. President:

I return herewith Enrolled [S 1460](#), which has been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1460](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 10, 2024

The JUDICIARY AND RULES Committee reports that Enrolled [S 1460](#) was delivered to the Office of the Governor at 2:50 p.m., April 10, 2024.

LAKEY, Chairman

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

April 10, 2024

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on April 10, 2024 and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1460](#)

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, SCOTT BEDKE, 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 April 10th, 2024, the Ninety-fourth 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 11th day of April, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary

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