

HOUSE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-EIGHTH LEGISLATURE

**EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 23, 2025**

House of Representatives

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

Roll call showed 68 members present.
Absent and excused - Galaviz and Miller. Total - 2.
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Ella Thompson, Page.

3RD ORDER Approval of Journal

January 23, 2025

Mr. Speaker:

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

SKAUG, Chairman

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

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

14TH ORDER Presentation of Petitions and Communications

House of Representatives
State of Idaho

January 20, 2025

Dear Mr. Speaker,

I have the honor to inform you that, pursuant to Title 67-412, Idaho Code, I have designated Dawn Dotter of 2942 E. Parkriver Dr., Boise, ID 83706, as a qualified substitute for Legislative District 18, Seat B, Ada County, State of Idaho.

This designation is effective January 23, 2025, and will continue until January 29, 2025.

Sincerely,
Representative Brooke Green

The letter was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Dawn Dotter.

There being no objection, the House returned to the Fourth Order of Business.

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

January 22, 2025

Mr. Speaker:

I transmit herewith [SCR 102](#) which has passed the Senate.
NOVAK, Secretary

[SCR 102](#) was filed for first reading.

5TH ORDER Report of Standing Committees

January 23, 2025

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 34](#), [H 35](#), [H 36](#), [H 37](#), [H 38](#), and [H 39](#).

SKAUG, Chairman

[H 35](#) was filed for second reading.

[H 34](#) was referred to the Commerce and Human Resources Committee.

[H 36](#) and [H 37](#) were referred to the Judiciary, Rules and Administration Committee.

[H 38](#) was referred to the Business Committee.

[H 39](#) was referred to the Revenue and Taxation Committee.

January 23, 2025

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 3](#).

SKAUG, Chairman

The Speaker announced he was about to sign enrolled [H 3](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

January 22, 2025

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [HJM 1](#) and recommend that it do pass.

CRANE(13), Chairman

[HJM 1](#) was filed for second reading.

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

7TH ORDER Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 2 BY ENVIRONMENT, ENERGY AND TECHNOLOGY COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

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

WHEREAS, Idaho recognizes that reliable, resilient, and diversified domestic energy production in the United States enhances American national security, economic competitiveness, and energy independence; and

WHEREAS, the excessively complex federal permitting and environmental review processes that have built up around America's environmental laws, including the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the National Historic Preservation Act (NHPA), the Clean Water Act (CWA), and dozens of other federal requirements, have grown to be so cumbersome that they often unnecessarily slow or prevent the construction of essential new energy infrastructure and therefore discourage domestic energy production without advancing the goals of these laws; and

WHEREAS, delays caused by permitting inefficiencies inhibit the building of all of the essential components of a low-cost, reliable, and modern energy infrastructure that is needed to support economic competitiveness and domestic manufacturing, to enhance reliability, to lower costs for consumers and businesses, and to achieve the goals of America's environmental laws; and

WHEREAS, demand for electricity in the United States is projected to dramatically increase in the coming decades, requiring major increases in domestic energy production and a more than doubling of domestic electricity transmission grid capacity; and

WHEREAS, the average time it takes to process an environmental impact statement under NEPA for major infrastructure projects has risen to an excessive length; and

WHEREAS, major delays in projects caused by inefficient permitting or excessive litigation can dramatically increase costs and make projects less viable, costing consumers, businesses, and taxpayers money and making our energy system less reliable; and

WHEREAS, unnecessary permitting and regulatory delays also increase American dependence on energy produced by foreign countries; and

WHEREAS, unnecessary permitting delays limit investments made in modernizing the nation's infrastructure that would result in a more efficient energy system with reduced emissions and environmental impact; and

WHEREAS, overlapping federal permitting requirements encourage procedural compliance with outdated regulations and lack the flexibility to allow for efforts that reflect the spirit and intent of traditional environmental laws by protecting human health and the environment; and

WHEREAS, failure to reform federal permitting laws is already resulting in fewer jobs, reduced security, and higher prices for Americans; and

WHEREAS, failing to reform these laws in the coming months will result in even greater limitations on our energy infrastructure, costing even more American jobs while raising costs for consumers and businesses and leaving America vulnerable to unreliability and blackouts.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature hereby urges the United States Congress to enact much-needed reforms to federal permitting policies to accelerate deployment of new energy infrastructure.

BE IT FURTHER RESOLVED that the Legislature urges federal lawmakers to work in good faith to enact legislation that reforms federal permitting and environmental review processes to promote economic and environmental stewardship by expediting the deployment of modern energy infrastructure. These reforms should enable faster and lower-cost construction of energy infrastructure of all kinds, without prejudice, including by

considering steps to: (1) limit excessive use of judicial processes that slow projects inappropriately; (2) prevent inappropriate usage of the CWA and other laws that hamstring the lawful building of linear energy infrastructure, such as pipelines and transmission lines; (3) enact reforms to plan, permit, and pay for the necessary build-out of electricity transmission infrastructure to support a more reliable energy grid that lowers costs for consumers and businesses; and (4) enable the domestic build-out of the full array of modern energy technologies, including nuclear, emissions management, hydrogen, critical mineral mining and processing, and all other needs for a modern energy system. These legislative reforms should also strive to ensure accountability for federal agencies conducting permitting and environmental review processes, including better data, more aggressive timelines, and permitting shot clocks. These legislative reforms must be accompanied by a redoubling of efforts to streamline federal regulations to support the efficient building of new energy infrastructure. Congress must act to modernize the broken permitting system.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress and to the congressional delegation representing the State of Idaho in the Congress of the United States.

**HOUSE RESOLUTION NO. 1
BY REVENUE AND TAXATION COMMITTEE**

A HOUSE RESOLUTION
STATING FINDINGS OF THE HOUSE OF REPRESENTATIVES AND PROVIDING THAT ALL TEMPORARY AND PENDING RULES OF THE IDAHO STATE TAX COMMISSION HAVE BEEN REVIEWED AND APPROVED BY THE HOUSE REVENUE AND TAXATION COMMITTEE.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, pursuant to Section 67-5291, Idaho Code, standing committees of the Legislature shall review any temporary or pending rule that is germane to its committee and has been published in the Idaho Administrative Bulletin; and

WHEREAS, the House Revenue and Taxation Committee reviewed temporary and pending rules adopted by the Idaho State Tax Commission.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Sixty-eighth Idaho Legislature, that all temporary and pending rules adopted by the Idaho State Tax Commission, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2025 legislative session have been reviewed and approved by the House Revenue and Taxation Committee.

**HOUSE CONCURRENT RESOLUTION NO. 5
BY STATE AFFAIRS COMMITTEE**

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND PROVIDING THAT IT IS THE OPINION OF THE IDAHO LEGISLATURE THAT DR. ANTHONY FAUCI'S FEDERAL PARDON DOES NOT CONFER IMMUNITY FROM PROSECUTION OR RESPONSIBILITY FOR STATE CRIMES.

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

WHEREAS, Dr. Anthony Fauci has served as the Director of the National Institute of Allergy and Infectious Diseases, helped coordinate the nation's response to COVID-19, and served as the Chief Medical Advisor to the President regarding COVID-19; and

WHEREAS, on January 20, 2025, former President Joe Biden issued a preemptive federal pardon to Dr. Fauci in the waning hours of his administration; and

WHEREAS, former President Joe Biden's preemptive federal pardon of Dr. Fauci does not inspire confidence in Dr. Fauci's conduct or the "trust the science" movement promoted by Dr. Fauci; and

WHEREAS, it is widely recognized that a federal pardon issued by a president may absolve an individual of federal offenses but that such a pardon does not extend to any state-level crimes or violations under a state's jurisdiction; and

WHEREAS, Dr. Fauci has not been charged with a crime in the State of Idaho; and

WHEREAS, the federal pardon granted to Dr. Fauci would not affect the legal procedures, investigations, or potential prosecution for a state crime under the authority of a state government.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that it is the opinion of the Idaho Legislature that a federal pardon issued by a president does not confer immunity from prosecution or responsibility for state crimes and that any legal proceedings involving Dr. Fauci should continue to be subject to state law, if applicable.

[HJM 2](#), [HR 1](#), and [HCR 5](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[SCR 102](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[HCR 4](#) - LEGISLATIVE COMPENSATION

Mr. Monks moved that all rules of the House interfering with the immediate consideration of [HCR 4](#) 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 [HCR 4](#) be read the second time by title and third time at length, and placed before the House for final consideration. Seconded by Mr. Berch.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Achilles, Alfieri, Andrus, Barbieri, Beiswenger, Berch, Boyle, Bruce, Burgoyne, Cannon, Cheatum, Church, Clow, Cornilles, Crane(12), Crane(13), Dygert, Egbert, Ehardt, Ehlers, Erickson, Fuhriman, Furniss, Gannon, Garner, Green(Dotter), Handy, Harris, Hawkins, Healey, Hill, Horman, Manwaring, McCann, Mendive, Mickelsen, Mitchell, Monks, Nelsen, Palmer, Petzke, Pickett, Pohanka, Price, Razor, Raybould, Raymond, Redman, Sauter, Scott, Shepherd, Shirts, Skaug, Tanner(13), Vander Woude, Weber, Wheeler, Wisniewski, Mr. Speaker. Total - 59.

NAYS—Cayler, Hostetler, Leavitt, Marmon, Thompson. Total - 5.

Absent—Galaviz, Holtzclaw, Mathias, Miller, Rubel, Tanner(14). Total - 6.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HCR 4](#) was read the second time by title and third time at length, and placed before the House for final consideration.

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

Mr. Crane(13) asked unanimous consent that, pursuant to Rule 39, discussion of other pending legislation be allowed in debate of [HCR 4](#). There being no objection it was so ordered.

Mr. Leavitt moved that [HCR 4](#) be placed on General Orders for consideration. Seconded by Mr. Cayler.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES—Cayler, Hostetler, Leavitt, Marmon, Thompson. Total - 5.

NAYS—Achilles, Alfieri, Andrus, Barbieri, Beiswenger, Berch, Boyle, Bruce, Burgoyne, Cannon, Cheatum, Church, Clow, Cornilles, Crane(12), Crane(13), Dygert, Egbert, Ehardt, Ehlers, Erickson, Fuhriman, Furniss, Gannon, Garner, Green(Dotter), Handy, Harris, Hawkins, Healey, Hill, Holtzclaw, Horman, Manwaring, Mathias, McCann, Mendive, Mickelsen, Mitchell, Monks, Nelsen, Palmer, Petzke, Pickett, Pohanka, Price, Razor, Raybould, Raymond, Redman, Rubel, Sauter, Scott, Shepherd, Shirts, Skaug, Tanner(13), Tanner(14), Vander Woude, Weber, Wheeler, Wisniewski, Mr. Speaker. Total - 63.

Absent—Galaviz, Miller. Total - 2.

Total - 70.

Whereupon the Speaker declared the motion failed.

The question being, "Shall [HCR 4](#) be adopted?"

Roll call resulted as follows:

AYES—Achilles, Alfieri, Andrus, Barbieri, Beiswenger, Berch, Boyle, Bruce, Burgoyne, Cannon, Cheatum, Clow, Cornilles, Crane(12), Crane(13), Dygert, Egbert, Ehardt, Ehlers, Erickson, Fuhriman, Furniss, Gannon, Garner, Green(Dotter), Handy, Harris, Hawkins, Healey, Hill, Holtzclaw, Horman, Manwaring, McCann, Mendive, Mickelsen, Mitchell, Monks, Nelsen, Palmer, Petzke, Pickett, Pohanka, Price, Razor, Raybould, Raymond, Redman, Rubel, Sauter, Scott, Shepherd, Shirts, Skaug, Tanner(13), Tanner(14), Vander Woude, Weber, Wheeler, Wisniewski, Mr. Speaker. Total - 61.

NAYS—Cayler, Church, Hostetler, Leavitt, Marmon, Mathias, Thompson. Total - 7.

Absent—Galaviz, Miller. Total - 2.

Total - 70.

Whereupon the Speaker declared [HCR 4](#) adopted and ordered the resolution transmitted to the Senate.

8TH ORDER

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

HOUSE BILL NO. 40 BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO TAXATION; AMENDING SECTION 63-3022, IDAHO CODE, TO PROVIDE THAT CAPITAL GAINS AND LOSSES ON PRECIOUS METAL BULLION AND MONETIZED BULLION SALES BE ADDED TO OR SUBTRACTED FROM IDAHO TAXABLE INCOME UNDER

CERTAIN CIRCUMSTANCES; AMENDING SECTION 63-3022A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DEDUCTION OF MILITARY RETIREMENT PAY FROM TAXABLE INCOME AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3024, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE IDAHO INCOME TAX RATE ON INDIVIDUALS, ESTATES, AND TRUSTS; AMENDING SECTION 63-3025, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE IDAHO INCOME TAX RATE ON CORPORATIONS; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 41
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-143, IDAHO CODE, TO ESTABLISH PROVISIONS REQUIRING PUBLIC SCHOOLS TO DISPLAY ONLY CERTAIN FLAGS AND BANNERS ON SCHOOL PROPERTY AND PROHIBITING THE DISPLAY OF CERTAIN FLAGS AND BANNERS ON SCHOOL PROPERTY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 42
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-5905, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE IDAHO SCHOOL SAFETY AND SECURITY ADVISORY BOARD; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 43
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-512, IDAHO CODE, TO REVISE PROVISIONS REGARDING SCHOOL SAFETY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 44
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1631, IDAHO CODE, TO REVISE PROVISIONS REGARDING REQUIREMENTS FOR HARASSMENT, INTIMIDATION AND BULLYING INFORMATION AND PROFESSIONAL DEVELOPMENT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 45
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO FLAGS AND FLAG PROTOCOL; AMENDING SECTION 67-2303A, IDAHO CODE, TO PROVIDE THAT A GOVERNMENTAL ENTITY SHALL ONLY DISPLAY CERTAIN FLAGS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[H 40](#), [H 41](#), [H 42](#), [H 43](#), [H 44](#), and [H 45](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

11TH ORDER
Third Reading of Bills and Joint Resolutions

Mr. Monks asked unanimous consent that [H 10](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[H 13](#) - RULES OF THE ROAD

[H 13](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

The question being, "Shall [H 13](#) pass?"

Roll call resulted as follows:

AYES—Achilles, Alfieri, Andrus, Barbieri, Beiswenger, Boyle, Bruce, Burgoyne, Cannon, Cayler, Cheatum, Clow, Cornilles, Crane(12), Crane(13), Dygert, Ehardt, Ehlers, Erickson, Fuhriman, Furniss, Handy, Harris, Hawkins, Healey, Hill, Holtzclaw, Horman, Hostetler, Leavitt, Manwaring, Marmon, McCann, Mendive, Mickelsen, Mitchell, Monks, Palmer, Petzke, Pickett, Pohanka, Price, Rasor, Raybould, Raymond, Redman, Sauter, Scott, Shepherd, Shirts, Skaug, Tanner(13), Tanner(14), Thompson, Vander Woude, Weber, Wheeler, Wisniewski, Mr. Speaker. Total - 59.

NAYS—Berch, Church, Egbert, Gannon, Garner, Green(Dotter), Mathias, Nelsen, Rubel. Total - 9.

Absent—Galaviz, Miller. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 13](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 14](#) - IDAHO CODE CLEANUP

[H 14](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane(13) to open debate.

The question being, "Shall [H 14](#) pass?"

Roll call resulted as follows:

AYES—Achilles, Alfieri, Andrus, Barbieri, Beiswenger, Berch, Boyle, Bruce, Burgoyne, Cannon, Cayler, Cheatum, Church, Clow, Cornilles, Crane(12), Crane(13), Dygert, Egbert, Ehardt, Ehlers, Erickson, Fuhriman, Furniss, Gannon, Garner, Green(Dotter), Handy, Harris, Hawkins, Healey, Hill, Holtzclaw, Horman, Hostetler, Leavitt, Manwaring, Marmon, Mathias, McCann, Mendive, Mickelsen, Mitchell, Monks, Nelsen, Palmer, Petzke, Pickett, Pohanka, Price, Rasor, Raybould, Raymond, Redman, Rubel, Sauter, Scott, Shepherd, Shirts, Skaug, Tanner(13), Tanner(14), Thompson, Vander Woude, Weber, Wheeler, Wisniewski, Mr. Speaker. Total - 68.

NAYS—None.

Absent—Galaviz, Miller. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 14](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

**15TH ORDER
Announcements**

Announcements were made to the body.

**16TH ORDER
Adjournment**

Mr. Monks moved that the House adjourn until 8:30 a.m., Friday, January 24, 2025. Seconded by Ms. Rubel. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:01 p.m.

MIKE MOYLE, Speaker

ATTEST:

ERICA MCGINNIS, Chief Clerk