

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-EIGHTH LEGISLATURE

NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 14, 2025

House of Representatives

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

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Lincoln Hendricks, Page.

3RD ORDER Approval of Journal

January 14, 2025

Mr. Speaker:

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

SKAUG, Chairman

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

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 6, 2025

Dear Mr. Speaker,

I have the honor to inform you that, pursuant to Title 67-412, Idaho Code, I have designated Jeff Carlson of 3101 E. Bonview Dr., Boise, ID 83712, as a qualified substitute for Legislative District 19, Seat B, Ada County, State of Idaho.

This designation is effective January 13, 2025, at 4:00 p.m., and will continue until January 16, 2025.

Sincerely,
Representative Chris Mathias

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

The Speaker announced the oath of office had previously been administered to Jeff Carlson.

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

5TH ORDER Report of Standing Committees

January 14, 2025

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 8](#).

SKAUG, Chairman

[H 8](#) was referred to the State Affairs Committee.

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

8TH ORDER Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 9 BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO THE IDAHO ADMINISTRATIVE PROCEDURE ACT; AMENDING SECTION 39-107, IDAHO CODE, TO REVISE A PROVISION REGARDING CONTESTED CASE RULES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-314, IDAHO CODE, TO REVISE A PROVISION REGARDING PROCEDURES FOR DISCIPLINARY PROCEEDINGS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2412, IDAHO CODE, TO REVISE A PROVISION REGARDING PROCEDURES FOR DISCIPLINARY PROCEEDINGS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2819, IDAHO CODE, TO REVISE A PROVISION REGARDING PROCEDURES FOR DISCIPLINARY PROCEEDINGS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-5315, IDAHO CODE, TO REVISE A PROVISION REGARDING PROCEDURES FOR DISCIPLINARY PROCEEDINGS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5201, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE TERMS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5206, IDAHO CODE, TO REVISE A PROVISION REGARDING PROMULGATION OF RULES IMPLEMENTING THE ADMINISTRATIVE PROCEDURE ACT, TO PROVIDE FOR RULEMAKING AUTHORITY, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5232, IDAHO CODE, TO REVISE A PROVISION REGARDING DECLARATORY RULINGS BY AGENCIES AND TO PROVIDE THAT AN AGENCY SHALL INDEX ALL CURRENTLY EFFECTIVE DECLARATORY ORDERS; REPEALING SECTION 67-5241, IDAHO CODE, RELATING TO INFORMAL DISPOSITION; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5241, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING INFORMAL DISPOSITION OF A CONTESTED CASE; AMENDING SECTION 67-5242, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PROCEDURE AT A CONTESTED CASE HEARING, TO REVISE PROVISIONS REGARDING PROCEDURE AT A CONTESTED CASE HEARING, TO REMOVE PROVISIONS REGARDING PROCEDURE AT A CONTESTED CASE HEARING, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 52, TITLE 67, IDAHO CODE, BY THE ADDITION

OF A NEW SECTION 67-5242A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A DEFAULTING PARTY AND A DEFAULT ORDER; AMENDING SECTION 67-5244, IDAHO CODE, TO REVISE A PROVISION REGARDING A REVIEW OF RECOMMENDED ORDERS; AMENDING SECTION 67-5245, IDAHO CODE, TO REVISE A PROVISION REGARDING A REVIEW OF PRELIMINARY ORDERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5247, IDAHO CODE, TO PROVIDE FOR HOW LONG AN EMERGENCY ORDER SHALL BE EFFECTIVE; AMENDING SECTION 67-5249, IDAHO CODE, TO PROVIDE THAT A PRESIDING OFFICER SHALL CREATE A HEARING RECORD, TO REVISE PROVISIONS REGARDING AN AGENCY RECORD, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5250, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE INDEXING OF PRECEDENTIAL AGENCY ORDERS, TO PROVIDE THAT ALL FINAL WRITTEN ORDERS AND GUIDANCE DOCUMENTS INDEXED BY AN AGENCY SHALL BE POSTED ON THE AGENCY'S WEBSITE, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5251, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING EVIDENCE IN A CONTESTED CASE, TO REVISE A PROVISION REGARDING EVIDENCE IN A CONTESTED CASE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5252, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 67-5281, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5282, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REVISE PROVISIONS REGARDING DUTIES AND PROHIBITED CONDUCT OF THE CHIEF ADMINISTRATIVE LAW JUDGE; AMENDING SECTION 67-5283, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5284, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 67-5286, IDAHO CODE, TO REVISE A PROVISION REGARDING DEPARTMENT OF HEALTH AND WELFARE CONTESTED CASE PROCEEDINGS AND TO REMOVE PROVISIONS REGARDING CONTESTED CASE PROCEEDINGS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 10
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. 11
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO IMMIGRATION; AMENDING TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER

90, TITLE 18, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR THE CRIME OF ILLEGAL ENTRY FROM A FOREIGN NATION, TO PROVIDE FOR THE CRIME OF ILLEGAL REENTRY BY CERTAIN ALIENS, TO PROVIDE FOR THE CRIME OF REFUSAL TO COMPLY WITH AN ORDER TO RETURN TO A FOREIGN NATION, AND TO PROHIBIT THE ABATEMENT OF PROSECUTION ON THE BASIS OF IMMIGRATION STATUS DETERMINATION; AMENDING TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 63, TITLE 19, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING AN ORDER TO RETURN TO A FOREIGN NATION; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-349, IDAHO CODE, TO PROVIDE FOR CIVIL IMMUNITY FOR AND INDEMNIFICATION OF LOCAL GOVERNMENT OFFICIALS, EMPLOYEES, AND CONTRACTORS; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-349A, IDAHO CODE, TO PROVIDE FOR CIVIL IMMUNITY FOR AND INDEMNIFICATION OF STATE OFFICIALS, EMPLOYEES, AND CONTRACTORS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 12
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO STATE ASSETS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 55-103, IDAHO CODE, TO REVISE PROVISIONS REGARDING WHO MAY OWN CERTAIN PROPERTY; AMENDING CHAPTER 1, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-115, IDAHO CODE, TO PROVIDE FOR PROHIBITIONS ON LEASE OR PURCHASE OF CERTAIN LAND OR DWELLINGS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[H 9](#), [H 10](#), [H 11](#), and [H 12](#) 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 Tenth Order of Business.

10TH ORDER
Second Reading of Bills and Joint Resolutions

[H 3](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

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

7TH ORDER
Motions, Memorials, and Resolutions

[H 3](#) - TAXATION

Mr. Monks moved that all rules of the House interfering with the immediate consideration of [H 3](#) 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 3](#) be read the third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Rubel.

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

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, Galaviz, Gannon, Garner, Green(Schubin), Handy, Harris, Hawkins, Healey, Hill, Holtzclaw, Horman, Hostetler, Leavitt, Manwaring, Marmon, Mathias(Carlson), McCann, Mendive, Mickelsen(Hatch), Miller, Mitchell, Monks, Nelsen, Palmer, Petzke, Pickett, Pohanka, Price, Rasor, Raybould, Raymond, Redman, Rubel, Sauter, Scott, Shirts, Skaug, Tanner(14), Vander Woude, Weber, Wheeler, Wisniewski, Mr. Speaker. Total - 67.

NAYS—Tanner(13), Thompson. Total - 2.

Absent—Shepherd. Total - 1.

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 **H 3** 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. Ehlers to open debate.

The question being, "Shall **H 3** pass?"

Roll call resulted as follows:

AYES—Achilles, Alfieri, Andrus, Barbieri, Berch, Boyle, Bruce, Burgoyne, Cannon, Cheatum, Church, Clow, Cornilles, Crane(12), Crane(13), Dygert, Egbert, Ehlers, Erickson, Fuhriman, Furniss, Galaviz, Gannon, Garner, Green(Schubin), Handy, Harris, Healey, Hill, Holtzclaw, Horman, Manwaring, Mathias(Carlson), McCann, Mendive, Mickelsen(Hatch), Miller, Mitchell, Monks, Nelsen, Palmer, Petzke, Pickett, Pohanka, Raybould, Raymond, Rubel, Sauter, Shepherd, Shirts, Skaug, Tanner(14), Vander Woude, Weber, Wheeler, Mr. Speaker. Total - 56.

NAYS—Beiswenger, Cayler, Ehardt, Hawkins, Hostetler, Leavitt, Marmon, Price, Rasor, Redman, Scott, Tanner(13), Thompson, Wisniewski. Total - 14.

Total - 70.

Whereupon the Speaker declared that **H 3** passed the House. Title was approved and the bill ordered transmitted to the Senate.

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

11TH ORDER

Third Reading of Bills and Joint Resolutions

HCR 2 - BOISE STATE VOLLEYBALL

HCR 2 was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall **HCR 2** be adopted?"

Roll call resulted as follows:

AYES—Alfieri, Andrus, Barbieri, Beiswenger, Boyle, Bruce, Burgoyne, Cannon, Cayler, Cheatum, Clow, Cornilles, Crane(12), Crane(13), Dygert, Ehardt, Ehlers, Erickson, Fuhriman, Furniss,

Garner, Handy, Harris, Hawkins, Healey, Hill, Holtzclaw, Horman, Hostetler, Leavitt, Manwaring, Marmon, McCann, Mendive, Mickelsen(Hatch), Miller, Mitchell, Monks, Nelsen, 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 - 61.

NAYS—Achilles, Church, Egbert, Galaviz, Gannon, Green(Schubin), Mathias(Carlson), Rubel. Total - 8.

Absent—Berch. Total - 1.

Total - 70.

Whereupon the Speaker declared **HCR 2** adopted and ordered the resolution transmitted to the Senate.

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

13TH ORDER

Miscellaneous and Unfinished Business

Pursuant to House Rule 45, Representatives Crane(13), Redman, Barbieri, Gannon, and Green were elected by their respective parties to serve as members on the Ethics and House Policy Committee. Representatives Manwaring and Hawkins were elected by the majority party as first and second alternatives, respectively. Representatives Mathias and Galaviz were elected by the minority party as first and second alternatives, respectively.

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

15TH ORDER

Announcements

Announcements were made to the body.

16TH ORDER

Adjournment

Mr. Monks moved that the House adjourn until 11 a.m., Wednesday, January 15, 2025. Seconded by Ms. Rubel. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:30 a.m.

MIKE MOYLE, Speaker

ATTEST:

ERICA MCGINNIS, Chief Clerk