

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-EIGHTH LEGISLATURE

TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 29, 2025

Senate Chamber

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

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

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Brett Poggi, Page.

The Senate advanced to the Third Order of Business.

Senator Lent 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 28, 2025, 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 Den Hartog, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SR 101

BY STATE AFFAIRS COMMITTEE

A SENATE RESOLUTION

STATING FINDINGS OF THE SENATE AND PROVIDING THAT ALL TEMPORARY AND PENDING RULES OF THE IDAHO STATE POLICE, THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES, THE IDAHO PUBLIC UTILITIES COMMISSION, THE IDAHO SECRETARY OF STATE, THE DEPARTMENT OF ADMINISTRATION, AND THE IDAHO STATE LOTTERY HAVE BEEN REVIEWED AND APPROVED BY THE SENATE STATE AFFAIRS COMMITTEE, WITH EXCEPTIONS.

Be It Resolved by the Senate 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 Senate State Affairs Committee reviewed temporary and pending rules adopted by the Idaho State Police,

the Division of Occupational and Professional Licenses, the Idaho Public Utilities Commission, the Idaho Secretary of State, the Department of Administration, and the Idaho State Lottery.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the First Regular Session of the Sixty-eighth Idaho Legislature, that all temporary and pending rules adopted by the Idaho State Police, the Division of Occupational and Professional Licenses, the Idaho Public Utilities Commission, the Idaho Secretary of State, the Department of Administration, and the Idaho State Lottery, 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 Senate State Affairs Committee with the exception of the following rules, which were not approved:

(1) IDAPA 31.21.01, Idaho Public Utilities Commission, Customer Relations Rules for Gas, Electric, and Water Public Utilities (The Utility Customer Relations Rules), Docket No. 31-2101-2401, the entire docket; and

(2) IDAPA 31.41.01, Idaho Public Utilities Commission, Customer Relations Rules for Telephone Corporations Providing Services in Idaho Subject to Customer Service Regulation by the Idaho Public Utilities Commission (The Telephone Customer Relations Rules), Docket No. 31-4101-2401, Section 205., Subsections 02.a. and 02.b., only.

SJR 101

BY STATE AFFAIRS COMMITTEE

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE III OF THE CONSTITUTION OF THE STATE OF IDAHO, TO PROVIDE THAT ANY REFERENDUM PETITION OR INITIATIVE PETITION MUST BE SIGNED BY AT LEAST SIX PERCENT OF LEGAL VOTERS IN EACH LEGISLATIVE DISTRICT AT THE LAST GENERAL ELECTION; 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.

[SR 101](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

[SJR 101](#) 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

January 29, 2025

The JUDICIARY AND RULES Committee reports that [S 1028](#), [S 1029](#), [S 1030](#), [S 1031](#), [S 1032](#), and [S 1033](#) have been correctly printed.

LAKEY, Chairman

[S 1028](#), [S 1029](#), and [S 1030](#) were referred to the Judiciary and Rules Committee.

[S 1031](#) was referred to the Health and Welfare Committee.

[S 1032](#) was referred to the Education Committee.

[S 1033](#) was referred to the Agricultural Affairs Committee.

January 28, 2025

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1005](#) and [S 1018](#) with the recommendation that they do pass.

FOREMAN, Chairman

[S 1005](#) and [S 1018](#) were filed for second reading.

January 28, 2025

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

Tara Malek to the Idaho Health Insurance Exchange Board, term to expire April 10, 2028.

FOREMAN, 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 28, 2025

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

Sherrilynn Bair to the Public Charter School Commission, term to expire May 12, 2028.

LENT, 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.

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

Messages from the House

January 28, 2025

Dear Mr. President:

I transmit herewith [H 41](#), which has passed the House.

MCGINNIS, Chief Clerk

[H 41](#) was filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Den Hartog, granted by unanimous consent, the committee report relative to the Gubernatorial appointment of Lori Wolff retained its place on the calendar for one legislative day.

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Christine Starr 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 appointment of Christine Starr as the Executive Director of the Commission of Pardons and Parole 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 Judiciary and Rules Committee report relative to the Gubernatorial appointment of Mary Martin was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Galloway, seconded by Senator Ruchti, the Gubernatorial appointment of Mary Martin as a member of the Commission of Pardons and Parole 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 Resources and Environment Committee report relative to the Gubernatorial reappointment of Craig Hill was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Woodward, seconded by Senator Taylor, the Gubernatorial reappointment of Craig Hill as a member of the Lake Pend Oreille Basin 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.

On request by Senator Den Hartog, granted by unanimous consent, the committee report relative to the Gubernatorial reappointment of Linda Mitchell retained its place on the calendar for one legislative day.

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Marc Gibbs 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 Marc Gibbs as a member of the Idaho Water Resource 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.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial appointment of Brigadier General Timothy J. Donnellan 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 appointment of Brigadier General Timothy J. Donnellan as the Adjutant General of the Idaho Military Division 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 State Affairs Committee report relative to the Gubernatorial appointment of Dale McOmber was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Grow, seconded by Senator Semmelroth, the Gubernatorial appointment of Dale McOmber as a member of the State Building Authority 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 Senate advanced to the Eleventh Order of Business.

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

S 1034

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO FOSTER HOMES; AMENDING CHAPTER 12, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-1211B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING FOSTER HOME HEALTH AND SAFETY REQUIREMENTS; PROVIDING THAT CERTAIN ADMINISTRATIVE RULES CONTAINED IN IDAPA 16.06.02 SHALL BE NULL, VOID, AND OF NO FORCE AND EFFECT; AND DECLARING AN EMERGENCY.

S 1035

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO CONGREGATE CARE; AMENDING SECTION 16-1619B, IDAHO CODE, TO REVISE PROVISIONS REGARDING PLACEMENT OF CHILDREN IN CONGREGATE CARE SETTINGS AND TO PROVIDE FOR REGULAR COMPREHENSIVE REVIEW OF PLACEMENTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1036

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO HUMAN GENE THERAPY PRODUCTS; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 48, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-4810, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO ESTABLISH A MORATORIUM ON CERTAIN USES OF HUMAN GENE THERAPY PRODUCTS, AND TO DEFINE A TERM; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1037

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO VETERANS; AMENDING SECTION 66-906, IDAHO CODE, TO REVISE PROVISIONS REGARDING

THE SUCCESSION TO PROPERTY OF DECEASED RESIDENTS OF VETERANS HOMES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1038

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO HEALTH; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 73, TITLE 39, IDAHO CODE, TO PROVIDE THAT THE STATE OF IDAHO SHALL NOT BE COMPELLED TO ENGAGE IN THE ENFORCEMENT OF REQUIREMENTS OR MANDATES ISSUED BY THE WORLD HEALTH ORGANIZATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1039

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IMMIGRATION COOPERATION AND ENFORCEMENT ACT; AMENDING TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 90, TITLE 18, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR COOPERATION WITH FEDERAL AUTHORITIES, TO PROVIDE FOR COOPERATION WITH IMMIGRATION DETAINERS, TO PROVIDE FOR THE CRIME OF UNLAWFUL PRESENCE OF A DANGEROUS ILLEGAL ALIEN, TO PROVIDE FOR THE CRIME OF SMUGGLING A DANGEROUS ILLEGAL ALIEN, TO PROVIDE FOR SENTENCING ENHANCEMENT, TO PROVIDE FOR DETERMINATION OF ALIENAGE UPON CONFINEMENT, TO PROVIDE FOR CONDITIONS OF RELEASE OF AN ILLEGAL ALIEN FROM CONFINEMENT, TO PROVIDE FOR THE AUTHORITY TO TRANSPORT ILLEGAL ALIENS, TO PROVIDE IMMUNITY, AND TO PROVIDE INTERPRETATION; AND DECLARING AN EMERGENCY.

[S 1034](#), [S 1035](#), [S 1036](#), [S 1037](#), [S 1038](#), and [S 1039](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 41](#), 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 1019](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Den Hartog, seconded by Senator Wintrow, by voice vote, the Senate adjourned at 11:38 a.m. until the hour of 11 a.m., Thursday, January 30, 2025.

KELLY ANTHON, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary