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OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SEVENTH LEGISLATURE

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, JANUARY 30, 2024

House of Representatives

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

Roll call showed 69 members present.
Absent and excused - Holtzclaw. Total - 1.
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jared Seegmiller, Page.

3RD ORDER

Approval of Journal

January 30, 2024

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-second 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 Fifth Order of Business.

5TH ORDER

Report of Standing Committees

January 30, 2024

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 435](#), [H 436](#), [H 437](#), [H 438](#), and [H 439](#).

SKAUG, Chairman

[H 435](#), [H 436](#), [H 437](#), [H 438](#), and [H 439](#) were referred to the Health and Welfare Committee.

January 30, 2024

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [H 385](#).

SKAUG, Chairman

The Speaker announced he was about to sign enrolled [H 385](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

January 29, 2024

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 402](#) and [H 404](#) and recommend that they do pass.

MENDIVE, Chairman

[H 402](#) and [H 404](#) were filed for second reading.

January 30, 2024

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 410](#) and recommend that it do pass.

MONKS, Chairman

[H 410](#) was filed for second reading.

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. 440

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO TOBACCO PRODUCTS AND ELECTRONIC SMOKING DEVICES; AMENDING SECTION 39-5705, IDAHO CODE, TO PROVIDE PENALTIES; AMENDING SECTION 39-5711, IDAHO CODE, TO REVISE A PROVISION REGARDING THE REMITTANCE OF FINES AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 441

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2701, IDAHO CODE, TO REVISE A DEFINITION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 442

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO THE ATTORNEY GENERAL; AMENDING SECTION 67-1401, IDAHO CODE, TO PROVIDE FOR A DUTY OF THE ATTORNEY GENERAL REGARDING DEFENSE OF AN IDAHO LAW; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 443

BY BUSINESS COMMITTEE

AN ACT

RELATING TO PUBLIC WORKS CONTRACTORS; AMENDING SECTION 54-1903, IDAHO CODE, TO PROVIDE A CERTAIN EXEMPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1904, IDAHO CODE, TO REMOVE PROVISIONS REGARDING CLASS "D" LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 444**BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO COUNTY PROPERTY; AMENDING SECTION 31-808, IDAHO CODE, TO REVISE A PROVISION REGARDING A SALE, EXCHANGE, OR DONATION OF COUNTY PROPERTY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 445**BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO TAX DEFICIENCIES; AMENDING SECTION 63-3045, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ACCRUAL OF INTEREST ON INCOME TAX DEFICIENCIES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3632, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ACCRUAL OF INTEREST ON SALES TAX DEFICIENCIES; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 446**BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO SALES TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622XX, IDAHO CODE, TO PROVIDE A SALES TAX EXEMPTION FOR GRAIN BIN EQUIPMENT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 447**BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO INCOME TAXES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029N, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE IDAHO PARENTAL CHOICE TAX CREDIT; AMENDING CHAPTER 1, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-120, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE IDAHO PARENTAL CHOICE GRANT; AMENDING CHAPTER 12, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-1230, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE IDAHO PARENTAL CHOICE GRANT FUND; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION, AND PROVIDING EFFECTIVE DATES.

[H 440](#), [H 441](#), [H 442](#), [H 443](#), [H 444](#), [H 445](#), [H 446](#), and [H 447](#) 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**

Mrs. Blanksma asked unanimous consent that [H 390](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

[H 390](#) - CITY AND COUNTY OFFICERS

[H 390](#) 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. Skaug to open debate.

The question being, "Shall [H 390](#) pass?"

Roll call resulted as follows:

AYES—Alfieri, Allgood, Andrus, Barbieri, Blanksma, Boyle, Bundy, Cannon, Clow, Cornilles, Crane(12), Crane(13), Dixon(1), Dixon(24), Durrant, Ehardt, Ehlers, Erickson, Furniss, Gallagher, Handy, Hawkins, Healey, Hill, Horman, Kingsley, Lambert, Lanting, Manwaring, McCann, Mendive, Mickelsen, Miller, Mitchell, Monks, Nelsen, Palmer, Petzke, Pickett, Price, Raybould, Redman, Sauter, Scott, Shepherd, Skaug, Tanner, Vander Woude, Weber, Wisniewski, Wroten, Yamamoto, Young, Mr. Speaker. Total - 54.

NAYS—Berch, Burns, Cheatum, Chew(Wilson), Galaviz, Gannon, Garner, Green, Mathias, Nash(Coberly), Necochea, Raymond, Roberts, Rubel, Wheeler. Total - 15.

Absent—Holtzclaw. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 390](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mrs. Blanksma asked unanimous consent that [H 422](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

[H 422](#) - CHARTER SCHOOLS

[H 422](#) was read the third time at length, section by section, and placed before the House for final consideration.

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

Pursuant to Rule 80(3), the following Representatives disclosed a conflict of interest regarding [H 422](#):

Mr. Kingsley Mrs. Yamamoto

The question being, "Shall [H 422](#) pass?"

Roll call resulted as follows:

AYES—Alfieri, Allgood, Andrus, Barbieri, Blanksma, Boyle, Bundy, Burns, Cannon, Cheatum, Chew(Wilson), Clow, Cornilles, Crane(12), Crane(13), Dixon(1), Dixon(24), Durrant, Ehardt, Ehlers, Erickson, Furniss, Galaviz, Gallagher, Gannon, Garner, Green, Handy, Hawkins, Healey, Hill, Horman, Kingsley, Lambert, Lanting, Manwaring, Mathias, McCann, Mendive, Mickelsen, Miller, Mitchell, Monks, Nelsen, Palmer, Petzke, Pickett, Price, Raybould, Raymond, Redman, Roberts, Rubel, Sauter, Scott, Shepherd, Skaug, Tanner, Vander Woude, Weber, Wheeler, Wisniewski, Wroten, Yamamoto, Young, Mr. Speaker. Total - 66.

NAYS—Berch, Nash(Coberly), Necochea. Total - 3.

Absent—Holtzclaw. Total - 1.

Total - 70.

Whereupon the Speaker declared that [H 422](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mrs. Blanksma asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

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

Mrs. Blanksma moved that the House adjourn until 11 a.m., Wednesday, January 31, 2024. Seconded by Ms. Rubel. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:21 a.m.

MIKE MOYLE, Speaker

ATTEST:

ERICA MCGINNIS, Chief Clerk