

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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**FORTY-SEVENTH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 23, 2024**

House of Representatives

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

Roll call showed 66 members present.

Absent and excused - Alfieri, Green, Holtzclaw, and Lambert. Total - 4.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Silas Frederick, Page.

### 3RD ORDER Approval of Journal

February 23, 2024

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-sixth 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

February 23, 2024

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HJR 2](#), [H 621](#), [H 622](#), [H 623](#), [H 624](#), [H 625](#), [H 626](#), [H 627](#), [H 628](#), [H 629](#), [H 630](#), [H 631](#), [H 632](#), [H 633](#), [H 634](#), [H 635](#), and [H 636](#).

SKAUG, Chairman

[H 624](#) was filed for second reading.

[HJR 2](#), [H 634](#), [H 635](#), and [H 636](#) were referred to the Education Committee.

[H 621](#) and [H 631](#) were referred to the Business Committee.

[H 622](#), [H 623](#), and [H 629](#) were referred to the Judiciary, Rules and Administration Committee.

[H 625](#) was referred to the Revenue and Taxation Committee.

[H 626](#), [H 627](#), [H 628](#), and [H 630](#) were referred to the State Affairs Committee.

[H 632](#) and [H 633](#) were referred to the Health and Welfare Committee.

February 23, 2024

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have transmitted enrolled [H 422](#) to the Governor at 11:50 a.m., as of this date, February 22, 2024.

SKAUG, Chairman

February 22, 2024

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 583](#), [H 610](#), and [HCR 24](#) and recommend that they do pass.

PALMER, Chairman

[H 583](#), [H 610](#), and [HCR 24](#) were filed for second reading.

February 22, 2024

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 591](#) and recommend that it do pass.

ANDRUS, Chairman

[H 591](#) was filed for second reading.

February 23, 2024

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 588](#) and recommend that it do pass.

CRANE(13), Chairman

[H 588](#) 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 CONCURRENT RESOLUTION NO. 29 BY STATE AFFAIRS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF ADMINISTRATION RELATING TO RULES OF THE DIVISION OF PURCHASING.

Be It Resolved by the Legislature 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, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Administration relating to Rules of the Division of Purchasing are not consistent with legislative intent and should be rejected because they exceed the scope of authority granted to the administrator by creating in rule a type of solicitation called an "invitation to negotiate" or a "competitive negotiation" that is not permitted by statute or included in the statutory definition of a "solicitation."

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that final rule contained in IDAPA 38.05.01,

Section 011., Subsections 05., 14., 17., and 18.; Section 051., Subsections 02. and 04.; Section 070.; Section 084., Subsection 01.a.; and Section 094., relating to Rules of the Division of Purchasing, Rules of the Department of Administration, only, be, and the same are hereby rejected and declared null, void, and of no force and effect.

[HCR 29](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

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

February 22, 2024

PETITION TO WAIVE JOINT RULE 20

Dear Speaker Moyle:

Pursuant to Joint Rule 20, we, the majority leadership of the House, hereby petition the Speaker of the House of Representatives to waive the provisions of Joint Rule 20 with regard to a proposed Constitutional Amendment. This waiver will allow the introduction and transmittal of RS 31197C1, (HJR 3) to amend the Constitution of the State of Idaho, regarding one round of voting and persons with the highest number of votes being deemed elected.

Sincerely,  
/s/ Jason A. Monks, Majority Leader  
/s/ Sage G. Dixon, Assistant Majority Leader  
/s/ Dustin Manwaring, Caucus Chairman

The Speaker announced that pursuant to the 36th day deadline, and a petition being presented, Joint Rule 20 would be waived for the purpose of introducing joint resolutions to make amendments to the Constitution of the State of Idaho.

**HOUSE JOINT RESOLUTION NO. 3**  
**BY STATE AFFAIRS COMMITTEE**

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE ADDITION OF A NEW SECTION 8, ARTICLE VI, REGARDING ONE ROUND OF VOTING AND PERSONS WITH THE HIGHEST NUMBER OF VOTES BEING DEEMED ELECTED; 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.

**HOUSE BILL NO. 637**  
**BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO COUNTYWIDE HIGHWAY DISTRICTS; REPEALING SECTION 40-1404A, IDAHO CODE, RELATING TO ELECTIONS, TERMS, AND SALARIES OF COMMISSIONERS IN CERTAIN COUNTYWIDE HIGHWAY DISTRICTS; AMENDING CHAPTER 14, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-1404A, IDAHO CODE, TO PROVIDE FOR THE DIVISION OF CERTAIN COUNTYWIDE HIGHWAY DISTRICTS INTO SUBDISTRICTS AND TO ESTABLISH PROVISIONS REGARDING THE ELECTIONS AND TERMS

OF OFFICE OF COMMISSIONERS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 638**  
**BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO THE STRATEGIC INITIATIVES GRANT PROGRAM; AMENDING SECTION 40-719, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE STRATEGIC INITIATIVES GRANT PROGRAM; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 639**  
**BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO BUILDING CODES; AMENDING SECTION 39-4116, IDAHO CODE, TO PROVIDE FOR CERTAIN HEAT DETECTION DEVICES AND TO CLARIFY A TERM; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 640**  
**BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-120, IDAHO CODE, TO DEFINE A TERM; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 641**  
**BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO UNLAWFUL DETAINER; AMENDING SECTION 6-303, IDAHO CODE, TO PROVIDE A PROCESS IN THE EVENT A LANDLORD HAS REASON TO BELIEVE A TENANT IS ENGAGING IN ILLEGAL DRUG ACTIVITY OCCURRING ON A LEASED PREMISES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 642**  
**BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO DEALERS AND SALESMEN LICENSING; AMENDING CHAPTER 16, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1601A, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS AND INTENT; AMENDING SECTION 49-1613, IDAHO CODE, TO REVISE AND ESTABLISH PROVISIONS REGARDING UNLAWFUL ACTS BY A MANUFACTURER OR DISTRIBUTOR; AMENDING SECTION 49-1632, IDAHO CODE, TO PROVIDE FOR AFFILIATE CORPORATIONS AND ENTITIES AND TO REMOVE OBSOLETE LANGUAGE; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 643**  
**BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO CORPORATIONS; AMENDING SECTION 30-501, IDAHO CODE, TO PROVIDE CERTAIN PROHIBITIONS ON THE INCORPORATION OF A CORPORATION BY THE STATE AND TO PROVIDE AN EXCEPTION FOR INDEPENDENT PUBLIC BODIES POLITIC AND CORPORATE; AMENDING CHAPTER 5, TITLE 30, IDAHO CODE, BY THE ADDITION OF A

NEW SECTION 30-502, IDAHO CODE, TO PROVIDE FOR CERTAIN REPORTING AND TO PROVIDE FOR THE OPPORTUNITY OF CERTAIN CORPORATIONS TO BE REFORMED AS INDEPENDENT PUBLIC BODIES POLITICAL AND CORPORATE OR TO DISASSOCIATE FROM THE STATE OF IDAHO; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 644**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-102, IDAHO CODE, TO PROVIDE CERTAIN REQUIREMENTS FOR STATE BOARD OF EDUCATION MEMBERS, TO ESTABLISH PROVISIONS REGARDING GEOGRAPHICAL REGIONS FOR APPOINTMENT OF STATE BOARD OF EDUCATION MEMBERS, TO PROVIDE AN EXCEPTION FOR CURRENT BOARD MEMBERS, AND TO PROVIDE FOR VACANCIES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 645**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO SCHOOL DISTRICT TRUSTEES; AMENDING SECTION 33-504, IDAHO CODE, TO REVISE PROVISIONS REGARDING VACANCIES ON SCHOOL DISTRICT BOARDS OF TRUSTEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-510, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TRANSACTION OF BUSINESS BY SCHOOL BOARDS OF TRUSTEES WHEN VACANCIES OCCUR AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 646**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO COUNTIES; AMENDING SECTION 31-107, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE BOUNDARIES OF BENEWAH COUNTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-111, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE BOUNDARIES OF BONNER COUNTY; AMENDING SECTION 31-120, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE BOUNDARIES OF CLEARWATER COUNTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-130, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE BOUNDARIES OF KOOTENAI COUNTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-131, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE BOUNDARIES OF LATAH COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-142, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE BOUNDARIES OF SHOSHONE COUNTY AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 647**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE OCCUPATIONAL LICENSING REFORM ACT; AMENDING CHAPTER 94, TITLE 67,

IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-9416, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING UNIVERSAL OCCUPATIONAL LICENSURE RENEWAL REFORM; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 648**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 649**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF SPECIES CONSERVATION; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2025; AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 650**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE COMMISSION ON THE ARTS; APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[HJR 3](#), [H 637](#), [H 638](#), [H 639](#), [H 640](#), [H 641](#), [H 642](#), [H 643](#), [H 644](#), [H 645](#), [H 646](#), [H 647](#), [H 648](#), [H 649](#), and [H 650](#) 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 618](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 543](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[H 571](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[H 576](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[H 507](#) and [H 540](#), by Resources and Conservation Committee, were read the second time by title and filed for third reading.

[H 592](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[H 494](#) and [H 520](#), by Judiciary, Rules and Administration Committee, were read the second time by title and filed for third reading.

[H 575](#) and [H 464](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 542](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

### 11TH ORDER

#### Third Reading of Bills and Joint Resolutions

Mr. Monks asked unanimous consent that [H 517](#) be returned to the Judiciary, Rules and Administration Committee. There being no objection, it was so ordered.

Mr. Crane(13) asked unanimous consent that [H 420](#) be removed from General Orders and returned to the State Affairs Committee. There being no objection, it was so ordered.

Mr. Vander Woude asked unanimous consent that [H 392](#) be removed from General Orders and returned to the Health and Welfare Committee. There being no objection, it was so ordered.

Mr. Monks asked unanimous consent that [H 499](#) be returned to the Health and Welfare Committee. There being no objection, it was so ordered.

#### [H 482](#) - JUVENILE CORRECTIONS ACT

[H 482](#) 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. Handy to open debate.

The question being, "Shall [H 482](#) pass?"

Roll call resulted as follows:

AYES—Achilles, Allgood, Andrus, Barbieri, Berch, Blanksma, Boyle, Bundy, Burns, Cannon, Cheatum, Chew(Egbert), Clow, Cornilles, Crane(12), Crane(13), Dixon(1), Dixon(24), Durrant, Ehardt, Ehlers, Erickson, Furniss, Galaviz, Gallagher, Gannon, Garner, Handy, Hawkins, Healey, Hill, Horman, Kingsley, Lanting, Manwaring, Mathias, McCann, Mendive, Mickelsen, Miller, Mitchell, Monks, Necochea, Nelsen, Palmer, Petzke, Pickett, Price, Raybould, Raymond, Redman, Roberts, Rubel, Sauter, Scott, Skaug, Tanner, Vander Woude, Weber, Wheeler, Wisniewski, Wroten, Yamamoto, Young, Mr. Speaker. Total - 65.

NAYS—None.

Absent—Alfieri, Green, Holtzclaw, Lambert, Shepherd. Total - 5.

Total - 70.

Whereupon the Speaker declared that [H 482](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [HCR 23](#) - JOINT RULE 11

[HCR 23](#) was read the third time at length and placed before the House for final consideration.

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

The question being, "Shall [HCR 23](#) be adopted?"

Roll call resulted as follows:

AYES—Achilles, Allgood, Andrus, Barbieri, Blanksma, Boyle, Bundy, Burns, Cannon, Cheatum, Chew(Egbert), Clow, Cornilles, Crane(12), Crane(13), Dixon(1), Dixon(24), Durrant, Ehardt, Ehlers, Erickson, Furniss, Galaviz, Gallagher, Gannon, Garner, Handy, Hawkins, Healey, Hill, Horman, Kingsley, Lanting, Manwaring, 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 - 63.

NAYS—Berch, Mathias, Necochea. Total - 3.

Absent—Alfieri, Green, Holtzclaw, Lambert. Total - 4.

Total - 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, [HCR 23](#) was adopted by the House and the resolution ordered transmitted to the Senate.

Mr. Monks asked unanimous consent that [H 521](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

#### [H 521](#) - TAXATION

[H 521](#) 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. Monks to open debate.

The question being, "Shall [H 521](#) pass?"

Roll call resulted as follows:

AYES—Achilles, Allgood, Andrus, Barbieri, Blanksma, Boyle, Bundy, Burns, Cannon, Cheatum, Clow, Cornilles, Crane(12), Crane(13), Dixon(1), Dixon(24), Durrant, Ehardt, Ehlers, Erickson, Furniss, Galaviz, Gallagher, Garner, Handy, Hawkins, Healey, Hill, Holtzclaw, Horman, Kingsley, Lanting, Manwaring, McCann, Mendive, Mickelsen, Miller, Mitchell, Monks, Nelsen, Palmer, Petzke, Pickett, Price, Raybould, Raymond, Redman, Roberts, Sauter, Scott, Shepherd, Skaug, Tanner, Vander Woude, Weber, Wheeler, Wisniewski, Wroten, Yamamoto, Young, Mr. Speaker. Total - 61.

NAYS—Berch, Chew(Egbert), Gannon, Mathias, Necochea, Rubel. Total - 6.

Absent—Alfieri, Green, Lambert. Total - 3.

Paired Votes:

AYE - Holtzclaw                      NAY - Chew(Egbert)

(Pairs enumerated in roll call above.)

Total - 70.

Whereupon the Speaker declared that [H 521](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Monks asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 26, 2024. 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**

Mr. Monks moved that the House adjourn until 11 a.m., Monday, February 26, 2024. Seconded by Ms. Rubel. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:18 p.m.

MIKE MOYLE, Speaker

ATTEST:

ERICA MCGINNIS, Chief Clerk