

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

THIRTIETH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 6, 2024

Senate Chamber

President Pro Tempore Winder called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Anthon and Ruchtli, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Owen Allen, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 5, 2024, 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 Lee, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SJR 105 BY EDUCATION COMMITTEE

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 9, ARTICLE IX OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO SCHOOL ATTENDANCE; 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.

[SJR 105](#) 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

February 5, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [S 1243](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[S 1243](#) was filed for second reading.

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

### Messages from the House

February 5, 2024

Dear Mr. President:

I transmit herewith [H 412](#), [H 413](#), [H 414](#), [H 428](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), and [H 433](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 412](#), [H 413](#), [H 414](#), [H 428](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), and [H 433](#) were filed for first reading.

On request by Senator Lee, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

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

#### S 1276

#### BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PAYMENTS TO THE COURT; AMENDING SECTION 31-3221, IDAHO CODE, TO REVISE A PROVISION REGARDING AN ELECTRONIC PAYMENT CONVENIENCE FEE AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1277

#### BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO ADDRESS CONFIDENTIALITY FOR JUDICIAL OFFICERS; AMENDING SECTION 19-6001, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 179, LAWS OF 2023, TO REDESIGNATE THE SECTION, TO DEFINE A TERM, AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1278

#### BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 18-8005, IDAHO CODE, TO REVISE A PROVISION REGARDING AN IGNITION INTERLOCK SYSTEM AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1279

#### BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO NAVIGATIONAL ENCROACHMENTS; AMENDING SECTION 58-1312, IDAHO CODE, TO DEFINE A PHRASE AND TO REVISE A PROVISION REGARDING

CERTAIN DOCUMENTATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1280**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO ADOPTION PROCEEDINGS; AMENDING SECTION 16-1506, IDAHO CODE, TO PROVIDE AN EXCEPTION FOR RESIDENCY REQUIREMENTS IN ADOPTION PROCEEDINGS, TO PROVIDE THAT A CHILD MUST HAVE LIVED WITH AN ADOPTION PETITIONER FOR AT LEAST SIX MONTHS IN CERTAIN CASES, TO REVISE PROVISIONS REGARDING ADOPTION PROCEEDINGS, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1281**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO TEMPORARY CARE ASSISTANCE PROGRAMS; AMENDING SECTION 32-1805, IDAHO CODE, TO REVISE PROVISIONS REGARDING CRIMINAL HISTORY AND BACKGROUND CHECKS FOR POTENTIAL TEMPORARY CAREGIVERS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1276](#), [S 1277](#), [S 1278](#), [S 1279](#), [S 1280](#), and [S 1281](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 412](#), [H 413](#), and [H 414](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[H 428](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), and [H 433](#), by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1266](#), [S 1267](#), [S 1268](#), [S 1269](#), and [S 1270](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1253](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

President Bedke assumed the Chair.

On request by Senator Lee, granted by unanimous consent, [S 1239](#), having been held, was referred to the Fourteenth Order of Business, General Calendar.

[S 1244](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hartgen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Burtenshaw, Cook, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lent, Rabe,

Ricks, Ruchti, Schroeder, Semmelroth, Taylor, VanOrden, Ward-Engelking, Winder, Wintrow. Total - 23.

NAYS—Bjerke, Carlson, Den Hartog, Foreman, Hart, Herndon, Lenney, Nichols, Okuniewicz, Toews, Trakel, Zuiderveld. Total - 12.

Paired and voting included in roll call:

AYE - Ruchti                                  NAY - Toews

Total - 35.

Whereupon the President declared [S 1244](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lee, granted by unanimous consent, [S 1234](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1218](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bjerke, Carlson, Guthrie, Herndon, Lenney, Schroeder, Taylor, Toews, Ward-Engelking, Wintrow, Zuiderveld. Total - 12.

NAYS—Adams, Bernt, Burtenshaw, Cook, Den Hartog, Foreman, Grow, Harris, Hart, Hartgen, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Semmelroth, Trakel, VanOrden, Winder. Total - 22.

Absent and excused—Ruchti. Total - 1.

Total - 35.

Whereupon the President declared that [S 1218](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1235](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Herndon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bjerke, Carlson, Den Hartog, Foreman, Grow, Guthrie, Hart, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 22.

NAYS—Bernt, Burtenshaw, Cook, Harris, Hartgen, Just, Rabe, Schroeder, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 12.

Absent and excused—Ruchti. Total - 1.

Total - 35.

Whereupon the President declared [S 1235](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1251](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Burtenshaw, Cook, Den Hartog, Grow, Guthrie, Harris, Hartgen, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 30.

NAYS—Carlson, Foreman, Hart, Herndon. Total - 4.

Absent and excused—Ruchti. Total - 1.

Total - 35.

Whereupon the President declared [S 1251](#) passed, title was approved, and the bill ordered transmitted to the House.

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

**Miscellaneous Business**

On motion by Senator Lee, seconded by Senator Wintrow, by voice vote, the Senate adjourned at 11:46 a.m. until the hour of 10:30 a.m., Wednesday, February 7, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary