

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SEVENTH LEGISLATURE

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FIFTY-FOURTH LEGISLATIVE DAY  
FRIDAY, MARCH 1, 2024

Senate Chamber

President Bedke called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Cook and Grow, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Keegan Watts, 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 29, 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 Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 29, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [S 1323](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[S 1323](#) was filed for second reading.

March 1, 2024

The STATE AFFAIRS Committee reports out [H 456](#), [H 487](#), [H 618](#), and [S 1377](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 456](#), [H 487](#), [H 618](#), and [S 1377](#) were filed for second reading.

March 1, 2024

The STATE AFFAIRS Committee reports out [S 1376](#) and [SJR 105](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

GUTHRIE, Chairman

There being no objection, [S 1376](#) and [SJR 105](#) were referred to the Fourteenth Order of Business, General Calendar.

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

### Messages from the House

February 29, 2024

Dear Mr. President:

I transmit herewith [H 477](#), [H 486](#), [H 497](#), [H 634](#), and [H 577](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 477](#), [H 486](#), [H 497](#), [H 634](#), and [H 577](#) were filed for first reading.

On request by Senator Anthon, 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 1382 BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF FISH AND GAME; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR DEPREDATION FUNDS; PROVIDING REAPPROPRIATION AUTHORITY FOR CAPITAL PROJECTS; REQUIRING A REPORT REGARDING BIG GAME DEPREDATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1383 BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF PARKS AND RECREATION; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### S 1384 BY FINANCE COMMITTEE

AN ACT

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

#### S 1385 BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO COMMISSION FOR LIBRARIES; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2025; PROVIDING REAPPROPRIATION AUTHORITY FOR LIBRARY

PROJECTS; PROVIDING REAPPROPRIATION AUTHORITY FOR DIGITAL ACCESS CAPACITY; REAFFIRMING STATUTORY COMPLIANCE REGARDING TELEHEALTH FACILITIES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1386**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE HISTORICAL SOCIETY; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2025; PROVIDING AN ADDITIONAL AUTHORIZED FULL-TIME EQUIVALENT POSITION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1387**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE LIEUTENANT GOVERNOR; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1388**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF THE SECRETARY OF STATE; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2025; PROVIDING REAPPROPRIATION AUTHORITY; DIRECTING USE OF FUNDS FOR VOTER PAMPHLETS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1389**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PHARMACY BENEFIT MANAGERS; AMENDING SECTION 41-349, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE A LIMIT ON CHARGES FOR HEALTH PLANS OR PROGRAMS, TO PROVIDE FOR MANUFACTURER REBATES, TO PROVIDE FOR CERTAIN EXAMINATIONS, TO PROVIDE REQUIREMENTS FOR CERTAIN CONTRACTS, TO PROVIDE AN EXCEPTION, TO ESTABLISH PROVISIONS REGARDING ADMINISTRATIVE APPEALS, TO PROHIBIT CERTAIN ACTIONS OF A PHARMACY BENEFIT MANAGER, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1390**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 72-1204, IDAHO CODE, TO REVISE A DEFINITION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1391**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5207, IDAHO CODE, AS ADDED BY SECTION 23 OF HOUSE BILL NO. 422, AS ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE DISTRIBUTION OF FACILITIES FUNDS TO PUBLIC CHARTER SCHOOLS AND SCHOOL DISTRICTS; AND DECLARING AN EMERGENCY.

**S 1392**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5207, IDAHO CODE, AS ADDED BY SECTION 23 OF HOUSE BILL NO. 422, AS ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE DISTRIBUTION OF FACILITIES FUNDS TO PUBLIC CHARTER SCHOOLS AND SCHOOL DISTRICTS; AND DECLARING AN EMERGENCY.

**S 1393**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO WASTE TIRES; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6501, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS; AMENDING SECTION 39-6501, IDAHO CODE, TO REDESIGNATE THE SECTION, TO DEFINE TERMS, TO REVISE A DEFINITION, AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-6502, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS REGARDING CERTAIN EMERGENCIES; AMENDING SECTION 39-6503, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-6504, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6506, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A WASTE TIRE RECYCLING FEE; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6507, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING A WASTE TIRE RECYCLING FUND; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6508, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PAYMENT OF THE WASTE TIRE RECYCLING FEE AND AN ADMINISTRATIVE CHARGE; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6509, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PARTIAL REIMBURSEMENT; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6510, IDAHO CODE, TO PROVIDE LIMITATIONS ON REIMBURSEMENT; AMENDING SECTION 39-6505, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-6506, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-6507, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-6508, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A

NEW SECTION 39-6515, IDAHO CODE, TO PROVIDE APPLICABILITY; AMENDING CHAPTER 65, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-6516, IDAHO CODE, TO PROVIDE FOR AN ANNUAL REPORT TO THE LEGISLATURE; AND DECLARING AN EMERGENCY.

**S 1394**

**BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO VOTING MACHINES; AMENDING SECTION 18-2306, IDAHO CODE, TO PROVIDE THAT TAMPERING WITH A VOTING MACHINE IS A FELONY OFFENSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-2401, IDAHO CODE, TO REMOVE AND REVISE DEFINITIONS AND TO DEFINE A TERM; AMENDING SECTION 34-2404, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PROHIBITION ON TAMPERING WITH VOTING MACHINES; AMENDING SECTION 34-2409, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EXAMINATION OF VOTING MACHINES; AMENDING SECTION 34-2410, IDAHO CODE, TO REVISE PROVISIONS REGARDING SPECIFICATIONS FOR VOTING MACHINES OR VOTE TALLY SYSTEMS; AMENDING SECTION 34-2411, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DUTIES OF ELECTION BOARD CLERKS; AMENDING SECTION 34-2415, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE PREPARATION OF A POLLING PLACE FOR AN ELECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-2416, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE PROCEDURE FOR PREPARING VOTING MACHINES FOR AN ELECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-2418, IDAHO CODE, TO REMOVE PROVISIONS REGARDING BALLOT LABELS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-2420, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EXAMINATION OF A VOTING MACHINE DURING ELECTIONS; REPEALING SECTION 34-2426, IDAHO CODE, RELATING TO THE EXHIBITION OF VOTING MACHINES FOR THE INSTRUCTION OF VOTERS; AMENDING CHAPTER 24, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-2426, IDAHO CODE, TO PROVIDE FOR PUBLIC LOGIC AND ACCURACY TESTS; AMENDING SECTION 34-903, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 34-1411, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1382](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), [S 1388](#), [S 1389](#), [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), and [S 1394](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 477](#), [H 486](#), and [H 497](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 634](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 577](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1308](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 467](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[H 474](#) and [H 549](#), by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

[H 648](#), [H 649](#), and [H 650](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 433](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 478](#), by Business Committee, was read the second time at length and filed for third reading.

[H 508](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1315](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 454](#), [H 529](#), and [H 580](#), by Education Committee, were read the second time at length and filed for third reading.

Senator Grow was recorded present at this order of business.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

Having been held to a date certain of March 1, 2024, [S 1351](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Carlson 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, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Schroeder, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 28.

NAYS—Just, Moser (Semmelroth), Rabe, Ruchti, Taylor, Ward-Engelking, Wintrow. Total - 7.

Total - 35.

Whereupon the President declared [S 1351](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1371](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1288](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bjerke 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, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Taylor, Toews, Trakel,

VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld.  
Total - 33.

NAYS–Moser (Semmelroth), Rabe. Total - 2.

Total - 35.

Whereupon the President declared [S 1288](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1252](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1262](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nichols 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, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Moser (Semmelroth), Nichols, Okuniewicz, Rabe, Ricks, Rucht, Schroeder, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 34.

NAYS–None.

Absent and excused–Bernt. Total - 1.

Total - 35.

Whereupon the President declared [S 1262](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

#### **Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Wintrow, by voice vote, the Senate adjourned at 11:42 a.m. until the hour of 10:30 a.m., Monday, March 4, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary