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IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SEVENTH LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 4, 2024

Senate Chamber

President Bedke called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Den Hartog and Rabe, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Brody Benson, 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 March 1, 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

March 4, 2024

The JUDICIARY AND RULES Committee reports that [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](#) have been correctly printed.

LAKEY, Chairman

[S 1382](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), and [S 1388](#) were referred to the Finance Committee.

[S 1389](#) was referred to the Health and Welfare Committee.

[S 1390](#) was referred to the Commerce and Human Resources Committee.

[S 1391](#) and [S 1392](#) were referred to the Education Committee.

[S 1393](#) was referred to the Health and Welfare Committee.

[S 1394](#) was referred to the State Affairs Committee.

March 1, 2024

The JUDICIARY AND RULES Committee reports out [SCR 114](#) and [SCR 115](#) with the recommendation that they do pass.

LAKEY, Chairman

[SCR 114](#) and [SCR 115](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 4, 2024

The STATE AFFAIRS Committee reports out [H 441](#), [H 575](#), and [H 588](#) with the recommendation that they do pass.

GUTHRIE, Chairman

[H 441](#), [H 575](#), and [H 588](#) were filed for second reading.

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

Messages from the House

March 1, 2024

Dear Mr. President:

I transmit herewith [H 526](#), [H 669](#), [H 600](#), [H 629](#), [H 590](#), [H 586](#), [H 614](#), [H 644](#), [H 501](#), as amended, [H 568](#), as amended, [HJM 6](#), [HCR 29](#), [HCR 27](#), and [H 661](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 526](#), [H 669](#), [H 600](#), [H 629](#), [H 590](#), [H 586](#), [H 614](#), [H 644](#), [H 501](#), as amended, [H 568](#), as amended, [HJM 6](#), [HCR 29](#), [HCR 27](#), and [H 661](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Anthon, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Idaho Day Service.

The Idaho Day Service was presented to the members of the Senate with Co-chair Carlson providing opening remarks. Prayer was offered by Senator Toews.

Co-chair Just offered remarks on the history of the Idaho State Seal for the Idaho Day Service.

Emily Sears, Capitol Curator, Idaho Historical Society and Matt Thorley, Museum Preparator, Idaho Historical Society presented the Idaho State Seal to the Committee.

Gold Voices from Lewiston Independent School District #1, under the direction of Julie Burke, performed "Here We Have Idaho" and "Sir Duke".

Closing remarks were provided by Co-chair Carlson. She extended gratitude to all who helped with the program and the Idaho Day Service was dissolved.

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

Senators Den Hartog and Rabe were recorded present at this order of business.

S 1395**BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO MEDICAL RECORDS; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 73, TITLE 39, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE COSTS FOR REQUESTING COPIES OF MEDICAL RECORDS, TO DEFINE A TERM, TO PROVIDE AN EXCEPTION FOR SOCIAL SECURITY ACT BENEFITS, AND TO REQUIRE FULFILLMENT WITHIN AN ESTABLISHED TIMELINE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1396**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO LIENS OF MECHANICS AND MATERIALMEN; AMENDING SECTION 45-501, IDAHO CODE, TO REVISE A PROVISION REGARDING THE RIGHT TO A LIEN AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

[S 1395](#) and [S 1396](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 526](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 669](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 600](#) and [H 629](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 590](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 586](#) and [H 614](#), by Ways and Means Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 644](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 501](#), as amended, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 568](#), as amended, by Environment, Energy and Technology Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HJM 6](#), by State Affairs Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[HCR 29](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[HCR 27](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 661](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1323](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[H 456](#), [H 487](#), and [H 618](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1377](#), 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

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

Having been held, [S 1252](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Adams 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, Carlson, Den Hartog, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Just, Lakey, Lee, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Taylor, Toews, Trakel, VanOrden, Winder, Zuiderveld. Total - 27.

NAYS—Burtenshaw, Cook, Foreman, Ruchti, Schroeder, Semmelroth, Ward-Engelking, Wintrow. Total - 8.

Total - 35.

Whereupon the President declared [S 1252](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Reading of Communications

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

Petitions, Resolutions, and Memorials

On motion by Senator Anthon, seconded by Senator Wintrow, by voice vote the Senate recessed at 12:09 p.m. until the hour of 4:30 p.m. of this day.

RECESS**AFTERNOON SESSION**

The Senate reconvened at 4:30 p.m., pursuant to recess, President Bedke presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 4, 2024

The RESOURCES AND ENVIRONMENT Committee reports out [H 468](#), [H 507](#), and [H 592](#) with the recommendation that they do pass.

BURTENSHAW, Chairman

[H 468](#), [H 507](#), and [H 592](#) were filed for second reading.

March 4, 2024

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

Brody Harshbarger to the Idaho Fish and Game Commission, term to expire June 30, 2027.

BURTENSHAW, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 4, 2024

The FINANCE Committee reports out [S 1382](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), and [S 1388](#) with the recommendation that they do pass.

GROW, Chairman

[S 1382](#), [S 1383](#), [S 1384](#), [S 1385](#), [S 1386](#), [S 1387](#), and [S 1388](#) were filed for second reading.

March 4, 2024

The JUDICIARY AND RULES Committee reports out [S 1367](#) and [S 1369](#) with the recommendation that they do pass.

LAKEY, Chairman

[S 1367](#) and [S 1369](#) were filed for second reading.

March 4, 2024

The HEALTH AND WELFARE Committee reports out [H 439](#) and [H 528](#) with the recommendation that they do pass.

VANORDEN, Chairman

[H 439](#) and [H 528](#) were filed for second reading.

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

Messages from the House

March 4, 2024

Dear Mr. President:

I transmit herewith Enrolled [H 412](#), [H 414](#), [H 404](#), [H 452](#), and [H 455](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 412](#), [H 414](#), [H 404](#), [H 452](#), and [H 455](#) and ordered them returned to the House.

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 1397

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF INSURANCE; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2025; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS;

AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1398

BY FINANCE COMMITTEE

AN ACT

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

S 1399

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO IDAHO PUBLIC TELEVISION; APPROPRIATING ADDITIONAL MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2025; PROVIDING REAPPROPRIATION AUTHORITY FOR THE IDAHO MILLENNIUM INCOME FUND; PROVIDING REAPPROPRIATION AUTHORITY FOR THE FEDERAL GRANT FUND; APPROPRIATING ADDITIONAL MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECT DATES.

S 1400

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE INDUSTRIAL COMMISSION; APPROPRIATING ADDITIONAL MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2025; PROVIDING FOR TECHNOLOGY MODERNIZATION REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1401

BY FINANCE COMMITTEE

AN ACT

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

S 1402

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DIVISION OF VETERANS SERVICES; APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2025; PROVIDING REAPPROPRIATION AUTHORITY FOR THE FEDERAL GRANT FUND; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1403

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PLANNING AND ZONING; AMENDING SECTION 67-6509, IDAHO CODE, TO REVISE PROVISIONS REGARDING COMPREHENSIVE PLANS; AMENDING

SECTION 67-6526, IDAHO CODE, TO REVISE PROVISIONS REGARDING AREAS OF IMPACT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1404

**BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO SEARCH AND SEIZURE; AMENDING CHAPTER 70, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7007, IDAHO CODE, TO PROHIBIT UNREASONABLE SEARCHES AND SEIZURES ON CERTAIN PRIVATELY OWNED LANDS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), [S 1403](#), and [S 1404](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

[S 1280](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1280](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1368](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator VanOrden 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, Hartgen, Just, Lakey, Lee, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Hart, Herndon, Lenney. Total - 3.

Total - 35.

Whereupon the President declared [S 1368](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1305](#), as amended, 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, Bernt, Bjerke, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Hartgen, Herndon, Lakey, Lee, Lenney, Lent,

Nichols, Okuniewicz, Ricks, Ruchti, Schroeder, Semmelroth, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 32.

NAYS—Just, Rabe, Taylor. Total - 3.

Total - 35.

Whereupon the President declared [S 1305](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1293](#), as amended, and [S 1303](#), as amended, retained their place on the Third Reading Calendar for one legislative day.

[S 1365](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris 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, Rabe, Ricks, Ruchti, Schroeder, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Wintrow, Zuiderveld. Total - 35.

Whereupon the President declared [S 1365](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1362](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Trakel 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, Semmelroth, Taylor, Toews, Trakel, VanOrden, Ward-Engelking, Winder, Zuiderveld. Total - 31.

NAYS—Just, Rabe, Ruchti, Wintrow. Total - 4.

Total - 35.

Whereupon the President declared [S 1362](#), as amended, 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 5:20 p.m. until the hour of 10:30 a.m., Tuesday, March 5, 2024.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary