

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-EIGHTH LEGISLATURE

**FORTY-FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 19, 2025**

Senate Chamber

President Pro Tempore Anthon called the Senate to order at 11 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Ainsley Braithwaite, 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 18, 2025, 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 Den Hartog, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SR 107

BY STATE AFFAIRS COMMITTEE

A SENATE RESOLUTION

STATING FINDINGS OF THE SENATE AND SUPPORTING THE OBSERVATION OF AN OFFICIAL TIME OF PRAYER EACH DAY OF THE REGULAR SESSION OF THE IDAHO LEGISLATURE.

Be It Resolved by the Senate of the State of Idaho:

WHEREAS, one of America's longest ongoing constitutional traditions is to begin sessions of legislative and deliberative bodies with an official time of prayer; and

WHEREAS, traditions from the nation's infancy to the current day have consistently reaffirmed this beloved and cherished practice; and

WHEREAS, when the Founding Fathers originally convened the First Continental Congress in September 1774, prayer was offered and John Adams reported, "I never saw a greater effect upon an audience...It has had an excellent effect upon everybody here"; and

WHEREAS, in September 1787 when the Founding Fathers gathered to write the United States Constitution, elder statesman

Benjamin Franklin moved that, "prayers imploring the assistance of Heaven, and its blessings on our deliberations, be held in this assembly every morning before we proceed to business"; and

WHEREAS, delegate Edmund Randolph further proposed that a sermon be preached at the request of the Convention and that prayer be used in the Convention every morning; and

WHEREAS, the Constitutional Convention gathered at the Calvinist Reformed Church in Philadelphia, and the Rev. William Rogers prayed a special prayer over the delegates; and

WHEREAS, in April 1789, the United States House of Representatives and the United States Senate assembled for the first time and among their official activities was to "go up to the house of God and in a solemn manner commit the new government, with its important train of consequences, to the holy protection and blessing of the Most High" in a gathering that was "designed wholly for prayer"; and

WHEREAS, President George Washington opened and closed his first inaugural address with prayer; and

WHEREAS, the first United States Congress procured chaplains to ensure daily prayers were offered in both chambers; and

WHEREAS, when the first United States Congress finished drafting the Bill of Rights, President George Washington called for a time of prayer, affirming that "it is the duty of all nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and favor"; and

WHEREAS, the American practice of engaging in official times of prayer was so strongly supported and widely practiced that by 1815 at least 1,400 official prayer proclamations had been issued by civil governments with thousands more since then in this centuries-old tradition that continues to the present day; and

WHEREAS, the Supreme Court of the United States, in *Marsh v. Chambers*, affirmed that "The practice of opening sessions of Congress with prayer has continued without interruption for almost 200 years...and a similar practice has been followed...[in] many other states" and that "the practice of opening legislative sessions with prayer has become part of the fabric of our society"; and

WHEREAS, the Supreme Court of the United States, in *Zorach v. Clauson*, similarly affirmed that "We are a religious people whose institutions presuppose a Supreme Being" and that "when the State encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions"; and

WHEREAS, the Supreme Court of the United States recently reaffirmed that "retaining established religiously expressive monuments, symbols, and practices...gives rise to a strong presumption of constitutionality"; and

WHEREAS, President Abraham Lincoln urged citizens "to recognize the sublime truths announced in the Holy Scriptures and proven by all history that those nations only are blessed whose God is the Lord"; and

WHEREAS, President George Washington, in his farewell address, considered the most significant presidential address in American history, urged Americans to remember that "political prosperity" is ever preceded by "religion and morality"; and

WHEREAS, the Idaho Senate observes an official time of prayer each day during the Second Order of Business on the Senate floor.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the First Regular Session of the Sixty-eighth Idaho Legislature, that the Idaho Senate supports following this American tradition by observing an official time of prayer each day of the Regular Session of the Idaho Legislature.

[SR 107](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 19, 2025

The JUDICIARY AND RULES Committee reports that [S 1113](#), [S 1114](#), [S 1115](#), and [S 1116](#) have been correctly printed.

LAKEY, Chairman

[S 1113](#) was referred to the Judiciary and Rules Committee.

[S 1114](#) was referred to the Local Government and Taxation Committee.

[S 1115](#) was referred to the Transportation Committee.

[S 1116](#) was referred to the Finance Committee.

February 18, 2025

The TRANSPORTATION Committee reports out [S 1105](#) with the recommendation that it do pass.

OKUNIEWICZ, Chairman

[S 1105](#) was filed for second reading.

February 18, 2025

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 53](#) and [H 54](#) with the recommendation that they do pass.

FOREMAN, Chairman

[H 53](#) and [H 54](#) were filed for second reading.

February 18, 2025

The HEALTH AND WELFARE Committee reports out [H 31](#) and [S 1052](#) with the recommendation that they do pass.

VANORDEN, Chairman

[H 31](#) and [S 1052](#) were filed for second reading.

February 18, 2025

The EDUCATION Committee reports out [S 1070](#) with the recommendation that it do pass.

LENT, Chairman

[S 1070](#) was filed for second reading.

February 18, 2025

The EDUCATION Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Joshua Whitworth as the Executive Director of the Office of the State Board of Education, term to continue at the pleasure of the Governor;

Wanda Quinn to the Public Charter School Commission, term to expire May 12, 2028.

LENT, Chairman

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

February 19, 2025

The STATE AFFAIRS Committee reports out [H 172](#) with the recommendation that it do pass.

GUTHRIE, Chairman

[H 172](#) was filed for second reading.

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

Messages from the House

February 18, 2025

Dear Mr. President:

I transmit herewith [H 65](#), [H 81](#), [H 82](#), [H 161](#), [H 96](#), and [H 224](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 65](#), [H 81](#), [H 82](#), [H 161](#), [H 96](#), and [H 224](#) were filed for first reading.

On request by Senator Den Hartog, 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 1117

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO INITIATIVE PETITIONS; AMENDING SECTION 34-1812, IDAHO CODE, TO REQUIRE AN UPDATED FISCAL IMPACT STATEMENT FROM THE DIVISION OF FINANCIAL MANAGEMENT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-1812A, IDAHO CODE, TO REVISE A FILING DEADLINE; AMENDING SECTION 34-1812B, IDAHO CODE, TO REVISE A FILING DEADLINE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1118

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PROCUREMENT BY POLITICAL SUBDIVISIONS; AMENDING SECTION 67-2803, IDAHO CODE, TO REVISE A PROVISION REGARDING CERTAIN EXCLUSIONS FROM CERTAIN PROCUREMENT REQUIREMENTS; AMENDING SECTION 67-2805, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROCUREMENT OF PUBLIC WORKS CONSTRUCTION; AMENDING SECTION 67-2806, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROCURING SERVICES OR PERSONAL PROPERTY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1119

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO EARNED WAGE ACCESS SERVICES ACT; AMENDING TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 38, TITLE 26, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS,

TO REQUIRE A LICENSE FOR CERTAIN ACTIVITIES, TO PROVIDE FOR EXEMPTIONS AND CONFLICTS WITH OTHER LAWS, TO ESTABLISH PROVISIONS REGARDING LICENSE QUALIFICATIONS, LICENSE APPLICATIONS, APPROVAL OF LICENSE APPLICATIONS, AND LICENSE RENEWALS AND LICENSE REINSTATEMENTS, TO PROVIDE FOR ANNUAL REPORTS, TO PROVIDE FOR EXTRAORDINARY REPORTING REQUIREMENTS, TO REQUIRE REPORTS OF CHANGES IN CONTROL OF A LICENSEE, TO PROVIDE FOR THE POWERS OF THE DIRECTOR OF THE DEPARTMENT OF FINANCE, TO PROVIDE FOR THE MAINTENANCE OF RECORDS, TO PROVIDE FOR THE CONFIDENTIALITY OF DATA SUBMITTED TO THE DIRECTOR AND TO PROVIDE EXCEPTIONS, TO PROVIDE FOR THE SUSPENSION OR REVOCATION OF LICENSES, TO ESTABLISH PROVISIONS REGARDING PROVIDER REQUIREMENTS AND PROHIBITIONS, TO PROVIDE PROCEDURES FOR HEARINGS, TO PROVIDE FOR CIVIL PENALTIES, TO PROVIDE FOR ENFORCEMENT, TO PROVIDE FOR CONSENT TO JURISDICTION, TO PROVIDE FOR APPLICABILITY, AND TO PROVIDE FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

[S 1117](#), [S 1118](#), and [S 1119](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 65](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 81](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 82](#) and [H 161](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 96](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 224](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1106](#), [S 1107](#), [S 1108](#), [S 1109](#), and [S 1110](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1012](#), [S 1061](#), [S 1062](#), and [S 1086](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[S 1090](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1101](#) and [S 1104](#), by Judiciary and Rules Committee, were 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 Den Hartog, granted by unanimous consent, [S 1043](#) was placed before the Senate for consideration at this time.

[S 1043](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rabe arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Nichols disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke, Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward, Zito, Zuiderveld. Total - 35.

Whereupon the President Pro Tempore declared [S 1043](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Den Hartog, granted by unanimous consent, [S 1042](#), as amended, was placed before the Senate for consideration at this time.

[S 1042](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rabe arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Cook, Nichols, Ricks, and Ruchti disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Bjerke, Blaylock, Burtenshaw, Cook, Guthrie, Harris, Hart, Keyser, Kohl, Lenney, Lent, Nichols, Rabe, Ricks, Ruchti, Semmelroth, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 23.

NAYS—Anthon, Bernt, Carlson, Den Hartog, Foreman, Galloway, Grow, Lakey, Okuniewicz, Shippy, Zito, Zuiderveld. Total - 12.

Total - 35.

Whereupon the President Pro Tempore declared [S 1042](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Den Hartog, granted by unanimous consent, [H 93](#) was placed before the Senate for consideration at this time.

[H 93](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Senator Den Hartog arose to object debate.

The President Pro Tempore ruled that, pursuant to Mason's Manual of Legislative Procedure Section 101 Subpart 5, that the reference to the published committee minutes was not out of order, as that committee had not considered the legislation, nor discussed it in committee.

President Bedke assumed the Chair.

Roll call resulted as follows:

AYES—Adams, Anthon, Bjerke, Blaylock, Carlson, Den Hartog, Foreman, Galloway, Grow, Hart, Keyser, Kohl, Lakey, Lenney, Nichols, Okuniewicz, Ricks, Toews, Zito, Zuiderveld. Total - 20.

NAYS—Bernt, Burtenshaw, Cook, Guthrie, Harris, Lent, Rabe, Ruchti, Semmelroth, Shippy, Taylor, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 15.

Total - 35.

Whereupon the President declared [H 93](#) passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Den Hartog, seconded by Senator Wintrow, by voice vote, the Senate adjourned at 2:11 p.m. until the hour of 11 a.m., Thursday, February 20, 2025.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary