

# SENATE JOURNAL

## OF THE

# IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-EIGHTH LEGISLATURE

---

THIRTY-SECOND LEGISLATIVE DAY  
THURSDAY, FEBRUARY 6, 2025

Senate Chamber

President Bedke 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 Anna Calahan, 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, 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 104 BY AGRICULTURAL AFFAIRS COMMITTEE A SENATE RESOLUTION

STATING FINDINGS OF THE SENATE AND PROVIDING THAT ALL TEMPORARY AND PENDING RULES OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE, THE IDAHO SHEEP AND GOAT HEALTH BOARD, THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES, AND THE IDAHO OILSEED COMMISSION HAVE BEEN REVIEWED AND APPROVED BY THE SENATE AGRICULTURAL AFFAIRS COMMITTEE.

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

WHEREAS, pursuant to Section 67-5291, Idaho Code, standing committees of the Legislature shall review any temporary or pending rule that is germane to its committee and has been published in the Idaho Administrative Bulletin; and

WHEREAS, the Senate Agricultural Affairs Committee reviewed temporary and pending rules adopted by the Idaho State Department of Agriculture, the Idaho Sheep and Goat Health Board, the Division of Occupational and Professional Licenses, and the Idaho Oilseed Commission.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the First Regular Session of the Sixty-eighth Idaho Legislature, that all temporary and pending rules adopted by the Idaho State Department of Agriculture, the Idaho Sheep and Goat Health Board, the Division of Occupational and Professional Licenses, and the Idaho Oilseed Commission, pursuant to the Administrative Procedure Act and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2025 legislative session have been reviewed and approved by the Senate Agricultural Affairs Committee.

[SR 104](#) was introduced, read 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 6, 2025

The JUDICIARY AND RULES Committee reports that [SCR 103](#), [SCR 104](#), [S 1055](#), [S 1056](#), [S 1057](#), and [S 1058](#) have been correctly printed.

LAKEY, Chairman

[SCR 103](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator VanOrden, granted by unanimous consent, [SCR 104](#) was referred to the Health and Welfare Committee.

[S 1055](#) and [S 1056](#) were referred to the Commerce and Human Resources Committee.

[S 1057](#) was referred to the Local Government and Taxation Committee.

[S 1058](#) was referred to the Health and Welfare Committee.

February 5, 2025

The HEALTH AND WELFARE Committee reports out [S 1034](#) with the recommendation that it do pass.

VANORDEN, Chairman

[S 1034](#) was filed for second reading.

February 5, 2025

The JUDICIARY AND RULES Committee reports out [S 1021](#) with the recommendation that it do pass.

LAKEY, Chairman

[S 1021](#) was filed for second reading.

February 5, 2025

The JUDICIARY AND RULES Committee reports out [S 1030](#) and [S 1042](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LAKEY, Chairman

There being no objection, [S 1030](#) and [S 1042](#) were referred to the Fourteenth Order of Business, General Calendar.

February 5, 2025

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

David Birch to the Sexual Offender Management Board, term to expire January 1, 2027.

LAKEY, 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.

February 5, 2025

The EDUCATION Committee reports out [S 1032](#) with the recommendation that it do pass.

LENT, Chairman

[S 1032](#) was filed for second reading.

February 5, 2025

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

David Turnbull to the State Board of Education, term to expire July 1, 2029.

LENT, 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.

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

### Messages from the Governor

January 5, 2025

The Honorable Scott Bedke  
President of the Senate  
Idaho State Senate

Dear Mr. President:

I have the honor to inform you that Reed Hansen of Meridian, Idaho, was reappointed to the Treasurer's Investment Advisory Board to serve a term commencing July 1, 2024, and expiring July 1, 2028.

This reappointment is subject to confirmation by the Senate, and notice of reappointment is hereby given.

Sincerely,  
/s/ Brad Little  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

### Messages from the House

February 5, 2025

Dear Mr. President:

I transmit herewith [H 31](#) and [H 79](#), which have passed the House.

MCGINNIS, Chief Clerk

[H 31](#) and [H 79](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Den Hartog, granted by unanimous consent, [HCR 3](#) was placed before the Senate for final consideration at this time.

The President announced that [HCR 3](#) was before the Senate for final consideration.

Moved by Senator Burtenshaw, seconded by Senator Semmelroth, that [HCR 3](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

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

Whereupon the President declared [HCR 3](#) adopted, title was approved, and the resolution ordered returned to the House.

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 1059

#### BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO AN EMBRYO, FETUS, OR PREBORN CHILD; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-311A, IDAHO CODE, TO PROVIDE APPLICABILITY FOR A PREBORN CHILD; AMENDING SECTION 18-907, IDAHO CODE, TO REMOVE A DEFINITION, TO REMOVE PROVISIONS REGARDING EXEMPTIONS FROM PROSECUTION, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 9, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-926, IDAHO CODE, TO DEFINE TERMS AND TO ESTABLISH PROVISIONS REGARDING APPLICABILITY; REPEALING SECTION 18-4016, IDAHO CODE, RELATING TO THE DEFINITION OF A HUMAN EMBRYO AND FETUS AND PROHIBITING THE PROSECUTION OF CERTAIN PERSONS; AMENDING CHAPTER 40, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-4018, IDAHO CODE, TO DEFINE TERMS AND TO ESTABLISH PROVISIONS REGARDING APPLICABILITY; AND DECLARING AN EMERGENCY.

**S 1060****BY RESOURCES AND ENVIRONMENT COMMITTEE  
AN ACT**

RELATING TO THE DISTRIBUTION OF WATER; AMENDING CHAPTER 18, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1807, IDAHO CODE, TO PROHIBIT CURTAILMENT UNTIL CERTAIN REQUIREMENTS ARE MET; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1061****BY RESOURCES AND ENVIRONMENT COMMITTEE  
AN ACT**

RELATING TO WATER RIGHTS; AMENDING SECTION 42-1701A, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES SHALL NOT ISSUE ORDERS IN CERTAIN CIRCUMSTANCES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1062****BY RESOURCES AND ENVIRONMENT COMMITTEE  
AN ACT**

RELATING TO LEASES ON STATE LANDS; AMENDING SECTION 58-307, IDAHO CODE, TO REQUIRE THAT STATE LAND LESSEES COMPLY WITH LOCAL ORDINANCES AND TO REQUIRE DISCLOSURE OF CERTAIN INFORMATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1063****BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO URBAN AGRICULTURE; AMENDING SECTION 22-1002, IDAHO CODE, AS AMENDED IN SECTION 1 OF SENATE BILL NO. 1026, IF ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-EIGHTH IDAHO LEGISLATURE, TO DEFINE A TERM; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1064****BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO CLOUD SEEDING; AMENDING SECTION 42-4301, IDAHO CODE, TO REVISE PROVISIONS REGARDING CLOUD SEEDING; AMENDING CHAPTER 43, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-4302, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 43, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-4303, IDAHO CODE, TO PROVIDE FOR AUTHORIZATION AND REPORTING REQUIREMENTS; AMENDING CHAPTER 43, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-4304, IDAHO CODE, TO PROVIDE FOR THE USE OF STATE FUNDS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**S 1065****BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO WEATHER MODIFICATION; AMENDING THE HEADING FOR CHAPTER 43, TITLE 22, IDAHO CODE; REPEALING SECTION 22-4301, IDAHO CODE, RELATING TO THE ESTABLISHMENT OF WEATHER MODIFICATION DISTRICTS; REPEALING SECTION

22-4302, IDAHO CODE, RELATING TO THE WEATHER MODIFICATION FUND; AMENDING CHAPTER 43, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-4301, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 43, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-4302, IDAHO CODE, TO PROHIBIT UNAUTHORIZED WEATHER MODIFICATION AND SOLAR RADIATION MANAGEMENT AND TO PROVIDE FOR ENFORCEMENT; AMENDING CHAPTER 43, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-4303, IDAHO CODE, TO PROVIDE EXEMPTIONS; AMENDING SECTION 42-605, IDAHO CODE, TO REMOVE A REFERENCE TO WEATHER MODIFICATION; AMENDING SECTION 42-1805, IDAHO CODE, TO CLARIFY TERMS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1059](#), [S 1060](#), [S 1061](#), [S 1062](#), [S 1063](#), [S 1064](#), and [S 1065](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 31](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 79](#), 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 1035](#), by Health and Welfare 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**

[S 1028](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey 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, Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Lakey, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 27.

NAYS—Coho (Lenney), Hart, Keyser, Kohl, Nichols, Toews, Zito, Zuiderveld. Total - 8.

Total - 35.

Whereupon the President declared [S 1028](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1029](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey 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, Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Lakey, Lent, Okuniewicz, Rabe,

Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 28.

NAYS–Coho (Lenney), Hart, Keyser, Kohl, Nichols, Zito, Zuiderveld. Total - 7.

Total - 35.

Whereupon the President declared [S 1029](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1003](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Foreman arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Anthon, Bernt, Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Hart, Lakey, Lent, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 25.

NAYS–Adams, Bjerke, Coho (Lenney), Keyser, Kohl, Nichols, Okuniewicz, Toews, Zito, Zuiderveld. Total - 10.

Total - 35.

Whereupon the President declared [S 1003](#) passed, title was approved, and the bill ordered transmitted 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 11:46 a.m. until the hour of 10:30 a.m., Friday, February 7, 2025.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary