



## **Week Five Idaho Legislative Update for February 5 – February 9, 2024**

In the fifth week of the Sixty-Seventh Idaho Legislature's Second Regular Session, contentious caucus meetings in the House of Representatives Majority Caucus resulted in a unanimous "Vote of Confidence" in Speaker Mike Moyle (R-10) on the House Floor Thursday. Then in a private caucus vote, the Majority voted to retain Assistant Majority Leader Sage Dixon (R-1), and Caucus Chair Dustin Manwaring (R-29). There was also a vote by the Majority Caucus that resulted in the removal of Majority Leader Megan Blanksma (R-8). Rep. Blanksma is still in the House of Representatives, but no longer in House Leadership after Thursday.

This bombshell news came as the budget fights culminated and the conflicts between Rep. Blanksma and other members of leadership in the House and Senate boiled over. Typically, leadership works together, often behind closed doors, to plan and manage the work of the floor, establish priorities, and move the process forward. The dynamics between members of leadership haven't been a secret over the last fourteen months. Yet, this still marks an extremely rare instance in Idaho's otherwise unique and generally successful legislative process. While no official reason was made public, the members of the Legislature are feeling the weight of the decisions made this week. They are uniquely heavy in addition to the already challenging and often emotional work of the Idaho Legislative Session. The press release from the Idaho House Majority Caucus can be found [here](#).

The ripple effect from lengthy and contentious caucus battles also resulted in the newly established "maintenance budgets" moving across the House and Senate floors on Friday. This new process was met with opposition, trepidation, and eventually capitulation by the House and Senate. The passage of the maintenance budgets signals a new process for budgeting by JFAC. With many more questions about additional funding looming, the budget log jam has started to clear. Tensions remain high, as the new process begins to move forward after five weeks of battles.

In addition to the political theater and drama that consumed the Idaho Capitol this week, there were over 100 policy bills introduced. Both the House and Senate are pushing to introduce legislation before the non-privileged committees face the deadline for introductions on Monday, February 12<sup>th</sup>. The Speaker may grant the privilege to a House committee to introduce a bill, but it becomes more difficult to get that privilege. This process doesn't prevent the introduction of new legislation, but it does slow it down. It also means we will see the House Ways and Means Committee used more and more as the session progresses.

Many of the policy bills remained on the floor this week amidst these changes and with many more bills being introduced, we are now entering the middle phase of session where committees and floor sessions begin to consume more time and energy.

The School Facilities Fund and Income Tax Cut Bill was introduced this Thursday. This legislation has been in the works for many weeks, with the Governor's staff and members of leadership negotiating the terms of the final bill. The bill cuts both corporate and individual income tax from 5.8% to 5.695%. The current School District Facility fund will be increased by both raising the sales tax allocation from 2.25% to 3.25%, as well as raising the lottery dividends fund to 5/8 allocated towards the fund. Lastly, the legislation adds additional accountability and oversight provisions for the State Board of Education and will provide \$125 million of ongoing funding from sales tax to a new School Modernization Facilities Fund. With both tax chairmen sponsoring the bill and over half of the House co-sponsoring the legislation, we anticipate this bill to move quickly through the House.

All bills from the 2024 Idaho Legislative Session are on the [Idaho State Legislative Website](#). To find your legislators, click [HERE](#). To view daily reading calendars and agendas, click [HERE](#).



### **HB 521 – School Facilities Funding – House Revenue and Taxation**

Lowers corporate and individual income tax from 5.8% to 5.695%. Adds property tax relief in the form of school facilities funding. This legislation also increases sales tax revenue allocation from 2.25% and 3.25% to the school district's facility fund and also redirects the lottery dividends to the fund. This bill also dedicates \$125 million from sales tax to a new School Modernization Facilities Fund to be used for bonding.

These funds cannot be used for gymnasiums, only for classroom and other school renovations or replacements. This also changes the power from the Board of Education to the Governor to appoint an executive officer to the State Board. The annual report must be created for the Legislature with the details of the use of the School Modernization Fund. The August election is also removed from code to be used for bond and levy questions.

**Sponsor: Rep. Moyle (R-10), Rep. Monks (R-22)**

### **HB 398 – Medicaid State Plan and Waivers – House Health and Welfare**

This prevents the Department from requesting any changes from the state Medicaid Plan or applying for any 1115 or 1915 waiver. This approval must be done through Statute.

**Sponsor: Rep. Blanksma (R-8)**

### **HB 501 – Medical Liens – House Business**

This bill outlines the process for patients with and without a third-party payer. For those without a third-party payer, a lien must be filed before or within ninety (90) days after the date of discharge or the last of services provided, whichever is later. For those with a third-party payer, a lien must be filed only during the first thirty (30) days of extraordinary collection action. Outlines that a provider authorized to file a lien to secure payment must do so according to the timelines and provisions of Chapter 7, Title 45 Idaho Code.

**Sponsor: Rep Skaug (R-10)**

### **SB 1234 – Six-Month Contraceptive – Passed the Senate (19-16) – House Health and Welfare**

Adds a new section to code for "Plans Covering Contraception". Defines prescription contraception and health benefit plan. Defines what must be included in a health benefit plan or student health benefit plan, including provided reimbursement for prescription contraception intended to last six (6) months obtained at one (1) time.

**Sponsor: Sen. Wintrow (D-19)**

### **HB 397 – Immunization Registry – Passed the House (56-11-3) – Senate Health and Welfare**

Returns the immunization from an opt-out to an opt-in registry for children.

**Sponsor: Rep. Blanksma (R-8)**

### **HB 438 – Immunization Exemptions – House Health and Welfare**

Amends code relating to immunizations and states school officials shall describe immunizations are not mandatory and may be refused on religious or other grounds.

**Sponsor: Rep. Healey (R-15)**

### **HB 439 – Immunization Assessment Board – House Health and Welfare**

Reset the sunset date for the Idaho Immunization Board for July 1, 2029.

**Sponsor: Rep. Healey (R-15)**



#### **HB 527 – Pharmacy Practice – House Health and Welfare**

This bill consists of the Board of Pharmacy's rules they have been working on for the past ten (10) years, to be put into statute. Doing so will provide organization and efficiency moving forward for both the Board of Pharmacy and the Legislature.

**Sponsor: Rep. Redman (R-3)**

### **Appropriations and Budgets**

#### **HB 459 – General Government Maintenance Appropriation – Passed House Floor (55-11-4) – Senate Floor**

The maintenance budget for General Government includes the Department of Administration, the Commission on Aging, the Commission on the Arts, the Commission for the Blind and Visually Impaired, Office of Drug Policy, Office of Energy and Mineral Resources, the Division of Financial Management, the Division of Human Resources, Office of Information Technology Services, the State Liquor Division, Military Division, PERSI, Office of Species Conservation, STEM action center, Workforce Development Council, Board of Tax Appeals, and the State Tax Commission.

**Sponsor: Rep. Furniss (R-31), Sen. Grow (R-14)**

#### **HB 460 – Public School Support Program Maintenance Appropriation – Passed House Floor (53-14-3) – Senate Floor**

This bill appropriates funding for the Public-School Support Program which includes the seven divisions for Administrators, Teachers, Operations, Children's Programs, Facilities, Central Services, and Educational Services for the Deaf and the Blind.

**Sponsors: Rep. Lambert (R-23), Sen. Herndon (R-1)**

#### **SB 1268 – Health and Human Services Maintenance Appropriation – Passed Senate Floor (27-7-1) – House Floor**

The Health and Human Services maintenance budget includes the Department of Health and Welfare and the State Independent Living Council. Included in the Department of Health and Welfare is the Division of Medicaid, Rural Nursing Loan Repayment Fund, Emergency Medical Services, Substance Abuse Treatment and Prevention, and Mental Health Services.

**Sponsors: Sen Bjerke (R-5), Rep. Tanner (R-14)**

### **Rules**

[HERE](#) is the link for the Index of all Pending Rules seeking legislative approval. Committees in both the House and Senate are assigned rules to approve. As a reminder, the rules docket needs to pass both the House and the Senate, they are set to go into effect but need to be enacted by legislation or executive order. Once a pending rule is approved, a (+) symbol will appear in front of the docket number. If a pending rule is not approved by the Legislature a (-) will appear in front of the docket number.

#### **IDAPA 16 – Department of Health and Welfare**

(+) (+) [16-0305-2301](#) – Eligibility for Aid to the Aged, Blind, and Disabled (ZBR)

(+) (+) [16-0306-2301](#) – Refugee Medical Assistance

(+) (+) [16-0309-2301](#) – Medicaid Basic Plan Benefits

(+) (+) [16-0310-2101](#) – Medicaid Enhanced Plan Benefits

(+) (+) [16-0313-2101](#) – Consumer Directed Services

(+) (+) [16-0318-2301](#) – Medicaid Cost-Sharing (ZBR, Fee Rule)



### **IDAPA 18 – Department of Insurance**

(+) **18-0404-2301** – The Managed Care Reform Act Rule (ZBR)

\*Held in Senate Commerce and Human Resources till February 1, 2024, to be able to discuss their concerns more before moving forward.

(+) (+) **18-0602-2301** – Producers Handling Fiduciary Funds (ZBR)

(+) (+) **18-0603-2301** – Rules Governing Disclosure Requirements for Insurance Providers When Charging Fees (ZBR Chapter Repeal)

(+) (+) **18-0706-2301** – Rules Governing Life and Health Reinsurance Agreements (ZBR)

(+) (+) **18-0710-2301** – Corporate Governance Annual Disclosure (ZBR)

### **Appointments**

Appointments approved by Senate Committees, are confirmed by the full Senate.

- Chad Henggeler was confirmed by the Senate to the State Board of Health and Welfare on January 19, 2024.
- Robert Cuoio was confirmed by the Senate to the State Board of Health and Welfare on February 1, 2024.
- Carolyn Lodge was confirmed by the Senate to the Idaho Health Insurance Exchange Board on January 31, 2024.
- Julie Ann Triepke was confirmed by the Senate to the Idaho Health Insurance Exchange Board on February 2, 2024.
- Heidi Hart was confirmed by the Senate to the Idaho Health Insurance Exchange Board on February 8, 2024.