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**HOUSE JOURNAL**

**OFFICERS OF THE HOUSE OF REPRESENTATIVES  
FIFTY-EIGHTH LEGISLATURE  
SECOND REGULAR SESSION - 2006**

*BRUCE NEWCOMB* . . . . . *Burley*  
*Speaker of the House*

*LAWERENCE DENNEY* . . . . . *Midvale*  
*Majority Leader*

*MIKE MOYLE* . . . . . *Star*  
*Assistant Majority Leader*

*JULIE ELLSWORTH* . . . . . *Boise*  
*Majority Caucus Chairman*

*WENDY JAQUET* . . . . . *Ketchum*  
*Minority Leader*

*GEORGE SAYLER* . . . . . *Coeur d'Alene*  
*Assistant Minority Leader*

*ELMER MARTINEZ* . . . . . *Pocatello*  
*Minority Caucus Chairman*

**HOUSE ADMINISTRATION**

*PAMM JUKER* . . . . . *Chief Clerk and Parliamentarian*

*VERNA M. GOEDDERTZ* . . . . . *Assistant Chief Clerk*

*JEANNE LUDWIG* . . . . . *Administrative Assistant to the Speaker*

*TERRI FRANKS-SMITH* . . . . . *Chief Fiscal Officer*

*JUDITH K. CHRISTENSEN* . . . . . *Sergeant at Arms*

*CAROL RYAN* . . . . . *Docket Clerk*

*FORREST LUDWIG* . . . . . *Journal Clerk*

*JOHN DANIELSON* . . . . . *Journal Clerk*

*SUSAN FRIEDERS* . . . . . *Administrative Assistant to Majority Leader*

*AMBER PENCE FINK* . . . . . *Administrative Assistant to Minority Leader*

*JIM BORTON* . . . . . *Assistant Sergeant at Arms*

*AL NOYES* . . . . . *Assistant Sergeant at Arms*

HOUSE JOURNAL

HOUSE MEMBERSHIP AND COMMITTEE ASSIGNMENTS  
FIFTY-EIGHTH LEGISLATURE  
SECOND REGULAR SESSION - 2006

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Field(23), Chairman  
Trail, Vice Chairman

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Stevenson  
Bolz  
Shirley  
Andrus  
Brackett

Jaquet  
Pence

Trail  
Bradford  
Block  
Cannon  
Nielsen  
Shirley  
Wills  
Chadderdon  
Kemp  
Mathews  
Nonini  
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Brackett

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Barracough, Chairman  
Rydalch, Vice Chairman

Boe  
Mitchell  
Pence

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Bell, Chairman  
Bolz, Vice Chairman

Eskridge  
Harwood  
Bedke  
Skippen  
Bayer  
Henderson

Henbest  
Ringo

### ENVIRONMENT, ENERGY, AND TECHNOLOGY (14)

Raybould, Chairman  
Harwood, Vice Chairman

Barracough  
Ellsworth  
Edmunson  
Snodgrass  
Smylie  
Eskridge  
Rydalch  
Anderson  
Bastian  
Mathews

Smith(30)  
LeFavour

### BUSINESS (16)

Black, Chairman  
Collins, Vice Chairman

Deal  
Block  
Rydalch  
Cannon  
Snodgrass  
Edmunson  
Miller  
Bilbao  
Chadderdon  
Henderson  
Nonini

Henbest  
Smith(30)  
Rusche

### HEALTH AND WELFARE (12)

Block, Chairman  
Garrett, Vice Chairman

Sali  
McGeachin  
Nielsen  
Loertscher  
Ring  
Bilbao  
Shepherd(8)

Henbest  
Martinez  
Rusche

### COMMERCE AND HUMAN RESOURCES (15)

Schaefer, Chairman  
McKague, Vice Chairman

Lake  
Trail  
Crow  
Bradford  
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Bolz  
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Anderson  
Kemp  
Mathews

Ringo  
Shepherd(2)  
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Smith(24), Vice Chairman

Sali  
Clark  
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Hart

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LeFavour  
Pence

**LOCAL GOVERNMENT (10)**

Barrett, Chairman  
Bayer, Vice Chairman

Collins  
Clark  
Bradford  
Chadderdon  
Henderson  
Kemp

Pasley-Stuart  
Boe

Stevenson  
Ellsworth  
Black  
Edmunson  
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Stevenson, Chairman  
Wood, Vice Chairman

Field(23)  
Bell  
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Moyle  
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Raybould  
Roberts  
Bedke  
Andrus  
Shepherd(8)  
Brackett

Sayler  
Jaquet  
Mitchell

**TRANSPORTATION AND DEFENSE (14)**

Wood, Chairman  
Roberts, Vice Chairman

McKague  
Smith(24)  
Bedke  
Cannon  
Skippen  
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Moyle  
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Nonini

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**REVENUE AND TAXATION (19)**

Crow, Chairman  
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Denney  
McKague  
McGeachin  
Clark

Martinez  
Sayler  
Jaquet  
LeFavour

Denney  
Moyle  
Ellsworth

**WAYS AND MEANS (7)**

Clark, Chairman

Jaquet  
Sayler  
Martinez

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho. Done at Boise, the Capital of Idaho, this 22nd day of November in the year of our Lord, two thousand and five, and of the Independence of the United States of America, the two hundred and thirtieth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ BEN YSURSA
Secretary of State

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 9, 2006

House of Representatives

The House convened at 12 noon, January 9, 2006, the time established for the convening of the Second Regular Session of the Fifty-eighth Legislature, the members of the House of Representatives convened in the House Chamber of the Capitol Building in the City of Boise, with Bruce Newcomb, Speaker, presiding.

Roll call showed 69 members present.
Absent and excused -- Schaefer. Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Katrina Smith, Page.

There being no objection, the House advanced to the Fourth Order of Business.

Consideration of Messages from the
Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that pursuant to the provisions of Section 59-904A, Idaho Code, the Legislative District 23 Committee of the Republican Party has submitted a list of three names for consideration in filling a vacancy in the District 23 Legislative House of Representatives seat.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-904A, Idaho Code, do hereby appoint Noy Elbert Brackett, III, to the position of State Representative, District 23, House Seat B, for a term commencing on November 22, 2005, and continuing until the next general election when the term of office expires.

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Brackett.

The Chief Clerk read the official proclamation as follows:

I, BEN YSURSA, Secretary of State of the State of Idaho and legal custodian of the records of elections held in the State of Idaho, do hereby certify that the following is a full, true and complete list of those elected to serve as members of the House of Representatives of the Second Regular Session of the Fifty-eighth Legislature, as shown by official records on file in my office:

Table with 2 columns: DISTRICT and NAME. Lists representatives for districts 1 through 30, including names like Eric Anderson, R.J. Dick, James W. Clark, Marge Chadderdon, Bob Nonini, Tom Trail, Mike Mitchell, Ken A. Roberts, Lawrence E. Denney, Robert Bob Ring, Kathy Skippen, Robert E. Schaefer, Dolores J. Crow, Mike Moyle, Steve Smylie, Margaret Henbest, Kathy Garrett, Debbie Field, Anne Pasley-Stuart, Mark A. Snodgrass, William T. Bill, Richard Wills, Frances Field, Leon E. Smith, Wendy Jaquet, John A. Bert, Scott Bedke, Dennis M. Lake, Ken Andrus, and Donna Boe.

- 31 ..... Larry Bradford (R), Tom Loertscher (R)
- 32 ..... Janice McGeachin (R), Ann Rydalc (R)
- 33 ..... Jack Barraclough (R), Russ Mathews (R)
- 34 ..... Mack G. Shirley (R), Dell Raybould (R)
- 35 ..... JoAn E. Wood (R), Lenore Hardy Barrett (R)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capital of Idaho, this Nineteenth day of December, in the year of our Lord, two thousand and five, and of the Independence of the United States of America, the two hundred and thirtieth.

/s/ BEN YSURSA  
Secretary of State

The Certificate of Election was ordered filed in the office of the Chief Clerk.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 30  
BY DENNEY AND JAQUET**

A CONCURRENT RESOLUTION

PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE SECOND REGULAR SESSION OF THE FIFTY-EIGHTH IDAHO LEGISLATURE FOR THE PURPOSE OF HEARING A MESSAGE FROM THE GOVERNOR.

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

WHEREAS, the Governor has informed the House of Representatives and the Senate that he desires to deliver a message to a Joint Session of the House of Representatives and the Senate of the Second Regular Session of the Fifty-eighth Idaho Legislature in the Chamber of the House of Representatives at 7 p.m. on Monday, January 9, 2006.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the House of Representatives and the Senate meet in Joint Session on Monday, January 9, 2006, at 7 p.m. for the purpose of hearing the message from the Governor.

**HOUSE RESOLUTION NO. 2  
BY DENNEY AND JAQUET**

A HOUSE RESOLUTION

FIXING THE COMPENSATION OF THE EMPLOYEES OF THE HOUSE OF REPRESENTATIVES OF THE SECOND REGULAR SESSION OF THE FIFTY-EIGHTH IDAHO LEGISLATURE.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, House Rule 74 provides that the compensation of the employees of the House of Representatives shall be fixed by resolution of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives that the compensation of the various officers and employees of the House of Representatives of the Second Regular Session of the Fifty-eighth Idaho Legislature be fixed as follows:

Assistant Chief Clerk .....	\$14.80 hourly
Docket Clerk .....	\$13.44 hourly
Journal Clerk .....	\$13.44 hourly
Chaplain .....	\$18.50 hourly
Sergeant at Arms .....	\$14.80 hourly
Assistant Sergeants at Arms .....	\$11.24 hourly
Administrative Assistant to Majority Leadership ..	\$13.44 hourly
Administrative Assistant to Minority Leadership ..	\$13.44 hourly
Secretaries to Minority Leadership .....	\$11.24 hourly
Secretary to Agricultural Affairs Committee .....	\$11.24 hourly
Secretary to Appropriations Committee .....	\$12.38 hourly
Secretary to Business Committee .....	\$11.24 hourly
Secretary to Commerce and Human Resources Committee .....	\$11.24 hourly
Secretary to Education Committee .....	\$12.38 hourly
Secretary to Environment, Energy, and Technology Committee .....	\$11.24 hourly
Secretary to Health and Welfare Committee .....	\$11.24 hourly
Secretary to Judiciary, Rules, and Administration Committee .....	\$12.38 hourly
Secretary to Local Government Committee .....	\$11.24 hourly
Secretary to Resources and Conservation Committee .....	\$11.24 hourly
Secretary to Revenue and Taxation Committee ....	\$12.38 hourly
Assistant Secretary to Revenue and Taxation Committee .....	\$11.24 hourly
Secretary to State Affairs Committee .....	\$12.38 hourly
Secretary to Transportation and Defense Committee .....	\$11.24 hourly
Secretaries/Receptionists .....	\$11.24 hourly
Copy Machine Operators .....	\$11.00 hourly
Chief Lounge Host .....	\$11.00 hourly
Assistant Lounge Host .....	\$10.28 hourly
Legislative Public Information Center Director .....	\$14.80 hourly
Information Specialist .....	\$11.24 hourly
Telephone Operators .....	\$11.00 hourly
Tour Guides .....	\$11.00 hourly
Pages .....	\$6.00 hourly

HCR 30 and HR 2 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Denney asked unanimous consent that two committees be appointed by the Speaker; one to notify the Governor, and one to

notify the Senate that the House is organized and ready to do business. There being no objection, it was so ordered.

The Speaker appointed the following committees to notify the Governor and the Senate.

Representatives Bell, Deal, and Mitchell were appointed as the committee to notify the Governor and Representatives Clark, Barrett, and Pasley-Stuart were appointed as the committee to notify the Senate. The committees were excused.

There being no objection, the House returned to the Fifth Order of Business.

### Report of Standing Committees

January 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 30**.

FIELD(18), Chairman

**HCR 30** was held at the Desk.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **HCR 30** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 30** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total - 63.

NAYS -- None.

Absent and excused -- Barrett, Bell, Clark, Deal, Mitchell, Pasley-Stuart, Schaefer. Total -- 7.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 30** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

The question being, "Shall **HCR 30** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Barrett, Bell, Clark, Deal, Mitchell, Pasley-Stuart, Schaefer. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **HCR 30** adopted and ordered the resolution transmitted to the Senate.

There being no objection, the House advanced to the Thirteenth Order of Business.

### Miscellaneous and Unfinished Business

The following committee assignments were made:

#### Lincoln Day Committee

Representative Kemp, Chairman  
Representative Bilbao  
Representative Pence

#### Memorial Committee

Representative Nonini, Chairman  
Representative Andrus  
Representative Rusche

Representative Field(23) will serve as Chairman of the Agricultural Affairs Committee and Representative Bolz will serve as Vice Chairman of the Appropriations Committee. Representative Henderson will move from the Education Committee to the Joint Finance and Appropriations Committee. Representative Bilbao will serve on the State Affairs Committee and Representative Brackett will serve on the Education Committee, Resources and Conservation Committee, and the Agricultural Affairs Committee.

**AGRICULTURAL AFFAIRS (10)**

Field(23), Chairman  
Trail, Vice Chairman

Lake  
Stevenson  
Bolz  
Shirley  
Andrus  
Brackett

**APPROPRIATIONS (10)**

Bell, Chairman  
Bolz, Vice Chairman

Eskridge  
Harwood  
Bedke  
Skippen  
Bayer  
Henderson

**EDUCATION (18)**

Barraclough, Chairman  
Rydalch, Vice Chairman

Trail  
Bradford  
Block  
Cannon  
Nielsen  
Shirley  
Wills  
Chadderdon  
Kemp  
Mathews  
Nonini  
Shepherd(8)  
Brackett

**RESOURCES AND CONSERVATION (18)**

Stevenson, Chairman  
Wood, Vice Chairman

Field(23)  
Bell  
Barraclough  
Denney  
Barrett  
Moyle  
Eskridge  
Raybould  
Roberts  
Bedke  
Andrus  
Shepherd(8)  
Brackett

Jaquet  
Pence

Henbest  
Ringo

Boe  
Mitchell  
Pence

Sayler  
Jaquet  
Mitchell

Stevenson  
Ellsworth  
Black  
Edmunson  
Miller  
Ring  
Snodgrass  
Garrett  
Loertscher  
Anderson  
Andrus  
Hart  
Bilbao

**STATE AFFAIRS (18)**

Deal, Chairman  
Smylie, Vice Chairman

Shepherd(2)  
Smith(30)  
Pasley-Stuart

There being no objection, the House returned to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

The committee appointed to notify the Governor that the House was in session returned to the House and reported they had conveyed the message to the Governor and that the Governor sent his greetings and best wishes for a productive session. The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate that the House was in session returned to the House and reported that they had conveyed the message to the Senate, and the Senate returned its best wishes for a productive session. The committee was thanked and discharged by the Speaker.

At this time, Senators acting as a committee from the Senate, were escorted into the House Chamber to notify the House of Representatives that the Senate was organized and ready for business. The Speaker thanked the committee.

Mr. Denney moved that the House recess until 6:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 6:30 p.m.

**RECESS**

The House reconvened at 6:30 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Denney asked unanimous consent that a committee be appointed to wait upon the Senate and escort the Senators to the House Chamber for the purpose of attending the Joint Session. There being no objection, it was so ordered.

The Speaker appointed Representatives Black, Edmunson, and Henbest as the committee to wait upon the Senate. The committee was excused.

The committee appointed to wait upon the Senate returned and reported that the Senate was waiting to enter the House Chambers. The Speaker thanked and discharged the committee.

### JOINT SESSION

Pursuant to **HCR 30**, the hour of 7 p.m. having arrived, the members of the Senate entered the House Chamber and met in Joint Session with Speaker Newcomb presiding.

Roll call of the House showed all 70 members present.

Roll call of the Senate showed 32 members present.

Absent and excused -- Corder, Goedde, Richardson.  
Total -- 3.

Total -- 35.

Mr. Denney asked unanimous consent that one committee be appointed to wait upon the Supreme Court Justices and Appellate Court Judges and one to wait upon the Elected Officials and escort them to the House Chamber. There being no objection, it was so ordered.

The Speaker appointed Senators Darrington and Burkett, and Representatives Field(18) and Boe as the committee to wait upon the Supreme Court Justices and Appellate Court Judges and Senators Cameron and Kelly, and Representatives Miller and Martinez as the committee to wait upon the Elected Officials and escort them to the House Chamber. The committees were excused.

Mr. Denney asked unanimous consent that the Speaker appoint a committee to wait upon the Governor and escort him to the House Chamber. There being no objection, it was so ordered.

The Speaker appointed Senators Davis and Stennett and Representatives Denney and Jaquet as the committee to wait upon the Governor and escort him to the House Chamber. The committee was excused.

The committee appointed by the Speaker escorted the Supreme Court Justices and the Appellate Court Judges to the House Chamber where they were presented to the Joint Session.

The committee appointed by the Speaker escorted the Elected Officials to the House Chamber where they were presented to the Joint Session.

The committee appointed by the Speaker escorted the Governor to the House Chamber.

His Excellency, the Governor of the State of Idaho, Dirk Kempthorne, was introduced by the Speaker and the following State of the State Message and Budget Address was delivered by Governor Kempthorne.

Mr. Speaker, Mr. President, distinguished members of the Legislature, Mr. Chief Justice and distinguished members of the Judiciary, fellow Constitutional Officers, my fellow Idahoans;

It is an honor to be here once again, to speak to you about the state of our state. In this historic building we once again come to do the people's work. When we walk into these hallowed halls, we leave our personal matters behind to work for the greater good. It is part of the miracle of our American democracy.

We build upon the work of the generations who came before us, but we also lay the foundations for future generations of Idahoans. Our work is guided by the values our citizens cherish; strong and healthy families, safe and vibrant communities, and responsible stewardship of Idaho's rugged and pristine outdoors. There is no place in the world like Idaho.

Now for the task before us. Part of our work is to continue to govern, to debate public policy, to balance the budget, and to maintain the services on which our people depend. But we also have many opportunities to do extraordinary things for our citizens, to invest in Idaho's future, to do things that may only happen once in a generation, but which will benefit many generations.

This year, we will add another chapter to the story of Idaho. We did not pen the first page, nor will we write the last, but our contributions will be lasting. Over the past few years, we have led in times of surplus and in times of sacrifice, in times of peace and in times of war.

When I took office seven years ago, no one could have predicted what would happen over the course of a few short years. But I said then that Idaho would be a leader among the fifty states. When state economies plunged into the worst recession since World War II, with the rest of the nation, we went from record surpluses to historic shortfalls. But again, I said that Idaho would lead the way out of the recession and we have.

When the rains from the economic storm came down, we built our budget upon the rock of fiscal conservatism, with an eye for the future. Together, we carried out a plan to get us through



the tough times. Because of our choices, I'm proud to say that the State of our State is stronger than ever:

1. 25,000 new businesses filed with the Secretary of State
2. 23,000 new jobs
3. Business and job growth ahead of 46 other states
4. Unemployment at an unprecedented 3.4% - the first time in Idaho history

No matter how you measure it, Idaho is thriving.

Some pundits and even some economists may be stunned by our remarkable recovery, but I'm not surprised. This is no accident. We made the right decisions over the past several years and as a result, our budget is balanced, our economy is full steam ahead, and the structural imbalance plaguing us is no more.

Tonight, I submit to you a budget that is responsible, sensible, and doable. For Fiscal Year 2007, I am proposing a \$2.309 billion general fund budget. It meets the critical needs of education, health care, and public safety and it keeps general fund expenditures to a mere 5.9% growth.

We began this fiscal year with a starting balance of \$214 million and revenues remain above target. Despite the growth in state revenues, we will continue to control the growth of state government. We must not overextend the taxpayer's money.

Even though the economy has been very strong, home budgets are as tight as ever because of rising energy costs. Here's what one of our newspapers said: "HIGH COST OF HEAT LEAVES VALLEY RESIDENTS COLD." If the headline isn't compelling enough, then listen to what citizens across the state have told me. My office received a call from a mother who spent one-fourth of her monthly budget on utility bills. I received an email from a family of eight, who had their power turned off right before Christmas. A single mother wrote about having to dress her three-year old in two sweaters and wrap her eight month-old in extra blankets just to fend off the cold.

My budget includes more than \$63 million in one-time energy assistance to help Idahoans with their rising energy costs. Every Idaho resident who filed a 2004 Individual Tax Return or the grocery tax credit will receive a check, \$50 for each man, woman, and child who qualifies. That family of eight will receive \$400.

We are all feeling the impacts. For many families this is an emergency, and so I'm asking you to make this measure effective immediately. As soon as you approve the legislation, I'll sign it and within 14 days the first checks will be on their way.

In addition to this one-time energy assistance, I am proposing that we transfer \$67 million to the Budget Stabilization Account. This is a prudent course of action for our state budget and it gives us a healthy reserve of over \$105 million, the largest in Idaho history.

One of the reasons that we did not have to make drastic cuts to vital programs in the recent recession was because of the dedicated work of our state employees. There are countless examples of state employees taking on more responsibilities and doing more with less to serve their fellow citizens. Because we often leave to the last the question of salary increases for state employees, I think it's time to demonstrate their value to us by making it the first item we address. Therefore, I'm recommending a 3% salary increase and rather than wait until July 1st, I'd like to make it effective at the end of this month.

There are also special needs among correctional officers, parole officers, and the Idaho State Police. Many of these men and women work in environments that put them at great personal risk. I'm asking for additional money for these classifications. Send me this legislation so our employees can see the increase in their checks by the end of February.

Also at the top of my agenda is the major Medicaid reform that I first announced in November. Medicaid is among the fastest growing parts of the state budget. To cure the systemic problems and to reign in the escalating costs, we must do more to modernize the system. Unless we do something, we'll be forcing the care of our grandparents to be in direct conflict with the education of their grandchildren.

We must be proactive in our approach, focusing on results instead of rules, outcomes instead of regulations. My common sense plan will simplify the system, reduce costs, and turn our attention to prevention, wellness, and personal responsibility. We'll begin by redesigning Medicaid into three distinct programs, one for low-income children, another for individuals with disabilities or special health needs, and a third for the elderly. Each program will be tailored to meet the needs of each population. I believe that by working together with a little common sense, innovation, and Idaho ingenuity, we'll be the model for national Medicaid reform.

Through all of the budget cuts of the past years, we have kept education off the chopping block. Now, we're in a position to make additional investments in our public schools. For fiscal year 2007, my budget recognizes the importance of our public schools with a first-ever appropriation of over \$1 billion - \$1.035 billion to be exact. This historic investment represents a 4.89% increase over last year's appropriation.

Improving education is not merely a factor of funding. We have already improved our public schools by focusing on reading, math, and science. Now, I'm proposing another common sense reform. High school curriculum must reflect what business is demanding, even more math and science. Two years of instruction in these core areas is not enough to prepare our young people for the workforce.

The State Board of Education has recommended requiring four years of math and three years of science for graduation from Idaho high schools. This will keep our students competitive with those in other states and other countries, and it will bring our minimum high school standards in line with our own state college

entrance requirements. My budget includes the funds requested to implement high school reform. We live in a 21st century economy. We need a 21st century education.

Another area of our school curriculum that is in need of reform is physical education. In a world where fast food and a sedentary lifestyle are becoming the norm, it's imperative that we give our children opportunities to develop lifelong habits of physical fitness. Unfortunately, video games have replaced sports as the normal after school activity for our youth. Why would a 12 year-old want to play catch with his neighbor when he can throw a touchdown pass to an NFL all-star to win the Super Bowl, all without leaving the comfort of his couch? Some studies point to the tragic reality that if this trend continues, today's generation of children will have a shorter life expectancy than we do. We must not allow this trend to continue. It's time to revitalize and strengthen physical education around the state. You'll find a healthy investment in my budget to do just that.

We can raise the standards, but there is no replacement for a good teacher. From physical science to physical education and music to math, our teachers are on the front lines of preparing our children for the future. Idaho has some of the best, most dedicated teachers in the country. Every day, they enter the classroom to teach, inspire, and encourage our children. To all of our hard working teachers, we say thank you.

My budget includes a \$27 million increase for teacher salaries. As a part of this investment, I want to increase the starting wage for this noble profession. Two years ago we raised the starting teacher salary to \$27,500. This year, my budget includes ongoing money to increase it once again to \$30,000. When you approve this measure, we can all be proud that in the last few years, we will have raised starting teacher salaries by 20%.

Just a few weeks ago, the Idaho Supreme Court ruled on the constitutionality of our historical mechanism for funding local school construction and maintenance. In their view, reliance on the traditional school bond election process has not produced the guarantees required by our constitution.

We have already taken some important steps to encourage school districts to pass school bonds and build new schools. We implemented a plan to pay a portion of the interest on new school bonds. We have already partnered with 24 local school districts to build or improve schools across the state. My budget includes \$4.5 million to continue this commitment, which is projected to grow to more than \$22 million annually by the year 2025. Many of the districts with the greatest facility needs now have new schools thanks to this partnership with the state. Many more will benefit and we're committed to the process.

Despite our progress, the Court expects more. Fortunately, they have recognized that this is a problem best solved by the political process. One of the options the Court gave us to consider is what I proposed seven years ago: lowering the

supermajority for school bond elections. I support lowering the supermajority to 60% if school districts hold their bond elections concurrent with the primary or general election. This is a constitutional matter and it will require a constitutional amendment. So it's time to put this question before the citizens of the state of Idaho by placing it on the ballot.

In higher education, we have also made investments that will benefit generations of future students. My budget for colleges and universities provides a 4.8% increase over the current fiscal year, and includes full funding for salaries, inflation, and increased enrollment. Just as with other state employees, the salary increases for faculty and staff will be effective at the end of this month.

Our faculty and staff are part of the reason that our colleges and universities are among the best in the country. But the stark reality is that Idaho ranks low compared to the rest of the nation in the percentage of high school graduates who go directly to college. Why? Part of that may be accessibility, part may be afford ability.

For too long we have asked our universities to be all things to all people, but the simple truth is that a university is a university. It is not a community college. It is not a professional-technical school.

I'm presenting a plan that will make community college classes accessible and affordable to more Idahoans. I propose investing \$5 million to begin the process of creating a new statewide community college network. My proposal does not call for any new investments in brick and mortar. The community college of the 21st century, with all of our technological assets and existing infrastructure, does not require a brick and mortar approach. Instead, this initiative utilizes existing facilities and resources around the state, including public schools, private businesses, and government buildings to meet community needs. Under my plan, instead of having to travel to a college campus miles away, students might expect to attend classes at the local high school, a corporate conference room, a room in city hall, or a county courthouse.

We have some great models to follow in North Idaho College and the College of Southern Idaho. These community colleges have already begun to expand their services to rural communities in the Mini-Cassia area and the Silver Valley, among many others. These true community college programs will grow as enrollment grows. In this way, these programs will be self-sustaining and life sustaining for individuals who want better jobs, a better education, and a better quality of life.

I have spoken with our college and university presidents, school superintendents, and business leaders who recognize the urgent need and have pledged their support for my "Idaho College" initiative. Let's take the next step to make college classrooms available in every part of the state.

Investing in education is the best way we can give our citizens the hope of a bright future. Unfortunately, too many of our young people are getting their education on the streets and end up in prison. Last year, I created the Criminal Justice Commission, including members of all three branches of government, law enforcement, and other community partners. They have undertaken an extensive review of the most significant criminal problems facing Idaho. They have worked tirelessly and I've taken their recommendations to heart.

On the top of that list, we're going to make our already tough sex offender laws even tougher. First, I propose doubling the maximum sentences for the most severe sex crimes. Let's give judges greater authority to keep these predators off the streets and behind bars.

For those sex offenders who serve their time, we currently require that they register once a year with the state. That's not good enough, especially for violent sexual predators. That gives them a one-year head start if they ever decide to move or re-offend. I propose increasing the frequency of registration for violent sex offenders from once a year to quarterly. I also propose requiring these violent predators to verify their address with the State Police every month. When a sex offender moves to Idaho intending to stay here, they'll have 48 hours to notify the authorities of their presence. For those who hide from the law or fail to register, we're also going to double the maximum sentence. I have a message for sex offenders, you can live by our rules or you'll live behind bars.

Another serious problem is gang activity. As the population grows, gangs will only get worse, unless we act. Idaho currently has no laws against gangs, but we must eradicate this social epidemic before it infects every community.

When I talk about gangs, I want to dispel the image of the unsophisticated street thug. This is organized crime. They run like a business, but their business is no good.

Gang members can be as young as 10 or well into their 50's. In some cases gang membership is a family tradition with third generation gang members. But this is one family tradition that we won't pass on in Idaho.

This session, I will send you legislation to criminalize gang activity. We will make gang recruitment illegal. We will enhance the penalties for gang members who commit crimes. We will make it a felony to supply firearms to a criminal gang. With this anti-gang legislation, we're sending a clear message: Gangs are not welcome in Idaho.

This year, we will also take another step in our continuing fight against methamphetamine. Thanks to our anti-meth initiative, we have shut down more than 760 labs in seven years; on average, we've taken out two labs every week since I took office. We've been tough on meth and the word is out. We must make it harder than ever to peddle this poison in Idaho.

It's time to require that pseudoephedrine, the key ingredient in meth, be kept behind the counter. We are one of the only states that doesn't safeguard it. Some Idaho counties and cities already impose requirements on vendors. Some vendors safeguard pseudoephedrine voluntarily. But we need uniformity and predictability across the state. It's time we make this simple fix.

Being tough on crime is good for our communities and it's good for our state. One of the reasons that Idaho is the third fastest growing state is because of our low crime rate. Idaho is a safe place to raise a family, because we don't tolerate those who prey on others, we put them in prison. But this means our prison population will continue to grow.

In spite of our best efforts to control the growth of our prison population, we have reached a point where we need more room in order to keep our communities safe. I'm recommending \$16 million for the addition of 300 beds at the privately run prison. With county jails full and some Idaho inmates already housed out-of-state, the choices are slim, start releasing inmates or make room for more. In Idaho, if you do the crime, you do the time.

But while we lock people up, we don't always throw away the key. In our prisons, a tragic 85% of offenders have a substance abuse problem. However, addicts can recover with proper treatment. Last year I announced that Idaho received a \$22.8 million grant to create a system to help more addicts get access to treatment. Since we obtained the grant, we have helped over 5,000 people receive recovery support services and treatment.

In our prisons, because many of our inmates can and will be released after serving their time, we must continue to focus on rehabilitation. We have seen the success of drug treatment programs in our prison system. This year we'll take our efforts a step further. We will rehabilitate offenders and assist them with their re-entry back into society. My budget includes funding for a 400 bed, community-based treatment center. That's 300 prison beds and 400 treatment beds. That's a net gain of 700 beds that will not only help relieve the pressure in our prisons, but change lives for the better.

One of the best ways to keep from having to build prisons is to ensure that our children are loved and cared for so they don't get into trouble in the first place. From the very start of my administration, I have focused on families and children, declaring this the "Generation of the Child."

We have worked to make sure that our children get the immunizations they need to live healthy lives. In fact, we have been recognized by the Centers for Disease Control for having the largest increase in the country in our childhood immunization rate. We have also improved access to health care for many children. Nearly 70,000 children have health care today who were not covered seven years ago.

One of our greatest achievements has been to create a Culture of Caring. We have started an ongoing dialogue between parents and teachers, lawmakers and community leaders, all in an effort to increase awareness, understanding, and cooperation on the issues that most affect our children and families. One of the great advocates has been our First Lady. Patricia has been tireless in working for Idaho families and Idaho is fortunate to have her.

Our efforts have matured over the course of seven years. We have accomplished much, but there is more to do. To continue our emphasis on families and children, I propose creating the Office for Families and Children within the Executive Office of the Governor. This effort will formalize Idaho's commitment to promoting healthy and well-educated children, and strengthening families.

With a small investment, the Office for Families and Children will facilitate the exchange of information and ideas to help strengthen our communities and protect our young people. It will also help streamline government services designed to reinforce the family unit. This is a positive step forward. Idaho families and children deserve our continued support.

In the area of economic development, we have been aggressive at expanding opportunities for Idaho businesses. We have a great success story in our continued efforts to sell Idaho goods and services around the world. Our trade missions to Asia and Mexico have opened doors for Idaho exports and built relationships that are already producing results. We estimate that our international exports from 2005 will exceed \$3 billion. This is big business for Idaho companies and agriculture.

Central to our ongoing success are the Idaho trade offices located in key international markets. This year, we can further enhance Idaho trade by expanding our presence in Asia. First, I propose re-establishing our part-time trade office in Japan. With increasing opportunities in China, I propose making our Shanghai trade office full-time. Idaho is open for business, here and around the world.

Science and technology continues to be one of the driving forces behind the strength of Idaho's economy. I am recommending the full request of the Science and Technology Advisory Council. This includes funding for our TechConnect offices throughout the state; grant money for Idaho companies competing for federal research dollars, and increased funding for our universities for research and technology transfer.

This year, we must also continue to invest in rural Idaho through my Rural Initiative. Many of the new jobs in our smaller communities are the direct result of this initiative. I am proposing an additional \$700,000 investment. With your support, we'll bring funding for the Rural Initiative to \$3.5 million, of which \$500,000 is earmarked for science and technology projects. The rural initiative has benefited more than 60 communities by building infrastructure and creating jobs.

This is part of the reason that we're leading the nation in economic recovery. Let's continue this tremendous story of success.

Another great success story is what's happening in the area of species conservation. Our salmon and steelhead are returning to Idaho rivers. The wolf management plan you approved three years ago is now in place. Last week I signed an agreement with the Secretary of Interior that gives Idaho the authority for the day-to-day management of wolves. This is the first such agreement between the Secretary and any governor, and it gives the state management of a re-introduced species before delisting. Although it was an historic agreement, we won't stop until we make history by delisting wolves in Idaho.

By the end of the year, I also expect that the Yellowstone Grizzly Bear will be removed from protection under the Endangered Species Act in portions of Idaho. Grizzly bears may be here to stay, but thanks to the state plan that you helped develop, federal management of this species is on its way out.

There has been a lot of discussion about local property taxes. I recognize the problem, nobody likes property taxes. But the state does NOT assess, collect, or spend a single penny of property taxes.

As a former Mayor, I understand the primary role that local governments play in public health, fire protection, law enforcement, road construction, and economic development. My budget continues the state's historical support of local government.

My budget includes nearly \$142 million from sales tax for cities and counties. We're also giving almost \$29 million from the liquor tax to cities and counties. Consider the \$9.6 million from the cigarette tax that goes to cities and counties, the \$18.2 million for Catastrophic Healthcare that goes to the counties, and the \$9.7 million that goes to fund the Health Districts serving all 44 counties. My budget also includes more than \$112 million in other direct property tax relief to local government. In all we send over \$325 million a year to local governments to help fund local services, which otherwise would come from property taxes. The state is already a strong partner in its support of local government.

If citizens believe they are paying too much in property taxes, that debate belongs in the county courthouses and the city halls.

Having said that, I recognize that property taxes are an increasing burden. I have a genuine concern in those areas of the state with rising property values, that seniors, those on fixed incomes, and the disabled might be priced out of their homes. It should never be the case that growing property taxes force a citizen from their home. That's why we implemented the Property Tax Circuit Breaker, to help those eligible pay their property taxes. Twenty-six thousand households currently benefit. I propose helping an additional 10,000 households, that's households, not individuals, by increasing the circuit

breaker from \$15.4 million to \$22.7 million. With this increase we will help 36,000 families pay their property taxes and stay in their homes.

Expanding the circuit breaker will help, but we're also going to put in place a safety net to break the fall for those who have no other options. I'm proposing that we give seniors and the disabled, who meet the criteria of the Circuit Breaker, the added ability to defer their property taxes. The state will pay the deferred taxes as long as it's needed to keep them in their home. As the state is repaid, the money will go into a revolving fund, helping seniors and the disabled in perpetuity.

Now while we're talking about property, I want to comment on another problem that could affect property owners and local governments. Last year the United States Supreme Court ruled that governments can take private property from one person and give it to another for private economic activity. This decision erodes private property rights. This is unacceptable. The Court's opinion forces us to ask the question, "Will we allow government to take your home or property and give it to private developers?" I have a bill that says, not in Idaho, not now, and not ever.

We value private property. We also have some public property in Idaho that is absolutely incredible. Idaho's 30 state parks have been called the jewels of the gem state. These parks are important to tourism, Idaho's third largest and fastest growing industry. Tourism provides 47,000 jobs and has a \$2.1 billion impact to our economy. Part of that comes from the 2.5 million annual visitors to Idaho state parks.

Any investment in our state parks is an investment that will pay big dividends. It's not just money we're talking about, it's memories - memories that will last for generations. So, I am proposing that we make a once-in-a-generation investment in our state park system.

If I say names like Yellowstone or Yosemite, it evokes great images. So do names like Heyburn and Harriman. These are special places, but parks like these don't just happen. It takes vision and commitment.

We've identified six parks across the state that are in need of updating and repair. In many instances, if we don't act, we will not only lose historic buildings, but we'll miss an opportunity to save these parks for the next generation.

In the north, on the shores of beautiful Lake Couer d'Alene, Heyburn State Park, our first state park, is in danger of becoming merely a memory. It's time to renovate and reopen the lodge and other facilities so that Heyburn State Park is around for another 100 years.

Much like Heyburn, Harriman State Park, located along the Henry's Fork of the Snake River in Fremont County, also needs serious repair. I propose building a visitor center and renovating the ranch-style structures to make this park a destination once again.

In Valley County, Ponderosa State Park sits on some of the most beautiful land in Idaho. We will build a rustic lodge and family cabins, and reopen public access to the beach near the old Lakeview Village.

Eagle Island State Park along the Boise River, with our rapid population growth, will become as valuable to the Treasure Valley as Central Park is to New York City. But unless we make the investment, Eagle Island's potential will not be realized. My proposal adds needed improvements, campgrounds, equestrian trails, and more greenbelt along the Boise River.

In the Hagerman Valley, at the Billingsley Creek Unit of Thousand Springs State Park, we intend to remodel the popular Garden Center, build a small outdoor concert amphitheater, and expand the equestrian arena.

Near the Idaho-Utah border, Castle Rocks State Park is quickly becoming one of our nation's rock climbing meccas. However, the facilities are inadequate. We need more campgrounds, and there's need to remodel the traditional Ranch House that welcomes visitors.

Finally, and perhaps most significantly, we will build a new State Park in Eastern Idaho. This corner of our state is experiencing explosive population growth and the fact is that there is significant demand for citizens to have a place to spend time with their families and enjoy the beauty of the State of Idaho.

I spend a lot of time in our state parks. I love sitting around a campfire and I enjoy seeing so many families with their children doing the very same thing. When we take our children there, they make memories that last a lifetime. What's unfortunate is that we probably won't see these same children and their families around the Statehouse because they're not organized and they don't know how to lobby. But let me assure you, on their behalf, that these repairs and improvements are important.

With this one-time money, let's make a once-in-a-generation investment in a world class park system. This is our responsibility, just as the leaders of previous generations had the vision to create the State Park System. They didn't put it off for someone else to do and neither should we.

It was this kind of once-in-a-generation investment that brought us this wonderful State Capitol. The year 2005 marked the centennial of the beginning of the construction on this magnificent structure. The Statehouse is steeped in history and tradition. But we only have this building because our forefathers had the vision 100 years ago to build a house that was equal to the majesty of our people.

With each passing year, the Statehouse falls further into disrepair. Five years ago, we committed to restoring the Capitol. We delayed the project because of the recession. One year ago, I recommended that we begin the restoration of our century-old State Capitol.

Well, here we are twelve months later. The building is still unprotected from fires. We lack emergency exits, and the out-of-date elevators are still unable to accommodate a gurney in the event of a medical emergency. Nothing has changed regarding the need for this restoration project, nothing except this building is one year older and construction inflation costs have gone up \$5 million.

To your credit, we have identified a revenue source to now pay for this restoration. With that revenue stream in place, no more delay. It is my intention, that on September 1st of this year, we will vacate the building and begin the renovation.

Delay can also mean increased costs with highway construction. That's why last year we approved bonding for 30 years of new highway projects all across Idaho. This is one of the reasons that people called last year's session one of the most progressive and significant sessions in the state's history. We are taking advantage of today's dollars to build a generation of highways, but it's not getting any cheaper. We have already issued the contract to underwrite the bonds, and soon, we will have the contract in place to manage the projects. Today, I ask you to approve the funding necessary to begin construction.

If anyone questions the need or the support for this, just go ask the citizens. We're going to save lives and increase commerce. We're ready to go; let's get rolling.

As we commence this second session of the 58th Idaho Legislature, I want to share a part of what I experienced over the past few years. We live in freedom and practice our form of democracy because men and women serve our country in the armed forces. Many Idahoans are currently serving in Afghanistan, Iraq, and other places around the world.

Our troops are in the middle of history, fighting a war against terrorism and bringing freedom to a people who have suffered the worst kind of oppression. Members of the 116th Cavalry Brigade, the 183rd Aviation Battalion, the 124th Wing, the 189th Air Lift Squadron, the 266th Range Squadron, the Gunfighters of Mountain Home AFB, US Marine Reservists from Charlie Company, and many other active duty and reserve soldiers, sailors, airmen, and marines are part of helping to lay the foundation of freedom in the Middle East. As democracy in the Middle East takes form, Idahoans are playing a vital role and we can be proud of their service and sacrifice.

Through all of this, Idaho has deployed a greater percentage of our National Guard Forces than any other state in the union. In the height of our deployments, Hurricane Katrina hit the Gulf Coast. In the midst of the largest deployment in Idaho National Guard history, I sent more than 400 soldiers and airmen to Louisiana to help in the relief effort. Some time later, I spoke with the chairman of the US Senate Armed Services Committee, Senator John Warner. He asked how Idaho was able to still send troops to Louisiana with our record deployment. My answer to him was that when fellow Americans call for help, Idahoans will always answer the call.

As Governor, I feel responsible for the well-being of our citizens. As Commander-in-Chief of the Idaho National Guard, I feel a special responsibility for all of our service members and for their families. With each deployment, I have been there when they leave. I've been there when they return. I've been there when they haven't returned. I have never been so proud to be from Idaho. I have also never been so profoundly affected. We must never forget those who have given their lives in the service of our country. We are grateful for those who serve and safely return.

One of my honors and duties as Commander-in-Chief is to present the Purple Heart to those Idahoans who have been wounded in battle. It is an honor with deep meaning and great tradition that dates to the Revolutionary War. It's as sacred a medal as this nation has.

I've presented the Purple Heart in a variety of settings; several at Walter Reed Army Hospital, in a city park, and in my office. There are currently four Purple Hearts that have not yet been presented. We were scheduled to present these awards across the state. But I feel that this is the place this is the time before all three branches of government and before the citizens of Idaho.

These four men represent all of our soldiers, sailors, airmen and marines who have so gallantly served. I now call upon our Adjutant General, Major General Lafrenz, and Command Sergeant-Major Lewis to assist me in the presentation of the Purple Heart to: Staff Sergeant Thomas Butler, Specialist Jason Braase, Specialist Jesse Ingram, and Specialist Kenneth Parham. Gentlemen, would you please come forward.

Staff Sergeant Butler is assigned to Company A, 2nd Battalion 116th Cavalry Brigade, in Emmett. On June 26th, 2005, while conducting combat operations near Kirkuk, Iraq, Sergeant Butler was seriously wounded by an Improvised Explosive Device. He took shrapnel and received serious injuries to his left arm and leg, and abdomen. Sergeant Butler came home to his wife, Kimberly and their three children Amanda, Jacob, and Jared.

Specialist Jason Braase is also assigned to Company A, 2nd Battalion 116th Cavalry Brigade, in Emmett. He was a part of the same combat operation near Kirkuk, Iraq. When the IED exploded, he was also seriously wounded, taking shrapnel in his right leg. I saw Jason and his wife Autumn at Walter Reed Army Hospital on more than one occasion.

Specialist Jesse Ingram is assigned to Detachment 2, Company B, 116th Engineer Battalion, in Grangeville. On the 14th of February, 2005, while conducting a patrol near Hawij, Iraq, his patrol took enemy fire. He received multiple shrapnel wounds to his face, neck, chest and right hand, for which he has already received one Purple Heart. After he was wounded, he returned to duty. On the 28th of April, 2005, while he was conducting another patrol in Iraq, his vehicle was destroyed by an Improvised Explosive Device. He was again seriously wounded, taking shrapnel in both arms and both legs. He's here today to receive a second purple heart.

Specialist Kenneth Parham is assigned to Detachment 1, Company B, 116<sup>th</sup> Engineer Battalion, in Orofino. On the 21<sup>st</sup> of April, 2005, his armored Humvee took a direct hit from an IED. He sustained multiple serious injuries including fractured ribs, a collapsed lung, and shrapnel wounds to his hip and shin from the explosion. This was his third incident. He came home to his wife Cheryl and their four children, Michael, Kasia, Stacey, and Kenneth.

Command-Sergeant Major, post the orders.

After all that has been said tonight about the state of our state, I hope these soldiers leave no doubt, Idaho is in good hands. While we debate public policy and budgets, figuratively fighting for the values of our constituents, let us never forget that our fellow citizens are literally fighting for the values of freedom and democracy around the world.

We have the privilege of practicing democracy. Let us cherish that privilege and work together. We also have some extraordinary opportunities. I expect that you will fully consider and debate my proposals. I welcome an open and thorough discussion.

I look forward to working with you to make our hopes for Idaho a reality. God bless you in your work. God bless Idaho. God bless America.

The Speaker thanked Governor Kempthorne.

The committee appointed to wait upon the Governor came forward and escorted him to the gallery.

Chief Justice, Gerald Schroeder, was introduced by Speaker Newcomb and, spoke briefly to the Members of the Joint Session.

The Speaker thanked Chief Justice Schroeder.

The committee appointed to wait upon the Governor came forward and escorted him to his office and was, on its return, thanked and discharged by the Speaker.

The committee appointed to wait upon the Supreme Court Justices and the Appellate Court Judges came forward and escorted them from the House Chamber and was, on its return, thanked and discharged by the Speaker.

The committee appointed to wait upon the Elected Officials came forward and escorted them from the House Chamber and was, on its return, thanked and discharged by the Speaker.

Mr. Denney moved that the Governor's State of the State Message and Budget Address be printed in both the House and Senate Journals. Seconded by Mr. Sayler.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion carried by voice vote and ordered the Governor's State of the State Message and Budget Address printed in both the House and Senate Journals.

Mr. Denney moved that the Joint Session be dissolved. Seconded by Mr. Sayler. Motion carried.

The Senate returned to its Chamber.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Tuesday, January 10, 2006. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:48 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### SECOND LEGISLATIVE DAY TUESDAY, JANUARY 10, 2006

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused -- Barraclough, Bedke, Cannon, Miller, Sali. Total -- 5.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Megan Lake, Page.

### Approval of Journal

January 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the First Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 9, 2006

Mr. Speaker:

I return herewith HCR 30 which has passed the Senate. WOOD, Secretary

HCR 30 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

January 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed HR 2. FIELD(18), Chairman

HR 2 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that the following persons be approved as attaches to serve the House of Representatives for and during the Second Regular Session of the Fifty-eighth Idaho Legislature. Seconded by Ms. Jaquet.

- Chief Clerk ..... Pamm Juker
Assistant Chief Clerk ..... Verna M. Goeddertz
Docket Clerk ..... Carol Ryan
Journal Clerk ..... Forrest Ludwig
Journal Clerk ..... Larry Kincaid
Chaplain ..... Jim Hardenbrook
Sergeant at Arms ..... Judith K. Christensen
Assistant Sergeants at Arms ..... Al Noyes
Jim Borton

- Administrative Assistant to Majority Leadership ..... Susan Frieders
Administrative Assistant to Minority Leadership ..... Amber Pence Fink
Secretaries to Minority Leadership ..... Jessica Gardetto
Cathy Downs
Lounge Hostess ..... Maria Cunha-Stern
Assistant Lounge Hostess ..... Dawn Heimer
Committee Secretaries:

- Agricultural Affairs ..... Vickie Winkel
Appropriations ..... Jean Krogstad
Business ..... Mary Lou Molitor
Education ..... Janet Bryant
Assistant Secretaries to Education ..... Carolyn Johnson
Mary Betournay
Environment, Energy, and Technology ..... Peggy Heady
Health and Welfare ..... Jennifer O’Kief
Commerce and Human Resources ..... Claudia Johnson
Judiciary, Rules, and Administration ..... Betty A. Baker
Local Government ..... Barbara Lee Allumbaugh

- Resources and Conservation ..... Mona Spaulding
Revenue and Taxation ..... Kathryn L. Yost
Assistant Secretary to Revenue and Taxation ..... Chris Taylor
State Affairs ..... Karen Daniels
Transportation and Defense ..... Shani Murray
Secretary/Receptionist (Chairmen's Suite) ..... Peggy Heady
Secretary/Receptionist (J. R. Williams Bldg) ..... Shirley Scott
Information Center:

- Director ..... Georgia Marshall
Information Specialist ..... Marilyn Buxton
Telephone Operators ..... Louise J. Magill
Mary Ellen Pierce
Heather Thien
Katy Tollefson
Tour Guides ..... Susan Kempton
Deanna Combs
Carla Pyle
Copy Machine Operators ..... Donna Morgan
Jerry Csutoras

Pages:

- Nathan Barry ..... Ian McMahan
Lauryn Harriman ..... Johanna Roberts
Catherine Hendrickson ..... Tiffani Sessions
Katelyn Holzer ..... Katrina Smith
Megan Lake ..... Luke Thomas

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 11:30 a.m., Wednesday, January 11, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:43 a.m. BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

THIRD LEGISLATIVE DAY WEDNESDAY, JANUARY 11, 2006

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present. Absent and excused -- Sali, Schaefer, Snodgrass. Total -- 3. Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Tiffani Sessions, Page.



**Approval of Journal**

January 11, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Second Legislative Day and recommend that same be adopted as corrected. FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

January 9, 2006

The Honorable Bruce Newcomb  
Speaker of the House

As required by Section 57-1601, *Idaho Code*, I am transmitting the following report of the Governor's Emergency Fund for fiscal years 2005 and 2006:

**Balance as of July 1, 2004**           \$83,744.48  
No activity in fiscal year 2005

**Balance as of June 30, 2005**       \$83,744.48  
No activity year-to-date in fiscal  
year 2006

**Balance as of December 31, 2005**   \$83,744.48

Very truly yours,  
/s/ Dirk Kempthorne  
Governor

The correspondence was ordered filed in the office of the Chief Clerk.

**Report of Standing Committees**

January 11, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 30**. FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HCR 30**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**HR 2**, by Denney and Jaquet, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Denney moved that the House adjourn until 11:15 a.m., Thursday, January 12, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:44 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**FOURTH LEGISLATIVE DAY  
THURSDAY, JANUARY 12, 2006**

House of Representatives

The House convened at 11:15 a.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused -- Barrett, Clark, Crow, Raybould, Sali, Schaefer. Total -- 6.

Total -- 70.

Prayer was offered by Pastor Don Hardenbrook.

The Pledge of Allegiance was led by Johanna Roberts, Page.

**Approval of Journal**

January 12, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Third Legislative Day and recommend that same be adopted as corrected. FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

**HR 2** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **HR 2** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalah, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barrett, Clark, Crow, Raybould, Sali, Schaefer. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **HR 2** adopted and ordered the resolution filed in the Office of the Chief Clerk.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, January 13, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:28 a.m. **BRUCE NEWCOMB**, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**FIFTH LEGISLATIVE DAY  
FRIDAY, JANUARY 13, 2006**

House of Representatives

The House convened at 8 a.m., Mr. Denney in the Chair.

Roll call showed 43 members present.

Absent and excused -- Andrus, Barrett, Bayer, Bedke, Bell, Bolz, Clark, Crow, Eskridge, Harwood, Henbest, Jaquet, Lake, Loertscher, McGeachin, McKague, Mitchell, Moyle, Mr. Speaker, Raybould, Ringo, Roberts, Sali, Schaefer, Skippen, Smith(24), Snodgrass. Total -- 27.

Total -- 70.

Prayer was offered by Representative Henderson.

The Pledge of Allegiance was led by Catherine Hendrickson, Page.

#### Approval of Journal

January 13, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fourth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

#### Consideration of Messages from the Governor and the Senate

January 12, 2006

Mr. Speaker:

I return herewith enrolled **HCR 30** which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 30** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mrs. Ellsworth moved that the House adjourn until 11:30 a.m., Monday, January 16, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Acting Speaker declared the House adjourned at 8:14 a.m.

LAWRENCE DENNEY, Acting Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**EIGHTH LEGISLATIVE DAY  
MONDAY, JANUARY 16, 2006**

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused -- Collins, McKague, Moyle, Schaefer, Smith(30). Total --5.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Johanna Roberts, Page.

**Approval of Journal**

January 16, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

**Report of Standing Committees**

January 16, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 30** to the Secretary of State at 8:49 a.m., as of this date, January 13, 2006.

FIELD(18), Chairman

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Denney moved that the House adjourn until 11:30 a.m., Tuesday, January 17, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:48 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**NINTH LEGISLATIVE DAY  
TUESDAY, JANUARY 17, 2006**

House of Representatives

The House convened at 11:30 a.m., Mr. Denney in the Chair.

Roll call showed 67 members present.

Absent and excused -- Black, Eskridge, Mr. Speaker.

Total -- 3.

Total -- 70.

Prayer was offered by Representative Bolz.

The Pledge of Allegiance was led by Luke Thomas, Page.

**Approval of Journal**

January 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions****HOUSE BILL NO. 403  
BY APPROPRIATIONS COMMITTEE**

AN ACT

RELATING TO TRANSFERS OF FUNDS; PROVIDING A TRANSFER OF FUNDS TO THE FIRE SUPPRESSION DEFICIENCY FUND; PROVIDING A TRANSFER OF FUNDS TO THE PEST CONTROL DEFICIENCY FUND; PROVIDING A TRANSFER OF FUNDS TO THE HAZARDOUS SUBSTANCE EMERGENCY RESPONSE FUND; AND DECLARING AN EMERGENCY.

**H 403** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 10:45 a.m., Wednesday, January 18, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Acting Speaker declared the House adjourned at 11:46 a.m. LAWRENCE DENNEY, Acting Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**TENTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 18, 2006**

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused -- Anderson, Henbest, Roberts, Schaefer.

Total -- 4.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Lauryn Harriman, Page.

**Approval of Journal**

January 18, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninth Legislative Day and recommend that same be adopted as corrected. FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

**Report of Standing Committees**

January 18, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 403**. FIELD(18), Chairman

**H 403** was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 404  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE GOVERNOR FOR THE MILITARY DIVISION FOR FISCAL YEAR 2006; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 405  
BY COMMERCE AND HUMAN RESOURCES COMMITTEE**

AN ACT

RELATING TO THE WORKFORCE DEVELOPMENT TRAINING FUND; AMENDING SECTION 72-1347B, IDAHO CODE, TO EXTEND THE SUNSET DATE ON THE TRAINING TAX FOR FIVE YEARS.

**HOUSE BILL NO. 406  
BY COMMERCE AND HUMAN RESOURCES COMMITTEE**

AN ACT

RELATING TO THE SCIENCE AND TECHNOLOGY ADVISORY COUNCIL; AMENDING CHAPTER 47, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW

SECTION 67-4726, IDAHO CODE, TO CREATE A SCIENCE AND TECHNOLOGY ADVISORY COUNCIL, TO PROVIDE MEMBERSHIP OF THE COUNCIL AND TO PROVIDE DUTIES OF THE COUNCIL.

**HOUSE BILL NO. 407  
BY COMMERCE AND HUMAN RESOURCES COMMITTEE**

AN ACT

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1347A, IDAHO CODE, TO REVISE CONDITIONS WHEN A RESERVE TAX MAY BE IMPOSED; AMENDING SECTION 72-1349A, IDAHO CODE, TO PROVIDE ADDITIONAL METHODS FOR CHARGING BENEFITS ATTRIBUTABLE TO COST REIMBURSEMENT EMPLOYERS; AMENDING SECTION 72-1366, IDAHO CODE, TO PROVIDE FOR REPAYMENT OF ANY BENEFITS RECEIVED AS A RESULT OF HAVING WILLFULLY MADE A FALSE STATEMENT OR WILLFULLY FAILED TO REPORT A MATERIAL FACT; AMENDING SECTION 9-340C, IDAHO CODE, TO DEFINE EMPLOYMENT SECURITY INFORMATION AND TO PROVIDE THAT THE IDENTITY OF AN INFORMANT WHO REPORTS A SUSPECTED VIOLATION OF THE EMPLOYMENT SECURITY LAW TO THE DEPARTMENT OF COMMERCE AND LABOR UNDER AN ASSURANCE OF CONFIDENTIALITY SHALL NOT BE DISCLOSED; AMENDING SECTION 63-3077A, IDAHO CODE, TO CLARIFY THAT THE STATE TAX COMMISSION AND THE DEPARTMENT OF COMMERCE AND LABOR MAY EXCHANGE CERTAIN INFORMATION AND TO PROVIDE THAT AMOUNTS OWED FOR PENALTY AND INTEREST ON DEBTS OWED TO THE STATE TAX COMMISSION OR THE DEPARTMENT OF COMMERCE AND LABOR MAY BE OFFSET AGAINST REFUNDS OWED TO THE DEBTOR BY EITHER AGENCY AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

**HOUSE BILL NO. 408  
BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO EMINENT DOMAIN; AMENDING CHAPTER 7, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-701A, IDAHO CODE, TO PROVIDE THAT THE RIGHT OF EMINENT DOMAIN MAY BE EXERCISED ON BEHALF OF A PUBLIC USE, TO PROVIDE THAT CONVEYANCE OF A CONDEMNED PROPERTY OR AN INTEREST IN A CONDEMNED PROPERTY TO A PRIVATE PARTY SHALL NOT BE A PUBLIC USE AND TO PROVIDE APPLICATION; AMENDING SECTION 50-2018, IDAHO CODE, TO FURTHER DEFINE THE TERMS "DETERIORATED AREA" AND "DETERIORATING AREA" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 20, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-2002A, IDAHO CODE,

TO PROVIDE PROCEDURES FOR ACQUISITION OF PROPERTY WITHIN A DETERIORATED AREA; AMENDING CHAPTER 29, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-2902A, IDAHO CODE, TO PROVIDE FOR ACQUISITION OF PROPERTY LOCATED WITHIN ADJOINING AREAS; AMENDING SECTION 50-2903, IDAHO CODE, TO FURTHER DEFINE THE TERM "DETERIORATED AREA"; AMENDING SECTION 70-2206, IDAHO CODE, TO LIMIT EMINENT DOMAIN POWERS OF A COUNTY-BASED INTERMODAL COMMERCE AUTHORITY; AND AMENDING SECTION 70-2208, IDAHO CODE, TO PROVIDE THAT NO GOVERNING BODY SHALL DELEGATE THE POWER OF EMINENT DOMAIN TO AN INTERMODAL COMMERCE AUTHORITY NOR SHALL A GOVERNING BODY EXERCISE THE POWER OF EMINENT DOMAIN ON BEHALF OF ANY INTERMODAL COMMERCE AUTHORITY ON BEHALF OF ANY PROJECT OF AN INTERMODAL COMMERCE AUTHORITY.

**H 404, H 405, H 406, H 407, and H 408** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Thursday, January 19, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:05 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

#### ELEVENTH LEGISLATIVE DAY THURSDAY, JANUARY 19, 2006

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused -- Hart, Loertscher, Snodgrass.

Total -- 3.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Katelyn Holzer, Page.

#### Approval of Journal

January 19, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Tenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

#### Consideration of Messages from the Governor and the Senate

January 18, 2006

Mr. Speaker:

I transmit herewith **SJM 113** which has passed the Senate.

WOOD, Secretary

**SJM 113** was filed for first reading.

#### Report of Standing Committees

January 19, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 404, H 405, H 406, H 407, and H 408**.

FIELD(18), Chairman

**H 405, H 406, and H 407** were referred to the Commerce and Human Resources Committee.

**H 408** was referred to the State Affairs Committee.

**H 404** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

**SJM 113**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 409 BY APPROPRIATIONS COMMITTEE

AN ACT

STATING FINDINGS OF THE LEGISLATURE; TRANSFERRING MONEYS TO THE BUDGET STABILIZATION FUND; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 410**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO MEAT INSPECTION; REPEALING CHAPTER 19, TITLE 37, IDAHO CODE, RELATING TO MEAT INSPECTION PROVISIONS; AND AMENDING SECTION 5-338, IDAHO CODE, TO DELETE CODE REFERENCES.

**HOUSE BILL NO. 411**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO TUBERCULOSIS; AMENDING SECTION 25-402, IDAHO CODE, TO REVISE PROVISIONS RELATING TO COMPENSATION FOR DESTROYED CATTLE OR OTHER ANIMALS.

**HOUSE BILL NO. 412**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO BRUCELLOSIS; AMENDING SECTION 25-610, IDAHO CODE, TO REVISE VETERINARIAN DUTIES RELATING TO THE BRANDING OF POSITIVE REACTORS.

**HOUSE BILL NO. 413**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO CODIFIER'S CORRECTIONS IN STATUTES; AMENDING SECTION 9-340D, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 16-1629, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING THE HEADING FOR CHAPTER 3, TITLE 20, IDAHO CODE; AMENDING SECTION 33-5203, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 47-1506, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-416C, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING THE HEADING FOR CHAPTER 51, TITLE 54, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 54-5101, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5102, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5103, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5104, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5105, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5106, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5107, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE

SECTION; AMENDING SECTION 54-5108, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5109, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5110, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5111, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 54-5112, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5113, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5114, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5115, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5116, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-5117, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION AND TO CORRECT A TYPOGRAPHICAL ERROR; AMENDING SECTION 63-602HH, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 279, LAWS OF 2005, TO REDESIGNATE THE SECTION; AMENDING SECTION 67-2601, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING THE HEADING FOR CHAPTER 56, TITLE 67, IDAHO CODE; AMENDING SECTION 67-7702, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 72-311, IDAHO CODE, TO CORRECT A TYPOGRAPHICAL ERROR AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 414**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO DISPOSITION OF UNEXPENDED BALANCES BY CANDIDATES; AMENDING SECTION 67-6608, IDAHO CODE, TO PROVIDE THAT THE POLITICAL TREASURER FOR A CANDIDATE WHO WAS DEFEATED IN THE PRIMARY ELECTION AND WHOSE POST-PRIMARY REPORT SHOWS AN UNEXPENDED BALANCE OF CONTRIBUTIONS OR A CAMPAIGN DEBT, SHALL CONTINUE TO FILE ANNUAL REPORTS UNTIL THERE IS NO UNEXPENDED BALANCE OF CONTRIBUTIONS OR NO CAMPAIGN EXPENDITURE DEFICIT; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 415**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO LIMITATIONS ON CAMPAIGN CONTRIBUTIONS; AMENDING SECTION 67-6610A, IDAHO CODE, TO PROVIDE APPLICATION TO

CONTRIBUTIONS BY POLITICAL COMMITTEES, BY A PERSON OR POLITICAL COMMITTEE WHOSE CONTRIBUTION OR EXPENDITURE ACTIVITY IS FINANCED, MAINTAINED OR CONTROLLED BY A TRADE ASSOCIATION, LABOR UNION, COLLECTIVE BARGAINING ORGANIZATION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 416**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO MONEYS CONTRIBUTED TO A POLITICAL CAMPAIGN; REPEALING SECTION 67-6610C, IDAHO CODE, RELATING TO USE OF CONTRIBUTIONS FOR CERTAIN PURPOSES BY A CANDIDATE OR OFFICEHOLDER; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6610C, IDAHO CODE, TO ENUMERATE PERMITTED AND NONPERMITTED USES OF A CONTRIBUTION ACCEPTED BY A CANDIDATE; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 417**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO STATE AGENCIES; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2359, IDAHO CODE, TO DEFINE "STATE AGENCIES," TO PROVIDE THAT STATE AGENCIES MAY ENTER INTO CERTAIN AGREEMENTS TO PROVIDE ACCESS TO SERVICES AND TO PROVIDE THAT A SERVICE FEE MAY BE CHARGED.

**HOUSE BILL NO. 418**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY TAXATION; AMENDING SECTION 33-802, IDAHO CODE, TO REDUCE THE AMOUNT THAT MAY BE LEVIED FOR SCHOOL MAINTENANCE AND OPERATION LEVIES; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE THE LOCAL SCHOOL DISTRICT'S CONTRIBUTION CALCULATION FOR SCHOOL FORMULA PURPOSES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1002D, IDAHO CODE, TO REVISE HOW PROPERTY TAX REPLACEMENT MONEYS ARE CALCULATED AND TO PROVIDE AN ANNUAL THREE PERCENT GROWTH FACTOR; TO PROVIDE SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 419**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY TAXATION; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE HOW NEW CONSTRUCTION OR CHANGE OF LAND USE CLASSIFICATION MAY BE CALCULATED FOR PROPERTY TAX REVENUE PURPOSES FOR A TAXING

DISTRICT'S BUDGET AND TO PROVIDE THAT FOREGONE INCREASES MAY NOT BE CALCULATED FOR FUTURE INCREASES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 420**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE ANNUAL RATIO STUDY ON PROPERTY TAXES; PROVIDING A MORATORIUM ON THE RATIO STUDY REQUIRED TO BE PERFORMED BY THE STATE TAX COMMISSION BY SECTION 63-315, IDAHO CODE, ON TAXES IMPOSED ON PROPERTY SHOWN ON THE 2006 TAX ROLL ONLY; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 421**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING SECTION 63-602G, IDAHO CODE, TO PROVIDE THAT THE FIRST SEVENTY-FIVE THOUSAND DOLLARS OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF THE HOMESTEAD OR FIFTY PERCENT OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF THE HOMESTEAD, WHICHEVER IS THE LESSER, SHALL BE EXEMPT FROM PROPERTY TAXATION, TO DEFINE HOMESTEAD, TO PROVIDE FOR CERTAIN ANNUAL ADJUSTMENTS TO THE MAXIMUM AMOUNT SUBJECT TO PROPERTY TAX EXEMPTION, TO PROVIDE FOR PUBLICATION AND DISSEMINATION OF ADJUSTMENTS AND TO PROVIDE THAT THE PUBLICATION OF ADJUSTMENTS SHALL BE EXEMPT FROM THE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 422**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE CIRCUIT BREAKER PROPERTY TAX RELIEF PROGRAM; AMENDING SECTION 63-705, IDAHO CODE, TO PROVIDE FOR A MAXIMUM INCOME LIMITATION OF TWENTY-EIGHT THOUSAND DOLLARS FOR TAX YEAR 2006 AND TO PROVIDE FOR A MAXIMUM TAX REDUCTION OF ONE THOUSAND THREE HUNDRED TWENTY DOLLARS IN TAX YEAR 2006 AND THEREAFTER AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 423**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING SECTION 63-602G, IDAHO CODE, TO PROVIDE THAT THE FIRST FIFTY THOUSAND DOLLARS OF THE MARKET VALUE FOR ASSESSMENT

PURPOSES OF THE HOMESTEAD OR FIFTY PERCENT OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF THE HOMESTEAD, WHICHEVER IS LESSER, SHALL BE EXEMPT FROM PROPERTY TAXATION, TO DEFINE HOMESTEAD, TO PROVIDE FOR CERTAIN ANNUAL ADJUSTMENTS TO THE MAXIMUM AMOUNT SUBJECT TO PROPERTY TAX EXEMPTION, TO PROVIDE FOR PUBLICATION AND DISSEMINATION OF ADJUSTMENTS, TO PROVIDE THAT THE PUBLICATION OF ADJUSTMENTS SHALL BE EXEMPT FROM THE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 424**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO SCHOOL LEVIES; AMENDING SECTION 33-802, IDAHO CODE, TO REDUCE THE MAINTENANCE AND OPERATION LEVY; AMENDING SECTION 33-1002, IDAHO CODE, TO REDUCE THE LOCAL DISTRICT'S CONTRIBUTION, TO REQUIRE SCHOOL DISTRICTS TO REDUCE THEIR LOCAL DISTRICT CONTRIBUTION TO BE ELIGIBLE FOR EDUCATION SUPPORT PROGRAM DISTRIBUTIONS AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 33-1002D, IDAHO CODE, RELATING TO PROPERTY TAX REPLACEMENT; AMENDING SECTION 63-3638, IDAHO CODE, TO DELETE A CODE REFERENCE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 425**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO REVERSE MORTGAGES; AMENDING SECTION 67-6206, IDAHO CODE, TO ALLOW THE IDAHO HOUSING AND FINANCE ASSOCIATION TO MAKE AND UNDERTAKE COMMITMENTS TO MAKE OR PARTICIPATE IN THE MAKING OF MORTGAGE LOANS TO PERSONS OVER SIXTY-TWO YEARS OF AGE TO PAY PROPERTY TAXES AND OTHER EXPENSES ON THE PERSON'S RESIDENTIAL PROPERTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-210, IDAHO CODE, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO PROMULGATE RULES AUTHORIZING INSURERS TO MAKE AND UNDERTAKE COMMITMENTS TO MAKE OR PARTICIPATE IN THE MAKING OF MORTGAGE LOANS TO PERSONS OVER SIXTY-TWO YEARS OF AGE TO PAY PROPERTY TAXES AND OTHER EXPENSES ON THE PERSON'S RESIDENTIAL PROPERTY; AND AMENDING SECTION 67-2701, IDAHO CODE, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF FINANCE TO PROMULGATE RULES AUTHORIZING BANKS, SAVINGS AND LOAN ASSOCIATIONS AND CREDIT UNIONS TO MAKE AND UNDERTAKE COMMITMENTS TO MAKE OR PARTICIPATE IN THE MAKING OF MORTGAGE LOANS

TO PERSONS OVER SIXTY-TWO YEARS OF AGE TO PAY PROPERTY TAXES AND OTHER EXPENSES ON THE PERSON'S RESIDENTIAL PROPERTY AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 426**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO BUILDING PERMITS; AMENDING SECTION 39-4112, IDAHO CODE, TO AUTHORIZE SCHOOL DISTRICTS TO IMPOSE AN IMPACT FEE ON NEW RESIDENTIAL CONSTRUCTION WITHIN THE DISTRICT, TO PROVIDE THAT THE IMPACT FEE BE COLLECTED WHEN A BUILDING PERMIT IS ISSUED AND TO PROVIDE PROCEDURES; AND AMENDING SECTION 33-601, IDAHO CODE, TO ALLOW THE ADOPTION OF A MOTION TO PROVIDE FOR THE COLLECTION OF AN IMPACT FEE WHEN BUILDING PERMITS ARE ISSUED WITHIN THE SCHOOL DISTRICT.

**HOUSE BILL NO. 427**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO PARTIAL EXEMPTION FOR PARCELS ON LAND IN A RURAL HOMESITE DEVELOPMENT PLAT; AMENDING SECTION 63-602FF, IDAHO CODE, TO PROVIDE THAT WHEN AN INDIVIDUAL PARCEL IN A RURAL HOMESITE DEVELOPMENT PLAT IS TRANSFERRED, THAT INDIVIDUAL PARCEL SHALL NOT BE ELIGIBLE FOR THE SPECULATIVE PORTION OF VALUE OF AGRICULTURAL LAND EXEMPTION UNLESS THE REQUIREMENTS OF THE EXEMPTION ARE MET, TO PROVIDE THAT REMAINING PARCELS ARE ELIGIBLE FOR THE SPECULATIVE PORTION OF VALUE OF AGRICULTURAL LAND EXEMPTION UNLESS THEY ARE OTHERWISE INELIGIBLE, TO PROVIDE THAT THE TRANSFER OF A PARCEL TO A CHILD OR A SPOUSE OF THE OWNER SHALL NOT CAUSE INELIGIBILITY FOR THE SPECULATIVE PORTION OF VALUE OF AGRICULTURAL LAND EXEMPTION UNLESS CONSTRUCTION OF IMPROVEMENTS ON THE PARCEL HAS BEGUN AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 428**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO LAND ACTIVELY DEVOTED TO AGRICULTURE; REPEALING SECTION 63-602FF, IDAHO CODE, RELATING TO PARTIAL EXEMPTION FOR PARCELS OF LAND IN A RURAL HOME SITE DEVELOPMENT PLAT; AMENDING SECTION 63-604, IDAHO CODE, TO DEFINE "PLATTING" AND TO PROVIDE THAT THE ACT OF PLATTING LAND ACTIVELY DEVOTED TO AGRICULTURE DOES NOT, IN AND OF ITSELF, CAUSE THE LAND TO LOSE ITS STATUS AS LAND BEING ACTIVELY DEVOTED TO



AGRICULTURE IF THE LAND OTHERWISE QUALIFIES FOR THE EXEMPTION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Katrina Smith, Page.

**HOUSE BILL NO. 429**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY TAX REPLACEMENT FOR PUBLIC SCHOOLS; AMENDING SECTION 33-1002D, IDAHO CODE, TO REMOVE THE SEVENTY-FIVE MILLION DOLLAR CAP FOR PROPERTY TAX REPLACEMENT.

**H 409, H 410, H 411, H 412, H 413, H 414, H 415, H 416, H 417, H 418, H 419, H 420, H 421, H 422, H 423, H 424, H 425, H 426, H 427, H 428, and H 429** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 403**, by Appropriations Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Denney moved that the House adjourn until 8 a.m., Friday, January 20, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:12 p.m. **BRUCE NEWCOMB**, Speaker

ATTEST:

**PAMM JUKER**, Chief Clerk

**TWELFTH LEGISLATIVE DAY**  
**FRIDAY, JANUARY 20, 2006**

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 51 members present.

Absent and excused -- Bayer, Bedke, Bell, Bolz, Crow, Field(23), Hart, Harwood, Henbest, Henderson, Loertscher, McKague, Miller, Mitchell, Ringo, Skippen, Smith(24), Snodgrass, Trail. Total -- 19.

Total -- 70.

**Approval of Journal**

January 20, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eleventh Legislative Day and recommend that same be adopted as corrected.

**FIELD(18)**, Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

**H 403** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 403** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bilbao, Black, Block, Boe, Brackett, Bradford, Cannon, Chadderton, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smylie, Stevenson, Wills, Wood, Mr. Speaker. Total -- 51.

NAYS -- None.

Absent and excused -- Bayer, Bedke, Bell, Bolz, Crow, Field(23), Hart, Harwood, Henbest, Henderson, Loertscher, McKague, Miller, Mitchell, Ringo, Skippen, Smith(24), Snodgrass, Trail. Total -- 19.

Total -- 70.

Whereupon the Speaker declared **H 403** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

**Consideration of Messages from the Governor and the Senate**

January 19, 2006

Mr. Speaker:

I transmit herewith S 1263 which has passed the Senate.

WOOD, Secretary

S 1263 was filed for first reading.

**Report of Standing Committees**

January 20, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed H 409, H 410, H 411, H 412, H 413, H 414, H 415, H 416, H 417, H 418, H 419, H 420, H 421, H 422, H 423, H 424, H 425, H 426, H 427, H 428, and H 429.

FIELD(18), Chairman

H 410, H 411, and H 412 were referred to the Agricultural Affairs Committee.

H 413, H 414, H 415, H 416, and H 417 were referred to the State Affairs Committee.

H 418, H 419, H 420, H 421, H 422, H 423, H 424, H 425, H 426, H 427, H 428, and H 429 were referred to the Revenue and Taxation Committee.

H 409 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 430**

**BY JUDICIARY, RULES, AND ADMINISTRATION**

**COMMITTEE**

**AN ACT**

RELATING TO MENTAL HEALTH RECORDS OF OFFENDERS; AMENDING CHAPTER 2, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-217, IDAHO CODE, TO PROVIDE FOR THE TRANSMISSION OF CERTAIN MENTAL HEALTH RECORDS FOR OFFENDERS UNDER CERTAIN CONDITIONS AND TO PROVIDE THAT NO COURT ORDER OR INDIVIDUAL AUTHORIZATION IS REQUIRED EXCEPT IN THE CASE OF SUBSTANCE ABUSE RECORDS.

**HOUSE BILL NO. 431**

**BY JUDICIARY, RULES, AND ADMINISTRATION**

**COMMITTEE**

**AN ACT**

RELATING TO DETENTION WITHOUT HEARING FOR CERTAIN MENTALLY ILL PERSONS; AMENDING SECTION 66-326, IDAHO CODE, TO PROVIDE THAT

PROBATION AND PAROLE OFFICERS SHALL BE DEFINED AS PEACE OFFICERS AUTHORIZED TO ARREST AND PLACE MENTALLY ILL OR IMMINENTLY DANGEROUS PROBATIONERS AND PAROLEES IN A MENTAL HEALTH TREATMENT FACILITY.

**HOUSE BILL NO. 432**

**BY JUDICIARY, RULES, AND ADMINISTRATION**

**COMMITTEE**

**AN ACT**

RELATING TO THE SMALL LAWSUIT RESOLUTION ACT; AMENDING SECTION 2, CHAPTER 137, LAWS OF 2002, TO REMOVE A SUNSET CLAUSE; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 433**

**BY BUSINESS COMMITTEE**

**AN ACT**

RELATING TO THE IDAHO PETROLEUM CLEAN WATER TRUST FUND ACT; PROVIDING LEGISLATIVE INTENT AND PROVIDING DIRECTION TO THE STATE CONTROLLER; AMENDING SECTION 41-4904, IDAHO CODE, TO REVISE COMPENSATION TO THE BOARD OF TRUSTEES OF THE IDAHO PETROLEUM CLEAN WATER TRUST FUND; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 430, H 431, H 432, and H 433 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1263, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

H 404, by Appropriations Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Monday, January 23, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:22 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**FIFTEENTH LEGISLATIVE DAY  
MONDAY, JANUARY 23, 2006**

House of Representatives

The House convened at 11:30 a.m., Mr. Denney in the Chair.

Roll call showed 63 members present.

Absent and excused -- Anderson, Barraclough, Brackett, Ellsworth, Eskridge, Field(23), Mr. Speaker. Total -- 7.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Megan Lake, Page.

**Approval of Journal**

January 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twelfth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

**CERTIFICATE OF APPOINTMENT**

KNOW ALL MEN, by these Presents that Mike Mitchell, State Representative, District 7, House Seat A, Nez Perce County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Elizabeth Chavez, of Lewiston, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Elizabeth Chavez, Acting State Representative, District 7, House Seat A, Nez Perce County, State of Idaho, for a term commencing on January 23, 2006, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 19th day of January in the year of our Lord two thousand and six, and of the Independence of the United States of America, the two hundred and thirtieth year.

/s/ DIRK A. KEMPTHORNE  
Governor

/s/ BEN YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Acting Speaker announced the oath of office had previously been administered to Mrs. Chavez.

**Report of Standing Committees**

January 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 430**, **H 431**, **H 432**, and **H 433**.

FIELD(18), Chairman

**H 430**, **H 431**, and **H 432** were referred to the Judiciary, Rules, and Administration Committee.

**H 433** was referred to the Business Committee.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1263** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1263** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin,

McKague, Miller, Mitchell(Chavez), Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Anderson, Barraclough, Bayer, Brackett, Ellsworth, Eskridge, Field(23), Sali, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Acting Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1263** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **S 1263** pass?"

Roll call resulted as follows:

AYES -- Andrus, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell(Chavez), Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 60.

NAYS -- Barrett, Wood. -- 2.

Absent and excused -- Anderson, Barraclough, Brackett, Ellsworth, Eskridge, Field(23), Schaefer, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Acting Speaker declared **S 1263** passed the House. Title was approved and the bill was ordered returned to the Senate.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 434  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE STATE TREASURER; AMENDING SECTION 67-1210, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE INVESTMENT OF IDLE MONEYS IN THE STATE TREASURY AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 435  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE STATE LIQUOR DISPENSARY; AMENDING SECTION 23-203, IDAHO CODE, TO AUTHORIZE THE STATE LIQUOR DISPENSARY TO BUY, IMPORT, TRANSPORT, STORE, SELL AND DELIVER CERTAIN NONALCOHOL MERCHANDISE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 23-217, IDAHO CODE, TO AUTHORIZE THE SUPERINTENDENT OF THE STATE LIQUOR DISPENSARY TO IMPOSE CERTAIN SURCHARGES AND ALLOW CERTAIN DISCOUNTS RELATING TO ALCOHOLIC LIQUOR AND ALL OTHER MERCHANDISE SOLD; AMENDING SECTION 23-309, IDAHO CODE, TO PROHIBIT CERTAIN SALES OF MERCHANDISE ON BEHALF OF THE DISPENSARY BY VENDORS OF ANY STATE LIQUOR STORE OR SPECIAL DISTRIBUTOR; AMENDING SECTION 23-401, IDAHO CODE, TO REQUIRE ALL REVENUES DERIVED FROM THE SALE OF OTHER MERCHANDISE TO BE PAID INTO THE LIQUOR ACCOUNT; AMENDING SECTION 23-402, IDAHO CODE, TO PROVIDE FOR THE APPROPRIATIONS OF CERTAIN MONEYS IN THE STATE LIQUOR FUND FOR THE PURCHASE OF NONALCOHOL MERCHANDISE SOLD THROUGH THE DISPENSARY; AMENDING SECTION 23-407, IDAHO CODE, TO REQUIRE ALL REVENUES DERIVED FROM THE SALE OF ALL OTHER MERCHANDISE TO BE DEPOSITED WITH THE STATE TREASURER TO THE CREDIT OF THE LIQUOR FUND AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 63-3638A, IDAHO CODE, TO INCLUDE SALES TAX COLLECTED ON THE RETAIL SALE OF ALL OTHER MERCHANDISE BY AND ON BEHALF OF THE SUPERINTENDENT OF THE STATE LIQUOR DISPENSARY AMONG ITEMS TO BE CREDITED TO THE LIQUOR ACCOUNT.

**HOUSE BILL NO. 436  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO CEMETERY MAINTENANCE DISTRICTS; AMENDING SECTION 27-114, IDAHO CODE, TO REVISE BOND

**HOUSE BILL NO. 437  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO PROPERTY TAX RELIEF; AMENDING SECTION 63-705, IDAHO CODE, TO INCREASE THE QUALIFYING INCOME LEVELS AND TO MAKE TECHNICAL CORRECTIONS; DEFERRING FOR ONE MONTH CERTAIN DATES FOR APPLYING AND FOR ADMINISTRATIVE ACTION IN REGARD TO PROPERTY TAX RELIEF FOR THE YEAR 2006 ONLY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 438**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO PROPERTY TAXES; AMENDING SECTION 63-602K, IDAHO CODE, TO PROVIDE THAT THE EXEMPTION FOR THE SPECULATIVE PORTION OF THE VALUE OF AGRICULTURAL PROPERTY SHALL NOT CHANGE ONLY BECAUSE THE PROPERTY IS INCLUDED IN A PLAT; AMENDING SECTION 63-602FF, IDAHO CODE, TO PROVIDE THAT THE EXEMPTION FOR LAND IN A RURAL HOME SITE DEVELOPMENT PLAT IS AVAILABLE ONLY TO PROPERTY ELIGIBLE FOR THE EXEMPTION IN 2005 AND IS LOST AFTER THE EARLIER OF DECEMBER 31, 2010, OR THE BEGINNING OF CONSTRUCTION OF A BUILDING, OR WHEN THE PROPERTY IS SOLD OR TRANSFERRED OR WHEN THE PROPERTY IS ANNEXED INTO A CITY, TO PROVIDE THAT AN APPLICATION IS REQUIRED ONLY IN THE CASE OF PROPERTY FIRST ELIGIBLE IN 2005, TO PROVIDE THAT THE EXEMPTION IS NOT AVAILABLE FOR PROPERTY PLATTED ON AND AFTER JANUARY 1, 2006 AND TO DEFINE "SOLD OR TRANSFERRED"; AMENDING SECTION 63-509, IDAHO CODE, TO PROVIDE FOR REPORTING ON THE PROPERTY TAX ROLLS THE EXEMPTED VALUE WITHIN RURAL HOME SITE DEVELOPMENT PLATS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 439**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO PROPERTY TAXES; AMENDING CHAPTER 7, TITLE 63, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 63-712, 63-713, 63-714, 63-715, 63-716, 63-717, 63-718, 63-719, 63-720 AND 63-721, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR DEFINITIONS, TO PROVIDE FOR APPLICATION FOR DEFERRAL OF PROPERTY TAX, TO PROVIDE FOR PROCEDURES AND APPEALS, TO PROVIDE FOR A DEFERRAL OF PROPERTY TAXES AND INTEREST AND LIENS RELATING TO THE DEFERRAL, TO PROVIDE FOR REIMBURSEMENT BY THE STATE TAX COMMISSION OF LOCAL TAXES DEFERRED AND TO PROVIDE A LIMIT TO THE DEFERRAL AND PAYMENT OF TAXES NOT DEFERRED, TO PROVIDE FOR EVENTS TERMINATING THE DEFERRAL AND TO PROVIDE FOR PAYMENT OF DEFERRED TAXES AND INTEREST AND TO PROVIDE FOR DISTRIBUTION AND APPROPRIATION OF PAYMENTS RECEIVED, TO PROVIDE FOR A TAX DEED IN THE EVENT OF FAILURE TO PAY DEFERRED TAXES, TO PROVIDE FOR RECOVERY OF ERRONEOUS DEFERRALS AND TO PROVIDE A MISDEMEANOR PENALTY FOR KNOWINGLY FILING A FALSE CLAIM; PROVIDING FOR AN EXTENSION OF DUE TAXES UNDER SECTION 63-706, IDAHO CODE, FOR ONE MONTH FOR 2006 ONLY; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE DISTRIBUTION FOR REIMBURSEMENT

PAYMENTS FOR PROPERTY TAX RELIEF AND TAX DEFERRALS; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**HOUSE BILL NO. 440**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE AND LABOR FOR FISCAL YEAR 2006; AND REDUCING THE APPROPRIATION TO THE DEPARTMENT OF COMMERCE AND LABOR FOR FISCAL YEAR 2006; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 441**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3004, IDAHO CODE, TO UPDATE REFERENCES TO THE INTERNAL REVENUE CODE; AMENDING SECTION 63-3022O, IDAHO CODE, TO DISALLOW THE FEDERAL INCOME TAX DEDUCTION FOR QUALIFIED PRODUCTION INCOME ACTIVITY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 442**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3027, IDAHO CODE, TO PROVIDE THAT SALES, FOR PURPOSES OF COMPUTING IDAHO TAXABLE INCOME OF MULTISTATE OR UNITARY CORPORATIONS, OTHER THAN SALES OF TANGIBLE PROPERTY ARE IN THIS STATE IF THE INCOME PRODUCING ACTIVITY IS PERFORMED BOTH IN AND OUTSIDE THIS STATE, IN THE SAME PROPORTION THAT THE INCOME PRODUCING ACTIVITY IS PERFORMED IN THIS STATE BASED ON COSTS OF PERFORMANCE AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 443**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO THE INCOME TAX; AMENDING SECTION 63-3024, IDAHO CODE, TO PROVIDE THAT SUBSEQUENT CHANGES TO THE CONSUMER PRICE INDEX SHALL NOT AFFECT INCOME TAX BRACKETS; AMENDING SECTION 63-3029B, IDAHO CODE, TO REQUIRE REPORTING OF RECAPTURE OF PROPERTY TAX ON QUALIFIED INVESTMENTS; AMENDING SECTION 63-3035, IDAHO CODE, TO CONFORM THE DUE DATE OF ELECTRONICALLY FILED WITHHOLDING REPORTS BY EMPLOYERS TO THE FEDERAL DUE DATE; AMENDING SECTION 63-3044, IDAHO CODE, TO DELETE REFERENCES TO THE ASSESSMENT OF TAX; AMENDING SECTION 63-3045A, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO THE ASSESSMENT

OF TAX, THE RECORD OF ASSESSMENT AND PENALTIES AND ADDITIONS TO TAX; AMENDING SECTION 63-2906, IDAHO CODE, TO PROVIDE A CROSS-REFERENCE TO THE IDAHO SMALL EMPLOYER INCENTIVE ACT; AMENDING SECTION 63-4406, IDAHO CODE, TO PROVIDE A CROSS-REFERENCE TO THE CORPORATE HEADQUARTERS INCENTIVE ACT; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 444**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3022, IDAHO CODE, TO DELETE THE REQUIREMENT THAT RESIDENT MILITARY MEMBERS REDUCE DEDUCTIONS AND EXEMPTIONS IN PROPORTION TO NONTAXABLE MILITARY PAY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 445**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3022L, IDAHO CODE, TO DEFINE "PASS-THROUGH ENTITY," "MEMBER" OF PASS-THROUGH ENTITIES AND "NONRESIDENTS," TO AUTHORIZE COMPOSITE RETURNS FOR MEMBERS OF PASS-THROUGH ENTITIES, TO REVISE APPLICATION, TO REQUIRE WITHHOLDING OF STATE INCOME TAX FROM SPECIFIED PAYMENTS MADE TO CERTAIN NONRESIDENT MEMBERS OF PASS-THROUGH ENTITIES AND TO APPLY THE HIGHEST INDIVIDUAL RATE RATHER THAN THE CORPORATE TAX RATE IN CERTAIN CASES OF FAILURE TO FILE OR PAY TAX; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**H 434, H 435, H 436, H 437, H 438, H 439, H 440, H 441, H 442, H 443, H 444, and H 445** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 409**, by Appropriations Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 404** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **H 404** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell(Chavez), Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Barraclough, Brackett, Ellsworth, Eskridge, Field(23), Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Acting Speaker declared **H 404** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Tuesday, January 24, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Acting Speaker declared the House adjourned at 12:04 p.m.

LAWERENCE DENNEY, Acting Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**SIXTEENTH LEGISLATIVE DAY**  
**TUESDAY, JANUARY 24, 2006**

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Barraclough. Total -- 1.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Tiffani Sessions, Page.

**Approval of Journal**

January 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifteenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

January 23, 2006

Mr. Speaker:

I transmit herewith enrolled S 1263 for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled S 1263 and, when so signed, ordered it returned to the Senate.

**Report of Standing Committees**

January 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed H 434, H 435, H 436, H 437, H 438, H 439, H 440, H 441, H 442, H 443, H 444, and H 445.

FIELD(18), Chairman

H 434, H 435, and H 436 were referred to the State Affairs Committee.

H 437, H 438, H 439, H 441, H 442, H 443, H 444, and H 445 were referred to the Revenue and Taxation Committee.

H 440 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference of Bills and Joint Resolutions****HOUSE BILL NO. 446  
BY BUSINESS COMMITTEE  
AN ACT**

RELATING TO BORROWED SURPLUS OF STOCK AND MUTUAL INSURERS; AMENDING SECTION 41-2841, IDAHO CODE, TO PROVIDE THAT A COMMISSION OR PROMOTION EXPENSE MAY BE PAID IN CONNECTION

WITH ISSUANCE OF A LOAN UPON APPROVAL OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 447  
BY BUSINESS COMMITTEE  
AN ACT**

RELATING TO INVESTMENTS BY INSURANCE COMPANIES; AMENDING SECTION 41-721, IDAHO CODE, TO DELETE PROVISIONS LIMITING THE PERMISSIBLE AMOUNT OF, OR LOAN TO VALUE RATIO OF, CERTAIN LOANS MADE BY IDAHO DOMICILED INSURANCE COMPANIES; AND AMENDING SECTION 41-722, IDAHO CODE, TO DELETE PROVISIONS LIMITING THE PERMISSIBLE LOAN TO VALUE RATIO OF COMMERCIAL LOANS TO SEVENTY-FIVE PERCENT OF THE FAIR VALUE OF THE PROPERTY, TO PROVIDE THAT THE PERMISSIBLE LOAN TO VALUE RATIO OF EIGHTY PERCENT APPLIES TO COMMERCIAL MORTGAGE LOANS MADE BY IDAHO DOMICILED INSURANCE COMPANIES, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 448  
BY BUSINESS COMMITTEE  
AN ACT**

RELATING TO INVESTMENTS BY INSURANCE COMPANIES; AMENDING SECTION 41-713, IDAHO CODE, TO DELETE AUTHORITY FOR INVESTMENT IN GUARANTEED STOCKS, TO ALLOW AN INSURER TO INVEST FUNDS IN PREFERRED STOCKS OR SHARES OF SOLVENT INSTITUTIONS EXISTING UNDER THE LAWS OF THE GOVERNMENT OF CANADA OR ANY OF ITS PROVINCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-714, IDAHO CODE, TO ALLOW AN INSURER TO INVEST IN COMMON SHARES OF STOCK OF ANY SOLVENT INSTITUTION EXISTING UNDER THE LAWS OF THE GOVERNMENT OF CANADA OR ANY OF ITS PROVINCES, AND TO REMOVE AUTHORITY FOR INVESTMENT IN A FOREIGN CORPORATION PUBLICLY TRADED ON UNITED STATES STOCK EXCHANGES; REPEALING SECTION 41-727, IDAHO CODE; AND AMENDING CHAPTER 7, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-727, IDAHO CODE, TO PROVIDE FOR INVESTMENT OF FUNDS BY INSURANCE COMPANIES IN FOREIGN SECURITIES AND TO PROVIDE DEFINITIONS.

**HOUSE BILL NO. 449  
BY BUSINESS COMMITTEE  
AN ACT**

RELATING TO INSURANCE TRADE PRACTICES AND FRAUD; AMENDING SECTION 41-1314, IDAHO CODE, TO PROVIDE THAT AN INSURER OR INSURANCE PROVIDER SHALL NOT BE PROHIBITED FROM PROVIDING TO A

POLICYHOLDER OR PROSPECTIVE POLICYHOLDER INDUCEMENTS OF AN AGGREGATE VALUE OF FIFTY DOLLARS OR LESS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 450**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**

AN ACT

RELATING TO BAIL; AMENDING SECTION 19-2902, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE AND TO SET FORTH THE PURPOSE OF BAIL; AND AMENDING SECTION 19-2927, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE FORFEITURE OF BAIL.

**HOUSE BILL NO. 451**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO THE FIREMEN'S RETIREMENT FUND; AMENDING SECTION 59-1320, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO APPROVED DOMESTIC RETIREMENT ORDERS; AMENDING SECTION 72-1422, IDAHO CODE, TO PROVIDE THAT CERTAIN BENEFITS MAY BE TRANSFERRED PURSUANT TO AN APPROVED DOMESTIC RETIREMENT ORDER; AMENDING SECTION 72-1461, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO DEATH BENEFITS OF SPOUSES AND SURVIVING CHILDREN OF FIREFIGHTERS KILLED IN PERFORMANCE OF DUTY; AMENDING SECTION 72-1462, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO DEATH BENEFITS OF SPOUSES OF RETIRED FIREFIGHTERS; AMENDING SECTION 72-1463, IDAHO CODE, TO CLARIFY THE BENEFIT PAID TO A RETIRED FIREFIGHTER'S CHILDREN UPON THE DEATH OF THE SURVIVING SPOUSE; AMENDING SECTION 72-1464, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO DEATH BENEFITS OF SURVIVING SPOUSES AND CHILDREN OF CERTAIN FIREFIGHTERS AFTER FIVE YEARS OF SERVICE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 72-1465, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO DEATH BENEFITS OF SURVIVING SPOUSES AND CHILDREN OF CERTAIN FIREFIGHTERS AFTER TWENTY-FIVE YEARS OF SERVICE AND TO MAKE TECHNICAL CORRECTIONS; AND TO PROVIDE APPLICABILITY.

**HOUSE BILL NO. 452**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE DIVISION OF PURCHASING; AMENDING SECTION 67-5725, IDAHO CODE, TO PROVIDE THAT WHEN AN INVITATION TO BID OR A REQUEST FOR PROPOSALS IS CANCELED PRIOR TO AWARD OF A PURCHASE ORDER OR CONTRACT, THE ADMINISTRATOR OF THE DIVISION OF PURCHASING SHALL IMMEDIATELY RETURN ALL BIDS OR PROPOSALS TO THE SUBMITTING VENDOR AND THOSE

BIDS OR PROPOSALS SHALL NOT BE SUBJECT TO DISCLOSURE UNDER CHAPTER 3, TITLE 9, IDAHO CODE.

**HOUSE BILL NO. 453**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE IDAHO GRAPE GROWERS AND WINE PRODUCERS COMMISSION; AMENDING CHAPTER 36, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3611, IDAHO CODE, TO PROVIDE ANY GROWER OR PRODUCER THE ALTERNATIVE TO OPT OUT OF APPLICATION OF ALL PROVISIONS OF CHAPTER 36, TITLE 54, IDAHO CODE.

**HOUSE BILL NO. 454**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE DIRECT TO CONSUMER SALE AND SHIPMENT OF WINE BY WINERIES; AMENDING SECTION 23-1309A, IDAHO CODE, TO PROVIDE THAT WINERIES THAT SELL AND SHIP TO IDAHO RESIDENTS MUST OBTAIN A PERMIT, PAY TAXES AND COMPLY WITH SPECIFIED SHIPPING REQUIREMENTS AND TO PROVIDE FOR PROCEDURES AND RULES AND THE EXCHANGE OF INFORMATION BETWEEN THE STATE POLICE AND THE STATE TAX COMMISSION; AND AMENDING SECTION 23-1319, IDAHO CODE, TO PROVIDE FOR IMPOSITION OF THE EXCISE TAX UPON ALL WINES SOLD AND SHIPPED DIRECTLY TO IDAHO STATE RESIDENTS BY AN OUT-OF-STATE WINE MANUFACTURER HOLDING A WINE DIRECT SHIPPER PERMIT AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 455**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY TAX; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602JJ, IDAHO CODE, TO EXEMPT FROM THE PROPERTY TAX ANY INCREASE IN THE NET TAXABLE VALUE OF REAL PROPERTY OF A TAXPAYER IN EXCESS OF FIVE PERCENT PER YEAR, TO PROVIDE THE PROPERTY INCLUDED IN THE CALCULATION OF THE EXEMPTION SHALL INCLUDE EACH PARCEL OF REAL PROPERTY OWNED BY THE TAXPAYER, TO PROVIDE THAT THE EXEMPTION DOES NOT APPLY TO FOREST LANDS, TO PROVIDE THAT THE LEGISLATURE DECLARES THE EXEMPTION NECESSARY AND JUST AND TO PROVIDE FOR RULES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 456**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING SECTION 63-602G, IDAHO CODE, TO PROVIDE THAT THE FIRST ONE HUNDRED



THOUSAND DOLLARS OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF THE HOMESTEAD OR FIFTY PERCENT OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF THE HOMESTEAD, WHICHEVER IS THE LESSER, SHALL BE EXEMPT FROM PROPERTY TAXATION, TO DEFINE "HOMESTEAD," TO PROVIDE FOR CERTAIN ANNUAL ADJUSTMENTS TO THE MAXIMUM AMOUNT SUBJECT TO PROPERTY TAX EXEMPTION, TO PROVIDE FOR PUBLICATION AND DISSEMINATION OF ADJUSTMENTS, TO PROVIDE THAT THE PUBLICATION OF ADJUSTMENTS SHALL BE EXEMPT FROM THE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 457**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3013, IDAHO CODE, TO EXCLUDE FROM THE DEFINITION OF "RESIDENT" A PERSON WHO IS A NONRESIDENT ALIEN UNDER THE INTERNAL REVENUE CODE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 458**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SALES AND USE TAXES; AMENDING SECTION 63-3620, IDAHO CODE, TO REVISE THE PENALTY FOR DOING BUSINESS WITHOUT A REQUIRED SELLER'S PERMIT FROM A CRIMINAL MISDEMEANOR TO A CIVIL PENALTY, TO LIMIT THE PENALTY TO PERSONS WHO ARE RESPONSIBLE PERSONS OF A CORPORATION OR OTHER BUSINESS ENTITY AND TO PROVIDE FOR ASSESSMENT OF THE PENALTY AS A DEFICIENCY.

**HOUSE BILL NO. 459**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO TAX LICENSES, PERMITS AND ACCOUNTS; AMENDING CHAPTER 24, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2427C, IDAHO CODE, TO PROVIDE FOR THE CANCELLATION, REVOCATION AND SUSPENSION OF LICENSES OF MOTOR FUEL DEALERS AND TO PROVIDE FOR CIVIL PENALTIES FOR DOING BUSINESS WITHOUT A REQUIRED LICENSE; AMENDING SECTION 63-2503, IDAHO CODE, TO PROVIDE FOR THE CANCELLATION, REVOCATION AND SUSPENSION OF PERMITS OF CIGARETTE WHOLESALERS, TO PROVIDE FOR CIVIL PENALTIES FOR DOING BUSINESS WITHOUT A REQUIRED PERMIT AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 63-2518, IDAHO CODE, RELATING TO REVOCATION OF CIGARETTE WHOLESALERS' PERMITS; AMENDING SECTION 63-2512,

IDAHO CODE, TO DELETE PROVISIONS IMPOSING CIVIL PENALTIES FOR FAILURE TO POSSESS A VALID CIGARETTE PERMIT; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3035C, IDAHO CODE, TO PROVIDE FOR THE CANCELLATION, REVOCATION AND SUSPENSION OF INCOME TAX WITHHOLDING ACCOUNTS AND TO PROVIDE FOR CIVIL PENALTIES FOR DOING BUSINESS WITHOUT A REQUIRED INCOME TAX WITHHOLDING ACCOUNT; AND AMENDING SECTION 63-2510A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 460**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE WITHHOLDING TAX FOR STATE INCOME TAX PURPOSES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3035C, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE INCOME TAX WITHHOLDING ON REAL ESTATE SALES BY NONRESIDENTS AND PERSONS WITHOUT A PERMANENT PLACE OF BUSINESS IN IDAHO AND TO PROVIDE PROCEDURES.

**HOUSE BILL NO. 461**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO TECHNICAL CORRECTIONS TO THE PROPERTY TAX LAWS; AMENDING SECTION 63-602HH, IDAHO CODE, TO PROVIDE THAT EXEMPTED SIGNIFICANT CAPITAL IMPROVEMENTS SHALL NOT BE INCLUDED ON A NEW CONSTRUCTION ROLL AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-710, IDAHO CODE, TO DELETE LANGUAGE REQUIRING A PERCENTAGE REDUCTION OF STATE MONEY UNDER THE CIRCUIT BREAKER PROPERTY TAX RELIEF PROGRAM; AMENDING SECTION 63-2909, IDAHO CODE, TO DELETE THE REQUIREMENT THAT EXEMPTED PROPERTY BE INCLUDED ON ANY NEW CONSTRUCTION ROLL; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE JOINT RESOLUTION NO. 2**  
**BY STATE AFFAIRS COMMITTEE**  
A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE III OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE ADDITION OF A NEW SECTION 28, ARTICLE III, TO PROVIDE THAT A MARRIAGE BETWEEN A MAN AND A WOMAN IS THE ONLY DOMESTIC LEGAL UNION THAT SHALL BE VALID OR RECOGNIZED IN THIS STATE; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**H 446, H 447, H 448, H 449, H 450, H 451, H 452, H 453, H 454, H 455, H 456, H 457, H 458, H 459, H 460, H 461, and HJR 2** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**H 409** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **H 409** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell(Chavez), Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- Schaefer. Total -- 1.

Absent and excused -- Barraclough. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 409** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Wednesday, January 25, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:51 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### SEVENTEENTH LEGISLATIVE DAY WEDNESDAY, JANUARY 25, 2006

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Cannon. Total -- 1.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Johanna Roberts, Page.

### Approval of Journal

January 25, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixteenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 24, 2006

Mr. Speaker:

I transmit herewith **S 1277** and **S 1278** which have passed the Senate.

WOOD, Secretary

**S 1277** and **S 1278** were filed for first reading.

### Report of Standing Committees

January 25, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 446, H 447, H 448, H 449, H 450, H 451, H 452, H 453, H 454, H 455, H 456, H 457, H 458, H 459, H 460, H 461, and HJR 2**.

FIELD(18), Chairman

**H 446, H 447, H 448, and H 449** were referred to the Business Committee.

**H 450** was referred to the Judiciary, Rules, and Administration Committee.

**H 451** was referred to the Commerce and Human Resources Committee.

**H 452, H 453, H 454, and HJR 2** were referred to the State Affairs Committee.

**H 455, H 456, H 457, H 458, H 459, H 460, and H 461** were referred to the Revenue and Taxation Committee.

January 23, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 405** and **H 406** and recommend that they do pass.

SCHAEFER, Chairman

**H 405** and **H 406** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 31 BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ACKNOWLEDGING THE SERIOUSNESS OF SUICIDE BY ENDORSING IDAHO'S SUICIDE PREVENTION PLAN AND SUPPORTING SAID PLAN'S COMPREHENSIVE APPROACH.

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

WHEREAS, between 1999 and 2001, 559 Idahoans died from suicide;

WHEREAS, suicide is second only to unintentional injury as the leading cause of death for Idahoans age fifteen to thirty-four years, and is the ninth leading cause of death overall;

WHEREAS, Idaho has the seventh highest state per capita suicide rate in the nation;

WHEREAS, there were an estimated 40 suicide attempts for every completed suicide in Idaho during 2001;

WHEREAS, four out of five young people exhibited recognizable warning signs of suicide prior to attempting suicide;

WHEREAS, Idaho's Suicide Prevention Plan was developed to address the problem of suicide in Idaho;

WHEREAS, Idaho's Suicide Prevention Plan provides a guide for agencies, organizations and individuals in developing specific plans of action in preventing suicide at the state, regional and local levels;

WHEREAS, Idaho's Suicide Prevention Plan focuses on current Idaho activities and needs.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the state of Idaho acknowledges the seriousness of the suicide crisis facing the state and the importance of suicide prevention by endorsing Idaho's Suicide Prevention Plan.

BE IT FURTHER RESOLVED that the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, support Idaho's Suicide Prevention Plan's comprehensive approach towards reducing the risk of both suicide attempts and completions for all Idahoans through the efforts and coordination of all concerned agencies, organizations, advocacy groups and individuals.

**HCR 31** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 462

#### BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO CASUALTY INSURANCE CONTRACTS; AMENDING SECTION 41-2515, IDAHO CODE, TO LOWER THE ELIGIBILITY AGE FOR CERTAIN AUTOMOBILE INSURANCE POLICY DISCOUNTS.

#### HOUSE BILL NO. 463

#### BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO TEMPORARY REGISTRATION OF COMMERCIAL MOTOR VEHICLES; AMENDING SECTION 49-432, IDAHO CODE, TO PROVIDE A THIRTY DAY PENDING LEASE PERMIT, TO CLARIFY USE OF A PENDING LEASE PERMIT AND TO DELETE REDUNDANT LANGUAGE.

#### HOUSE BILL NO. 464

#### BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO PORTS OF ENTRY AND CHECKING STATIONS ESTABLISHED BY THE IDAHO TRANSPORTATION DEPARTMENT; AMENDING SECTION 40-510, IDAHO CODE, TO PROVIDE CORRECT REFERENCE TO THE ENFORCEMENT AUTHORITY OF TRANSPORTATION DEPARTMENT EMPLOYEES AT PORTS OF ENTRY AND CHECKING STATIONS; AND AMENDING SECTION 40-511, IDAHO CODE, TO CLARIFY THOSE VEHICLES REQUIRED TO STOP AT PORTS OF ENTRY AND CHECKING STATIONS FOR INSPECTION, GRADING OR WEIGHING.

#### HOUSE BILL NO. 465

#### BY AGRICULTURAL AFFAIRS COMMITTEE AN ACT

RELATING TO COMMERCIAL FEED; AMENDING SECTION 25-2715, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 25-2716, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE

CORRECT TERMINOLOGY; AMENDING SECTION 25-2717, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE DEFINITIONS, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 25-2718, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE REGISTRATION PROVISIONS, TO PROVIDE A CORRECT CODE REFERENCE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 25-2719, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE LABELING REQUIREMENTS, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 25-2720, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR REPORTING, TO REVISE FEE PROVISIONS, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 25-2721, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE ADULTERATION PROVISIONS, TO PROVIDE A CORRECT REFERENCE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 25-2722, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO COMMERCIAL FEEDS DEEMED TO BE MISBRANDED, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 25-2723, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT CODE REFERENCES, TO AUTHORIZE THE DIRECTOR OF THE IDAHO DEPARTMENT OF AGRICULTURE TO COPY CERTAIN RECORDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 25-2724, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT TERMINOLOGY, TO AUTHORIZE RULEMAKING AUTHORITY FOR THE ESTABLISHMENT OF FEES FOR SERVICES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 25-2725, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR STOP SALE, USE OR REMOVAL ORDERS, TO STRIKE UNNECESSARY VERBIAGE, TO PROVIDE FOR COMMERCIAL FEED NOT IN COMPLIANCE WITH CERTAIN RULES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 27, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-2712, IDAHO CODE, TO PROVIDE FOR PROHIBITED ACTS; AMENDING SECTION 25-2726, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PENALTY PROVISIONS, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 25-2727 AND 25-2728, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING CHAPTER 27, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-2716, IDAHO CODE, TO PROVIDE FOR SEVERABILITY; AND AMENDING CHAPTER 27, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-2717, IDAHO CODE, TO PROVIDE FOR THE USE OF FUNDS RECEIVED.

**HOUSE BILL NO. 466**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE CARBON SEQUESTRATION ADVISORY COMMITTEE; AMENDING SECTION 22-5202, IDAHO CODE, TO REVISE PROVISIONS RELATING TO COMMITTEE MEMBERSHIP.

**HOUSE BILL NO. 467**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO ELECTION PROCEDURES; AMENDING SECTION 34-304, IDAHO CODE, TO PROVIDE FOR WATCHERS TO OBSERVE THE CONDUCT OF AN ELECTION, TO ALLOW PRO AND CON PERSONS TO BE AT POLLING PLACES FOR THE PURPOSE OF CHALLENGING VOTERS AND OBSERVING THE CONDUCT OF AN ELECTION AND TO PROVIDE PROCEDURES; AMENDING SECTION 34-418, IDAHO CODE, TO PROVIDE FOR UTILIZATION OF THE STATEWIDE VOTER REGISTRATION SYSTEM FOR NOTIFYING REGISTRATION OFFICIALS OR THE COUNTY CLERK WHERE THE ELECTOR WAS PREVIOUSLY REGISTERED SO THAT THE PRIOR REGISTRATION MAY BE CANCELLED; AMENDING SECTION 34-432, IDAHO CODE, TO DELETE LANGUAGE ALLOWING AN ELECTOR TO REQUEST A CHANGE IN THE INFORMATION ON HIS REGISTRATION CARD; AND AMENDING SECTION 34-437B, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL SUPPLY TO A REQUESTING SCHOOL BOARD A LIST OF REGISTERED ELECTORS.

**HOUSE BILL NO. 468**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO HEALTH CARE DIRECTIVE REGISTRY; AMENDING SECTION 9-340C, IDAHO CODE, TO PROVIDE A HEALTH CARE DIRECTIVE REGISTRY EXCEPTION TO THE PUBLIC RECORDS ACT; AMENDING SECTION 39-4509, IDAHO CODE, TO DEFINE "HEALTH CARE DIRECTIVE"; AMENDING SECTION 39-4510, IDAHO CODE, TO PERMIT REGISTRATION OF A HEALTH CARE DIRECTIVE; AMENDING SECTION 39-4511, IDAHO CODE, TO PERMIT REGISTRATION OF A HEALTH CARE DIRECTIVE REVOCATION; AMENDING SECTION 39-4513, IDAHO CODE, TO PROVIDE IMMUNITIES; AMENDING CHAPTER 45, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-4515, IDAHO CODE, TO CREATE A HEALTH CARE DIRECTIVE REGISTRY IN THE OFFICE OF THE SECRETARY OF STATE, TO PROVIDE FOR THE CONTENT OF THE INFORMATION TO BE INCLUDED IN THE REGISTRY, TO PERMIT REGISTRATION OF HEALTH CARE DIRECTIVES AND REVOCATIONS, TO PERMIT THE SECRETARY OF STATE TO CHARGE A FEE FOR REGISTRATION OF A HEALTH CARE DIRECTIVE, TO PROVIDE AND LIMIT DUTIES AND RESPONSIBILITIES OF THE SECRETARY OF STATE, TO PROVIDE A MEANS OF ACCESS TO THE REGISTRY, TO

LIMIT ACCESS TO THE INFORMATION CONTAINED IN THE REGISTRY, TO LIMIT LIABILITY OF THE SECRETARY OF STATE AND THE STATE OF IDAHO AND TO CREATE A FUND TO SUPPORT, PROMOTE AND MAINTAIN THE REGISTRY.

**HOUSE BILL NO. 469**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE IDAHO CONSUMER PROTECTION ACT; AMENDING SECTION 48-603, IDAHO CODE, TO PROVIDE THAT IT IS A VIOLATION OF THE CONSUMER PROTECTION ACT TO TAKE ADVANTAGE OF A DISASTER OR EMERGENCY DECLARED BY THE GOVERNOR OR THE PRESIDENT OF THE UNITED STATES BY SELLING OR OFFERING TO SELL TO A WHOLESALER, A RETAILER OR THE ULTIMATE CONSUMER FUEL OR FOOD, PHARMACEUTICALS OR WATER FOR HUMAN CONSUMPTION AT AN EXORBITANT OR EXCESSIVE PRICE FOR NINETY DAYS FOLLOWING THE DECLARATION UNLESS THE GOVERNOR CONTINUES THE DECLARATION BEYOND THAT PERIOD AND TO REVISE FACTORS A COURT SHALL TAKE INTO CONSIDERATION TO DETERMINE WHETHER A PRICE IS EXORBITANT OR EXCESSIVE; AND AMENDING SECTION 48-606, IDAHO CODE, TO INCREASE CIVIL PENALTIES.

**HOUSE BILL NO. 470**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO EXEMPTIONS FROM TAXATION; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602KK, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM PROPERTY TAX OF ONE HUNDRED FIFTY THOUSAND DOLLARS OF MARKET VALUE FOR ASSESSMENT PURPOSES FOR THE OWNER-OCCUPIED HOMESTEAD OF AN INDIVIDUAL SEVENTY YEARS OF AGE OR OLDER WHO IS THE RECORD OWNER HOLDING TITLE IN FEE SIMPLE OR WHO HAS RETAINED OR BEEN GRANTED A LIFE ESTATE, WHO HAS PAID IDAHO REAL PROPERTY TAXES ON IDAHO RESIDENTIAL REAL PROPERTY CONTINUOUSLY FOR THE IMMEDIATELY PRECEDING TEN YEARS AND WHO OCCUPIES THE HOMESTEAD AS THE INDIVIDUAL'S PRIMARY DWELLING PLACE, TO PROVIDE FOR ADMINISTRATION OF THE APPLICATION PROCESS, TO PROVIDE DEFINITIONS AND TO DECLARE THE EXEMPTION IS NECESSARY AND JUST; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 471**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3033, IDAHO CODE, TO DELETE THE PROVISION EXTENDING THE PAYMENT DUE DATE WHEN THE DATE TO FILE RETURNS IS EXTENDED AND

TO PROVIDE THAT THE PAYMENT OF ANY BALANCE OF TAX IS DUE ON THE EARLIER OF THE EXTENDED DUE DATE OR THE DATE THE RETURN IS FILED.

**HOUSE BILL NO. 472**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE CIGARETTE TAX; AMENDING SECTION 63-2512, IDAHO CODE, TO REVISE THE PENALTY FOR POSSESSING MORE THAN TEN PACKAGES OF UNSTAMPED CIGARETTES FROM A CRIMINAL MISDEMEANOR TO A CIVIL PENALTY AND TO PROVIDE APPLICATION TO VARIOUS RETAILERS.

**HOUSE BILL NO. 473**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO OFFSET OF TAX REFUNDS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3077D, IDAHO CODE, TO AUTHORIZE AGREEMENTS BETWEEN THE STATE TAX COMMISSION AND THE UNITED STATES DEPARTMENT OF THE TREASURY FOR OFFSET OF TAX REFUNDS AGAINST TAX LIABILITIES, TO PROVIDE LIMITATIONS REGARDING THE OFFSET AND TO PROVIDE APPLICATION TO FEDERAL DEBT.

**HOUSE BILL NO. 474**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY TAXES; AMENDING SECTION 63-317, IDAHO CODE, TO PROVIDE THAT THE OCCUPANCY TAX APPLIES TO INDUSTRIAL PROPERTY BUT NOT TO OPERATING PROPERTY; AMENDING SECTION 63-201, IDAHO CODE, TO PROVIDE THAT ELECTRICAL GENERATION PLANTS UNDER CONSTRUCTION, WHETHER OR NOT OWNED BY OR OPERATED IN CONNECTION WITH ANY PUBLIC UTILITY, SHALL BE DEFINED AS OPERATING PROPERTY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 475**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SALES AND USE TAX EXEMPTIONS; AMENDING SECTION 63-3622O, IDAHO CODE, TO PROVIDE A SALES AND USE TAX EXEMPTION FOR ADMISSIONS TO AND PURCHASES BY MUSEUMS, TO DEFINE THE TERM "MUSEUM" AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE JOINT RESOLUTION NO. 3**  
**BY LOCAL GOVERNMENT COMMITTEE**  
A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 14, ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO RIGHT OF EMINENT DOMAIN, TO PROVIDE THAT ECONOMIC DEVELOPMENT SHALL NOT

BE USED AS A REASON FOR ANY AUTHORIZED GOVERNMENTAL ENTITY TO EXERCISE THE POWER OF EMINENT DOMAIN AND TO PROVIDE A DEFINITION OF "ECONOMIC DEVELOPMENT"; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**H 462, H 463, H 464, H 465, H 466, H 467, H 468, H 469, H 470, H 471, H 472, H 473, H 474, H 475, and HJR 3** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1277** and **S 1278**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

#### Second Reading of Bills and Joint Resolutions

**H 440**, by Appropriations Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Thursday, January 26, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:52 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

#### EIGHTEENTH LEGISLATIVE DAY THURSDAY, JANUARY 26, 2006

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused -- Barrett, Bradford, Lake, Loertscher, Sali. Total -- 5.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Catherine Hendrickson, Page.

#### Approval of Journal

January 26, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventeenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

#### Consideration of Messages from the Governor and the Senate

January 25, 2006

Mr. Speaker:

I transmit herewith **SJM 114** and **S 1260** which have passed the Senate.

WOOD, Secretary

**SJM 114** and **S 1260** were filed for first reading.

January 25, 2006

Mr. Speaker:

I return herewith **H 403** which has passed the Senate.

WOOD, Secretary

**H 403** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

#### Report of Standing Committees

January 26, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 31, H 462, H 463, H 464, H 465, H 466, H 467, H 468, H 469, H 470, H 471, H 472, H 473, H 474, H 475, and HJR 3**.

FIELD(18), Chairman

**HCR 31** was referred to the Health and Welfare Committee.

**H 462, H 463, and H 464** were referred to the Transportation and Defense Committee.

**H 465 and H 466** were referred to the Agricultural Affairs Committee.

**H 467, H 468, and H 469** were referred to the State Affairs Committee.

**H 470, H 471, H 472, H 473, H 474, and H 475** were referred to the Revenue and Taxation Committee.

**HJR 3** was held at the Desk.

January 25, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **SJM 113** and recommend that it do pass.

FIELD(18), Chairman

**SJM 113** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

**SJM 114**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Environment, Energy, and Technology Committee.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 476

#### BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO NONCONSENSUAL COMMON LAW LIENS; AMENDING SECTION 45-1704, IDAHO CODE, TO CLARIFY THE REMEDY FOR REMOVING AN INVALID CLAIM OF LIEN FILED AGAINST A FEDERAL, STATE OR LOCAL OFFICIAL OR EMPLOYEE; AMENDING SECTION 45-1705, IDAHO CODE, TO REVISE PENALTIES APPLICABLE TO FILING AN INVALID CLAIM OF LIEN; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 477

#### BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE DIVISION OF VETERANS SERVICES; AMENDING SECTION 65-201, IDAHO CODE, TO TRANSFER ALL RIGHTS, TITLE AND INTEREST IN REAL AND PERSONAL PROPERTY HELD BY THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PURPOSE OF PROVIDING SERVICES TO VETERANS TO THE DIVISION OF VETERANS SERVICES IN FURTHER COMPLIANCE WITH CHAPTER 59, LAWS OF 2000; AND DECLARING AN EMERGENCY.

#### HOUSE BILL NO. 478

#### BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO PROPERTY TAXES AND TAXING DISTRICTS; AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE THAT NO TAXING DISTRICT SHALL

CERTIFY A BUDGET REQUEST FOR AN AMOUNT OF PROPERTY TAX REVENUES TO FINANCE AN ANNUAL BUDGET THAT EXCEEDS THE DOLLAR AMOUNT OF PROPERTY TAXES CERTIFIED FOR ITS ANNUAL BUDGET FOR ANY ONE OF THE THREE TAX YEARS PRECEDING THE CURRENT TAX YEAR, WHICHEVER IS GREATER, WHICH AMOUNT MAY BE INCREASED BY A GROWTH FACTOR OF NOT TO EXCEED THREE PERCENT UNLESS AN ELECTION IS HELD TO EXCEED THE AMOUNT AUTHORIZED BY THIS ACT; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### HOUSE BILL NO. 479

#### BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO FINANCING OF THE PUBLIC SCHOOLS; AMENDING SECTION 33-802, IDAHO CODE, TO REVISE HOW MAXIMUM SCHOOL MAINTENANCE AND OPERATION LEVIES ARE CALCULATED FOR TAX YEAR 2006 AND THEREAFTER; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE THE LOCAL DISTRICTS' CONTRIBUTION CALCULATION AND TO PROVIDE THAT CHARTER SCHOOL DISTRICTS MUST REDUCE PROPERTY TAX LEVIES TO BE ELIGIBLE TO RECEIVE STATE FUNDS; AMENDING SECTION 33-1002D, IDAHO CODE, TO PROVIDE THAT THE PURPOSE OF THE SECTION IS TO PROVIDE ONGOING PROPERTY TAX RELIEF AND TO PROVIDE THAT MONEYS IN THE FUND SHALL BE STATE DISCRETIONARY FUNDS; AND AMENDING CHAPTER 68, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6804, IDAHO CODE, TO PROVIDE FOR TRANSFER OF EXCESS REVENUES OF THE GENERAL FUND UPON CERTAIN CIRCUMSTANCES OCCURRING AND TO PROVIDE FOR TRANSFERS TO THE PUBLIC SCHOOL INCOME FUND.

#### HOUSE BILL NO. 480

#### BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO LIMITATION OF PROPERTY TAXES; AMENDING CHAPTER 8, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-802B, IDAHO CODE, TO PROVIDE A MECHANISM FOR THE VOTERS OF CERTAIN TAXING DISTRICTS TO REDUCE THE PROPERTY TAX PORTION OF THE TAXING DISTRICT'S BUDGET FOR THE FOLLOWING FISCAL YEAR, TO DEFINE TERMS AND TO PROVIDE PROCEDURES; AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE A RESTRICTION IMPOSED BY LAW ON SCHOOL DISTRICTS, TO PROVIDE FOR A LIMIT ON AN INCREASE IN THE EVENT A TAXING DISTRICT'S PROPERTY TAX PORTION OF ITS BUDGET IS ESTABLISHED PURSUANT TO A PROPERTY TAX REDUCTION ELECTION AND TO LIMIT FOREGONE INCREASES; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 481**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO PROPERTY TAXES; AMENDING CHAPTER 8, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-813, IDAHO CODE, TO PROVIDE THAT NO TAXING DISTRICT SHALL CERTIFY A BUDGET REQUEST TO FINANCE THE PROPERTY TAX PORTION OF ITS OPERATING BUDGET FOR THE FISCAL YEAR COMMENCING IN 2006 AND ENDING IN 2007 THAT EXCEEDS THE DOLLAR AMOUNT OF PROPERTY TAXES CERTIFIED FOR THAT PURPOSE IN 2005 AND TO PROVIDE AN EXCEPTION; AND TO DECLARE AN EMERGENCY.

**HOUSE BILL NO. 482**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO PROPERTY TAX EXEMPTIONS; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602PP, IDAHO CODE, TO PROVIDE FOR AN EXEMPTION FROM TAXATION OF THAT PORTION OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF RESIDENTIAL IMPROVEMENTS AND RESIDENTIAL LOT THAT EXCEEDS THE MARKET VALUE FOR ASSESSMENT PURPOSES OF THAT SAME PROPERTY FOR THE YEAR 2006, OR THE VALUE AS DETERMINED UPON A REAPPRAISAL OF THE PROPERTY AT THE TIME OF A TRANSFER OF OWNERSHIP, TO REQUIRE THAT THE RESIDENTIAL IMPROVEMENTS BE OWNER-OCCUPIED AND USED AS THE PRIMARY DWELLING PLACE OF THE OWNER, TO PROVIDE THAT THE OWNER MUST APPLY FOR THE EXEMPTION, TO PROVIDE FOR REAPPRAISAL UPON A TRANSFER OF OWNERSHIP OF THE PROPERTY AND ADJUSTMENT OF THE MARKET VALUE FOR ASSESSMENT PURPOSES, TO PROVIDE DEFINITIONS, TO DECLARE THAT THE EXEMPTION IS NECESSARY AND JUST AND TO PROVIDE THAT THE EXEMPTION SHALL BE AVAILABLE FOR CERTAIN OWNERS WHO ARE ABSENT BY REASON OF ACTIVE MILITARY SERVICE IN A DESIGNATED COMBAT ZONE; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 483**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO INCOME TAX CHECKOFFS AND DONATIONS; AMENDING SECTION 63-3067A, IDAHO CODE, TO PROVIDE FOR DESIGNATION BY INDIVIDUALS OF A REFUND FOR AN OVERPAYMENT OF INCOME TAXES OR A DONATION BY INDIVIDUALS TO THE AMERICAN RED CROSS OF GREATER IDAHO FUND; AMENDING SECTION 63-3067B, IDAHO CODE, TO PROVIDE FOR DESIGNATION BY INDIVIDUALS OF A REFUND FOR AN OVERPAYMENT OF INCOME TAXES OR A DONATION BY INDIVIDUALS TO THE AMERICAN

RED CROSS OF GREATER IDAHO FUND; AND AMENDING CHAPTER 8, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-821, IDAHO CODE, TO CREATE THE AMERICAN RED CROSS OF GREATER IDAHO FUND IN THE STATE TREASURY.

**HOUSE BILL NO. 484**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO TAXATION; AMENDING SECTION 63-3622X, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE AND TO REVISE THE TAX EXEMPTION APPLICABLE TO POLLUTION CONTROL DEVICES, MATERIAL OR EQUIPMENT; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 485**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO PUBLIC INFRASTRUCTURE IMPROVEMENTS DISTRICTS; AMENDING TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 30, TITLE 50, IDAHO CODE, TO PROVIDE LEGISLATIVE PURPOSE, RELATIONSHIP TO OTHER LAWS AND A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR CREATION OF PUBLIC INFRASTRUCTURE IMPROVEMENTS DISTRICTS, TO PROVIDE FOR ORGANIZATION OF A DISTRICT, TO PROVIDE POWERS OF A DISTRICT, TO PROVIDE FOR A CHANGE IN DISTRICT BOUNDARIES OR THE GENERAL PLAN, TO PROVIDE FOR FINANCES, TO PROVIDE FOR GENERAL OBLIGATION BONDS AND TAX LEVIES, TO PROVIDE FOR REVENUE BONDS AND FEES AND CHARGES, TO PROVIDE TERMS OF THE BONDS, TO PROVIDE FOR NOTICE AND CONDUCT OF ELECTIONS, TO PROVIDE FOR TAXES, TO PROVIDE FOR FINANCIAL STATEMENTS AND ESTIMATES, BUDGETS AND CERTIFICATION OF LEVIES, TO PROVIDE FOR DISCLOSURE, TO PROVIDE FOR DISSOLUTION OF A DISTRICT, TO PROVIDE FOR EXEMPTIONS AND EXCLUSIONS, TO PROVIDE FOR LIMITATION OF LIABILITY, TO PROVIDE FOR APPEAL, EXCLUSIVE REMEDY AND CONCLUSIVENESS, TO PROVIDE FOR CONSISTENCY WITH STATE LAW, TO PROVIDE LIBERAL INTERPRETATION AND TO PROVIDE SEVERABILITY.

**H 476, H 477, H 478, H 479, H 480, H 481, H 482, H 483, H 484, and H 485** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1260**, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.



**Second Reading of Bills and Joint Resolutions**

**H 405** and **H 406**, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

**S 1277** and **S 1278**, by Finance Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 440** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 440** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell(Chavez), Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barrett, Bradford, Henbest, Lake, Loertscher, Sali. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 440** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Denney moved that the House adjourn until 8 a.m., Friday, January 27, 2006. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:53 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**NINETEENTH LEGISLATIVE DAY  
FRIDAY, JANUARY 27, 2006**

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 60 members present.

Absent and excused -- Block, Bradford, Crow, Lake, Loertscher, McKague, Schaefer, Shirley, Smith(24), Snodgrass. Total -- 10.

Total -- 60.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Nathan Barry, Page.

**Approval of Journal**

January 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighteenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

January 26, 2006

Mr. Speaker:

I transmit herewith **S 1250**, **S 1251**, and **S 1252** which have passed the Senate.

WOOD, Secretary

**S 1250**, **S 1251**, and **S 1252** were filed for first reading.

**Report of Standing Committees**

January 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 476**, **H 477**, **H 478**, **H 479**, **H 480**, **H 481**, **H 482**, **H 483**, **H 484**, and **H 485**.

FIELD(18), Chairman

**H 476** and **H 477** were referred to the State Affairs Committee.

**H 478**, **H 479**, **H 480**, **H 481**, **H 482**, **H 483**, **H 484**, and **H 485** were referred to the Revenue and Taxation Committee.

January 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 403**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 403**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 486**

**BY SALI**

AN ACT

RELATING TO TAXATION ON FUEL; AMENDING SECTION 63-2402, IDAHO CODE, TO SUSPEND THE IMPOSITION OF TAX ON THE RECEIPT OF MOTOR FUEL FROM APRIL 1, 2006, THROUGH JUNE 30, 2006; AMENDING SECTION 63-2412, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF CERTAIN MONEYS IN LIEU OF DISTRIBUTING TAXES IMPOSED ON GASOLINE FOR THE PERIOD OF APRIL 1, 2006, THROUGH JUNE 30, 2006; AND AMENDING SECTION 63-2418, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF CERTAIN MONEYS IN LIEU OF DISTRIBUTING TAXES IMPOSED ON SPECIAL FUEL FOR THE PERIOD OF APRIL 1, 2006, THROUGH JUNE 30, 2006; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 487**

**BY SALI**

AN ACT

STATING FINDINGS OF THE LEGISLATURE; AND PROVIDING THAT THE STATE CONTROLLER SHALL TRANSFER MONEYS TO THE STATE TAX COMMISSION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 488**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO SUCCESSION TO THE DUTIES OF LEGISLATOR; AMENDING SECTION 67-423A, IDAHO CODE, TO PROVIDE FOR ASSUMPTION OF POWERS AND DUTIES OF A LEGISLATOR IN THE EVENT A LEGISLATOR RESIGNS FROM OFFICE AND TO REVISE TERMINOLOGY.

**HOUSE BILL NO. 489**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO IDAHO STATE VETERANS HOMES; AMENDING SECTION 66-901, IDAHO CODE, TO PROVIDE

FOR ADMISSION TO AN IDAHO STATE VETERANS HOME TO THE SPOUSES OF ELIGIBLE VETERANS AND TO DEFINE "SPOUSE."

**HOUSE BILL NO. 490**

**BY AGRICULTURAL AFFAIRS COMMITTEE**

AN ACT

RELATING TO HONEYBEES; AMENDING SECTION 22-2807, IDAHO CODE, TO PROVIDE FOR DUTIES OF THE IDAHO HONEY ADVERTISING COMMISSION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-2808, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM ANNUAL TAXATION FOR HOBBYIST BEEKEEPERS AND TO PROVIDE FOR VOLUNTARY REGISTRATION AND PAYMENT OF FEE; AND AMENDING CHAPTER 28, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2811, IDAHO CODE, TO PROVIDE FOR THE PUBLICATION OF CERTAIN INFORMATION RELATING TO REGISTERED BEEKEEPERS.

**HOUSE BILL NO. 491**

**BY AGRICULTURAL AFFAIRS COMMITTEE**

AN ACT

RELATING TO VETERINARIANS; AMENDING SECTION 54-2103, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE A TERM AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING CHAPTER 21, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2106, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR EMERGENCY VETERINARY FACILITIES AND ON-CALL EMERGENCY SERVICES.

**HOUSE BILL NO. 492**

**BY AGRICULTURAL AFFAIRS COMMITTEE**

AN ACT

RELATING TO CONCENTRATED ANIMAL FEEDING OPERATIONS; AMENDING SECTION 67-6529C, IDAHO CODE, TO REVISE DEFINITIONS; AND AMENDING SECTION 67-6529E, IDAHO CODE, TO PROVIDE THAT REQUESTS BY BOARDS OF COUNTY COMMISSIONERS FOR SUITABILITY DETERMINATIONS BY SITE ADVISORY TEAMS SHALL INCLUDE THE ACTUAL ANIMAL CAPACITY OF THE FACILITY.

**HOUSE BILL NO. 493**

**BY AGRICULTURAL AFFAIRS COMMITTEE**

AN ACT

RELATING TO BEE INSPECTIONS; AMENDING SECTION 22-2517, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 22-2518, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT TERMINOLOGY, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2519, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT TERMINOLOGY AND TO REVISE GUIDELINES TO ENSURE THAT THE

INSPECTIONS ARE ADEQUATE; AMENDING SECTION 22-2520, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO INVESTIGATIONS BY THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE AND TO PROVIDE CORRECT TERMINOLOGY; REPEALING SECTION 22-2521, IDAHO CODE, RELATING TO UNOCCUPIED COMBS; AMENDING SECTION 22-2523, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE CRIMINAL PROVISIONS RELATING TO OWNERS OR KEEPERS OF DISEASED BEES; AMENDING SECTION 22-2524, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTION 22-2525, IDAHO CODE, RELATING TO PERMITS TO BRING COMB HONEY AND BEES INTO THE STATE; REPEALING SECTION 22-2526, IDAHO CODE, RELATING TO PERMIT REQUIREMENTS FOR THE IMPORTATION OF BEES; AMENDING SECTION 22-2529, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT TERMINOLOGY AND TO REVISE PROVISIONS RELATING TO THE TRANSPORTATION OF CERTAIN BEES, SUPPLIES AND EQUIPMENT; REPEALING SECTION 22-2530, IDAHO CODE, RELATING TO ANNUAL GENERAL AND CONTINUING PERMITS; AMENDING CHAPTER 25, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2508, IDAHO CODE, TO PROVIDE FOR THE PUBLICATION OF CERTAIN INFORMATION RELATING TO REGISTERED BEEKEEPERS BY THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 22-2532, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 22-2536, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE REGISTRATION FEE PROVISIONS AND TO PROVIDE AN EXEMPTION FROM REGISTRATION REQUIREMENTS FOR HOBBYIST BEEKEEPERS; AMENDING SECTION 22-2538, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 22-2539, IDAHO CODE, TO REDESIGNATE THE SECTION; AND AMENDING SECTION 22-2540, IDAHO CODE, TO REDESIGNATE THE SECTION.

**HOUSE BILL NO. 494**  
**BY LEFAVOUR**  
 AN ACT

RELATING TO PROVIDING MONEYS FROM THE SALES AND USE TAX TO PROVIDE FOR BUILDING AND REPAIR OF SCHOOL BUILDINGS; PROVIDING A SHORT TITLE; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 63-3622D, IDAHO CODE, TO DELETE REFERENCE TO THE SALES TAX EXEMPTION ON UTILITIES WITHIN THE PRODUCTION EXEMPTION; REPEALING SECTION 63-3622F, IDAHO CODE, RELATING TO THE SALES AND USE TAX EXEMPTION FOR THE SALE OR PURCHASE OF NATURAL GAS, ELECTRICITY, AND WATER WHEN DELIVERED TO CONSUMERS AT THE PLACE OF CONSUMPTION BY MEANS OF PIPES, WIRES, MAINS OR SIMILAR SYSTEMS;

AMENDING SECTION 63-3616, IDAHO CODE, TO DEFINE "TANGIBLE PERSONAL PROPERTY"; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3638B, IDAHO CODE, TO PROVIDE THAT THE SALES AND USE TAX ON UTILITIES SHALL BE PAID TO THE SCHOOL DISTRICT BUILDING ACCOUNT; AND TO PROVIDE SEVERABILITY.

**HOUSE BILL NO. 495**  
**BY RINGO**  
 AN ACT

RELATING TO THE SALES AND USE TAX AND FUNDING FOR THE PUBLIC SCHOOLS; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3641, IDAHO CODE, TO IMPOSE AN ADDITIONAL ONE PERCENT SALES AND USE TAX, TO PROVIDE FOR STATE TAX COMMISSION AUTHORITY AND TO PROVIDE FOR DEPOSIT OF MONEYS; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 33-908, 33-909, 33-910, 33-911, 33-912, 33-913 AND 33-914, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE THE PURPOSE FOR RAISING THE SALES AND USE TAX, TO CREATE THE IDAHO LOCAL PUBLIC SCHOOLS INVESTMENT FUND, TO PROVIDE FOR USE OF ENHANCED REVENUES, TO PROVIDE FOR LOCAL ANNUAL ACCOUNTABILITY REPORTS ON USE OF REVENUES, TO PROVIDE FOR AN ANNUAL GENERAL ACCOUNT APPROPRIATION AMOUNT AND TO PROVIDE FOR DISTRIBUTION OF THE GENERAL ACCOUNT APPROPRIATION AMOUNT.

**HOUSE BILL NO. 496**  
**BY MATHEWS**  
 AN ACT

RELATING TO APPROPRIATIONS AND STATE AGENCIES; AMENDING CHAPTER 36, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3615, IDAHO CODE, TO REQUIRE LEGISLATIVE AUTHORIZATION BEFORE AN AGENCY MAY EXPEND AN APPROPRIATION, TO PROVIDE PROCEDURES AND TO DEFINE "AGENCY."

**HOUSE BILL NO. 497**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO THE SALES AND USE TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622TT, IDAHO CODE, TO PROVIDE A SALES AND USE TAX REBATE FOR THE SALES OR USE OF TANGIBLE PERSONAL PROPERTY USED DIRECTLY BY A MEDIA PRODUCTION COMPANY IN MEDIA PRODUCTION, TO PROVIDE PROCEDURES, TO DEFINE TERMS, TO PROVIDE QUALIFICATION REQUIREMENTS AND TO PROVIDE FOR RECAPTURE; AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 498  
BY HART  
AN ACT**

RELATING TO THE STATE INCOME TAX; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3010A, IDAHO CODE, TO PROVIDE A DEFINITION OF "INCOME"; AMENDING SECTION 63-3011C, IDAHO CODE, TO REVISE THE DEFINITION OF "IDAHO TAXABLE INCOME"; AMENDING SECTION 63-3018, IDAHO CODE, TO REVISE THE DEFINITION OF "EMPLOYEE"; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3019, IDAHO CODE, TO PROVIDE A DEFINITION OF "TRADE OR BUSINESS"; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**H 486, H 487, H 488, H 489, H 490, H 491, H 492, H 493, H 494, H 495, H 496, H 497, and H 498** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1250, S 1251, and S 1252**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**SJM 113**, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Denney asked unanimous consent that all bills on the Third Reading Calendar retain their places until Monday, January 30, 2006. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 1:15 p.m., Monday, January 30, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:16 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:  
PAMM JUKER, Chief Clerk

**TWENTY-SECOND LEGISLATIVE DAY  
MONDAY, JANUARY 30, 2006**

House of Representatives

The House convened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused -- Bedke, Deal. Total -- 2.  
Total -- 70.

Prayer was offered by Representative Nielsen.

The Pledge of Allegiance was led by Luke Thomas, Page.

**Approval of Journal**

January 30, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Nineteenth Legislative Day and recommend that same be adopted as corrected. FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

**CERTIFICATE OF APPOINTMENT**

KNOW ALL MEN, by these Presents that Margaret Henbest, State Representative, District 16, House Seat A, Ada County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Les Bock, of Boise, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Les Bock, Acting State Representative, District 16, House Seat A, Ada County, State of Idaho, for a term commencing on January 30, 2006, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 26th day of January in the year of our Lord two thousand and six, and of the Independence of the United States of America, the two hundred and thirtieth year.

/s/ DIRK A. KEMPTHORNE  
Governor  
/s/ BEN YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Bock.

January 30, 2006

Mr. Speaker:

I return herewith enrolled **H 403** which has been signed by the President.

WOOD, Secretary

Enrolled **H 403** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

January 27, 2006

Mr. Speaker:

I transmit herewith **S 1305**, **S 1306**, and **S 1307** which have passed the Senate.

WOOD, Secretary

**S 1305**, **S 1306**, and **S 1307** were filed for first reading.

January 27, 2006

Mr. Speaker:

I return herewith **H 404** which has passed the Senate.

WOOD, Secretary

**H 404** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

January 30, 2006

Mr. Speaker:

I return herewith **H 409** which has passed the Senate.

WOOD, Secretary

**H 409** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

#### Report of Standing Committees

January 30, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 486**, **H 487**, **H 488**, **H 489**, **H 490**, **H 491**, **H 492**, **H 493**, **H 494**, **H 495**, **H 496**, **H 497**, and **H 498**.

FIELD(18), Chairman

**H 486** was referred to the Transportation and Defense Committee.

**H 487** was referred to the Appropriations Committee.

**H 488**, **H 489**, and **H 496** were referred to the State Affairs Committee.

**H 490**, **H 491**, **H 492**, and **H 493** were referred to the Agricultural Affairs Committee.

**H 494**, **H 495**, **H 497**, and **H 498** were referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Eighth Order of Business.

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

##### HOUSE BILL NO. 499 BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO CLEAN INDOOR AIR; AMENDING SECTION 39-5503, IDAHO CODE, TO PROVIDE THAT DESIGNATED SMOKING ROOMS IN BOWLING ALLEYS THAT MEET CERTAIN CONDITIONS ARE EXCEPTED FROM PUBLIC SMOKING PROHIBITIONS; AND PROVIDING AN EFFECTIVE DATE.

##### HOUSE BILL NO. 500 BY BUSINESS COMMITTEE AN ACT

RELATING TO SELF-FUNDED HEALTH CARE PLANS; AMENDING SECTION 41-4001, IDAHO CODE, TO REVISE THE DECLARATION OF PURPOSE; AMENDING CHAPTER 40, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-4001A, IDAHO CODE, TO PROVIDE FOR NONAPPLICABILITY TO MULTIPLE EMPLOYER WELFARE ARRANGEMENTS; AMENDING SECTION 41-4002, IDAHO CODE, TO DEFINE "MULTIPLE EMPLOYER WELFARE ARRANGEMENT" AND "SINGLE EMPLOYER," TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4003, IDAHO CODE, TO REVISE APPLICATION OF REGISTRATION REQUIREMENTS TO SINGLE EMPLOYER SELF-FUNDED HEALTH PLANS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4004, IDAHO CODE, TO REVISE QUALIFICATIONS FOR REGISTRATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4005, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO APPLICATIONS FOR REGISTRATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4007, IDAHO CODE, TO MAKE GRAMMATICAL CHANGES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4008, IDAHO CODE, TO CLARIFY TRUST FUND LIABILITY; AMENDING SECTION 41-4009, IDAHO CODE, TO REVISE PROHIBITED INVESTMENTS OF TRUST FUND MONEYS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4010, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4011, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE DELIVERY OF ANNUAL STATEMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4014, IDAHO CODE, TO CLARIFY WHO MAY BE A TRUSTEE OR ADMINISTRATOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4017, IDAHO CODE, TO MAKE A GRAMMATICAL

CHANGE; AMENDING SECTION 41-4018, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO TERMINATION OF REGISTRATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4020, IDAHO CODE, TO REVISE THE CATCHLINE, TO PROVIDE THAT THE ADOPTION OF RULES SHALL BE IN ACCORDANCE WITH THE IDAHO ADMINISTRATIVE PROCEDURE ACT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4021, IDAHO CODE, TO PROVIDE A STATUTORY REFERENCE, TO PROVIDE FOR APPLICATION TO SINGLE EMPLOYER SELF-FUNDED HEALTH PLANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4022, IDAHO CODE, TO REVISE PENALTIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4023, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO COVERAGE FOR BIRTH AND COMPLICATIONS OF PREGNANCY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4025, IDAHO CODE, TO PROVIDE FOR APPLICATION TO SINGLE EMPLOYER SELF-FUNDED HEALTH PLANS FOR PURPOSES OF MAMMOGRAPHY COVERAGE; AND AMENDING CHAPTER 40, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-4026, IDAHO CODE, TO SET FORTH PROVISIONS APPLICABLE TO THE CREDITING OF PREEXISTING CONDITION WAITING PERIODS.

**HOUSE BILL NO. 501**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO COUNTY SALES TAXES; AMENDING SECTION 63-2601, IDAHO CODE, TO REVISE LEGISLATIVE FINDINGS; AMENDING SECTION 63-2602, IDAHO CODE, TO REVISE THE PURPOSES OF THE TAX, TO DEFINE A TERM AND TO DELETE REFERENCE TO USE TAX; AMENDING SECTION 63-2603, IDAHO CODE, TO DELETE REFERENCE TO USE TAX; AMENDING SECTION 63-2604, IDAHO CODE, TO REVISE GENERAL PROVISIONS, TO DELETE REFERENCE TO USE TAX AND TO PROVIDE FOR JOINT EXERCISE OF POWERS AGREEMENTS; AND AMENDING SECTION 4, CHAPTER 363, LAWS OF 2003, TO REMOVE A SUNSET DATE.

**HOUSE BILL NO. 502**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO COUNTY SALES TAXES; AMENDING SECTION 63-2601, IDAHO CODE, TO REVISE LEGISLATIVE FINDINGS; AMENDING SECTION 63-2602, IDAHO CODE, TO REQUIRE THAT A MINIMUM NUMBER OF REGISTERED VOTERS VOTE IN ORDER FOR THE TAX TO BE VALID AND TO REVISE THE PURPOSES OF THE TAX; AMENDING SECTION 63-2604, IDAHO CODE, TO REVISE GENERAL PROVISIONS; AND AMENDING SECTION 4, CHAPTER 363, LAWS OF 2003, TO REMOVE A SUNSET DATE.

**HOUSE BILL NO. 503**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY TAX EXEMPTIONS; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602LL, IDAHO CODE, TO PROVIDE FOR A TAX EXEMPTION FOR PROPERTY OWNED BY QUALIFIED PERSONS, TO PROVIDE FOR APPLICATION OF THE EXEMPTION TO RESIDENTIAL IMPROVEMENTS AND THE RESIDENTIAL LOT, TO PROVIDE THAT THE EXEMPTION SHALL CONTINUE FOR SPOUSES UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE CONDITIONS FOR THE EXEMPTION, TO PROVIDE THAT AN OWNER IS REQUIRED TO MAKE APPLICATION FOR THE EXEMPTION ONLY ONCE IF CERTAIN CONDITIONS ARE MET, TO DECLARE THAT THE EXEMPTION IS NECESSARY AND JUST AND TO PROVIDE THAT THE EXEMPTION SHALL BE AVAILABLE FOR CERTAIN OWNERS WHO ARE ABSENT BY REASON OF ACTIVE MILITARY SERVICE IN A DESIGNATED COMBAT ZONE; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**HOUSE BILL NO. 504**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SCHOOL DISTRICTS AND DEVELOPMENT IMPACT FEES; AMENDING SECTION 33-601, IDAHO CODE, TO PROVIDE ORDINANCE AUTHORITY TO SCHOOL DISTRICTS TO IMPOSE A DEVELOPMENT IMPACT FEE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-8203, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 505**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO TAXATION POLICIES FOR FUNDING PUBLIC SCHOOLS; AMENDING SECTION 63-3619, IDAHO CODE, TO INCREASE THE SALES TAX BY ONE CENT; AMENDING SECTION 63-3621, IDAHO CODE, TO INCREASE THE USE TAX BY ONE CENT STARTING JUNE 1, 2006; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE THE DISTRIBUTION FOR SALES TAX REVENUES, TO PROVIDE A CORRECT CODE REFERENCE AND TO DELETE REFERENCE TO MAINTENANCE AND OPERATION TAXES FOR SCHOOL DISTRICTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-802, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT LEVIES THAT MAY BE IMPOSED WITHOUT VOTER APPROVAL, TO PROVIDE BUDGET STABILIZATION LEVIES FOR CERTAIN DISTRICTS, TO DELETE THE LOCAL DISTRICT CONTRIBUTION FOR SCHOOL FORMULA PURPOSES, TO CONTINUE IN EFFECT ALL VOTER APPROVED LEVIES FOR THE TERM AUTHORIZED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1002, IDAHO

CODE, TO REVISE HOW THE EDUCATIONAL SUPPORT PROGRAM IS CALCULATED, TO PROVIDE ELIGIBILITY FOR CHARTER DISTRICTS TO CONTINUE TO RECEIVE SCHOOL FORMULA MONEYS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 33-1002A, IDAHO CODE, RELATING TO THE LOCAL DISTRICT CONTRIBUTION REDUCTION AND REPEALING SECTION 33-1002D, IDAHO CODE, RELATING TO PROPERTY TAX REPLACEMENT; AMENDING SECTION 33-1003, IDAHO CODE, TO DELETE REFERENCE TO AN OBSOLETE PROVISION AND TO MAKE TECHNICAL CORRECTIONS; TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL UTILIZE THE PROVISIONS OF SECTIONS 33-802, 33-1002, 33-1002A, 33-1002D AND 33-1003, IDAHO CODE, AS THEY EXISTED PRIOR TO AMENDMENT BY THE PROVISIONS OF THIS ACT FOR THE PURPOSES OF FUNDING PUBLIC SCHOOLS THROUGH THE END OF FISCAL YEAR 2006; AMENDING SECTION 33-701, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL MAINTENANCE AND OPERATION LEVIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-802A, IDAHO CODE, TO CLARIFY REFERENCES TO SCHOOL LEVIES; REPEALING SECTION 33-808, IDAHO CODE, RELATING TO NOTICE OF ADJUSTMENT TO MARKET VALUE FOR ASSESSMENT PURPOSES UPON TERMINATION OF A REVENUE ALLOCATION AREA; AMENDING SECTION 33-905, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1004, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1114, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT MAINTENANCE AND OPERATION LEVIES; AMENDING SECTION 33-5208, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-2908, IDAHO CODE, TO DELETE REFERENCE TO PROPERTY TAX FOR SCHOOLS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-802, IDAHO CODE, TO DELETE REFERENCE TO CERTAIN LEVIES OF SCHOOL DISTRICTS AS BEING EXEMPT AND TO PROVIDE APPLICATION TO SCHOOL DISTRICTS; AMENDING SECTION 63-802A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE, TO DELETE REFERENCE TO SCHOOL DISTRICT MAINTENANCE AND OPERATION LEVIES AND TO PROVIDE APPLICATION TO SCHOOL DISTRICTS; AMENDING SECTION 63-811, IDAHO CODE, TO DELETE REFERENCE TO PROPERTY TAX ALLOCATED FOR SCHOOLS; TO PROVIDE SEVERABILITY; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

**HOUSE BILL NO. 506**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO THE CIRCUIT BREAKER PROPERTY TAX RELIEF; AMENDING SECTION 63-701, IDAHO CODE, TO EXPAND THE DEFINITION OF "CLAIMANT"; AMENDING SECTION 63-708, IDAHO CODE, TO CLARIFY

THAT RECOVERY PROCEDURES APPLY TO PERSONS FALSELY CLAIMING THE FEDERAL EARNED INCOME CREDIT; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 507**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO THE ANNUAL RATIO STUDY ON PROPERTY TAXES AND TAXATION POLICY; PROVIDING A MORATORIUM ON THE RATIO STUDY REQUIRED TO BE PERFORMED BY THE STATE TAX COMMISSION BY SECTION 63-315, IDAHO CODE, ON TAXES IMPOSED ON PROPERTY SHOWN ON THE 2006 TAX ROLL ONLY; DIRECTING THE STATE TAX COMMISSION TO PERFORM A STUDY ON THE STATE'S TAX SYSTEM AND TO PROVIDE RECOMMENDATIONS AND A REPORT TO THE LEGISLATURE IN 2007; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 508**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO LIMITATION ON BUDGET REQUESTS OF TAXING DISTRICTS; AMENDING SECTION 63-802, IDAHO CODE, TO ALLOW A TAXING DISTRICT TO INCLUDE FIFTY PERCENT OF THE VALUE OF ANNEXATION DURING THE PREVIOUS CALENDAR YEAR FOR PROPERTY TAX BUDGET LIMITATION PURPOSES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 509**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO LIMITATION OF BUDGET REQUESTS FOR TAXING DISTRICTS; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE HOW NEW CONSTRUCTION OR CHANGE OF LAND USE CLASSIFICATION MAY BE CALCULATED AND INCLUDED IN A TAXING DISTRICT'S BUDGET; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 510**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO PROPERTY TAXATION; REPEALING SECTION 63-602FF, IDAHO CODE, RELATING TO PARTIAL EXEMPTION FOR PARCELS OF LAND IN A RURAL HOME SITE DEVELOPMENT PLAT; AMENDING SECTION 63-604, IDAHO CODE, TO PROVIDE THAT PLATTING LAND ACTIVELY DEVOTED TO AGRICULTURE DOES NOT ALONE CAUSE THE LAND TO LOSE ITS ACTIVELY DEVOTED TO AGRICULTURE STATUS AND TO PROVIDE AN ADDITIONAL DEFINITION; AMENDING SECTION 63-602K, IDAHO CODE, TO REVISE A DEFINITION; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**H 499, H 500, H 501, H 502, H 503, H 504, H 505, H 506, H 507, H 508, H 509, and H 510** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1305, S 1306, and S 1307**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**H 405** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Pasley-Stuart to open debate.

The question being, "Shall **H 405** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Deal, Edmunson, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 405** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 406** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mathews to open debate.

The question being, "Shall **H 406** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini,

Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Deal, Edmunson, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 406** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1277** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1277** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Deal, Edmunson, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1277** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1278** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1278** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,



Rydalch, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Deal, Edmunson, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1278** passed the House. Title was approved and the bill was ordered returned to the Senate.

**SJM 113** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) and Mrs. Boe to open debate.

The question being, "Shall **SJM 113** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Deal, Edmunson, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **SJM 113** adopted and ordered the memorial returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 1:15 p.m., Tuesday, January 31, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:54 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

## TWENTY-THIRD LEGISLATIVE DAY TUESDAY, JANUARY 31, 2006

House of Representatives

The House convened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Barraclough, Bayer. Total -- 2.

Total -- 70.

Prayer was offered by Representative Roberts.

The Pledge of Allegiance was led by Lauryn Harriman, Page.

### Approval of Journal

January 31, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-second Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 31, 2006

Mr. Speaker:

I transmit herewith **S 1255** and **S 1256** which have passed the Senate.

WOOD, Secretary

**S 1255** and **S 1256** were filed for first reading.

### Report of Standing Committees

January 31, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 499**, **H 500**, **H 501**, **H 502**, **H 503**, **H 504**, **H 505**, **H 506**, **H 507**, **H 508**, **H 509**, and **H 510**.

FIELD(18), Chairman

**H 499** was referred to the Health and Welfare Committee.

**H 500** was referred to the Business Committee.

**H 501**, **H 502**, **H 503**, **H 504**, **H 505**, **H 506**, **H 507**, **H 508**, **H 509**, and **H 510** were referred to the Revenue and Taxation Committee.

January 31, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 404** and **H 409**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 404** and **H 409**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

January 31, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 403** to the Governor at 1:40 p.m., as of this date, January 30, 2006.

FIELD(18), Chairman

January 30, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 462** and **H 464** and recommend that they do pass.

WOOD, Chairman

**H 462** and **H 464** were filed for second reading.

January 30, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 463** and report it back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

**H 463** was placed on General Orders for consideration.

January 30, 2006

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **SJM 114** and recommend that it do pass.

RAYBOULD, Chairman

**SJM 114** was filed for second reading.

January 31, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 413** and recommend that it do pass.

DEAL, Chairman

**H 413** was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 511  
BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE IDAHO CANOLA AND RAPESEED COMMISSION; AMENDING SECTION 22-4720, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISBURSEMENT OF FUNDS FROM ACCOUNTS OF THE IDAHO CANOLA AND RAPESEED COMMISSION.

**HOUSE BILL NO. 512  
BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE IDAHO MINT COMMISSION; AMENDING SECTION 22-3811, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISBURSEMENT OF MONEYS FROM THE ACCOUNTS OF THE IDAHO MINT COMMISSION AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 513  
BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 22-103, IDAHO CODE, TO REQUIRE THE DIRECTOR TO COOPERATE WITH SPECIFIED ENTITIES TO ENCOURAGE THE GROWTH OF AGRICULTURAL TECHNOLOGY IN THE STATE AND TO PROTECT THE INTEGRITY OF EXISTING AGRICULTURE AND AGRICULTURAL MARKETING CHANNELS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 514  
BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO PEST CONTROL; REPEALING SECTION 22-2011, IDAHO CODE, RELATING TO COMPENSATION FOR THE LOSS OR DESTRUCTION OF INFESTED OR INFECTED PLANTS, PLANT PRODUCTS OR OTHER ARTICLES; REPEALING SECTION 22-2019, IDAHO CODE, RELATING TO INFESTATIONS AND PEST CONTROL COSTS; AMENDING CHAPTER 20, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2019, IDAHO CODE, TO PROVIDE A PROCEDURE RELATING TO INFESTATIONS OF CERTAIN PESTS, TO PROVIDE FOR PAYMENT OF COSTS RELATING TO CONTROL AND ERADICATION, TO PROVIDE FOR DEFICIENCY WARRANTS, TO DESCRIBE CONTROL AND ERADICATION COSTS, TO AUTHORIZE THE DIRECTOR TO COOPERATE WITH OTHER AGENCIES AND PRIVATE CITIZENS IN CONTROL AND ERADICATION EFFORTS

AND TO PROVIDE THAT ALL FUTURE APPROPRIATIONS FOR THE DEPARTMENT OF AGRICULTURE SHALL TAKE ACCOUNT OF AND PROVIDE FOR PEST CONTROL EXPENSES.

**HOUSE BILL NO. 515**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE STATE BRAND BOARD; AMENDING SECTION 25-1145, IDAHO CODE, TO INCREASE FEES FOR FILING BRAND RENEWAL APPLICATIONS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 25-1160, IDAHO CODE, TO INCREASE CERTAIN FEES RELATING TO BRAND INSPECTIONS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 516**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
AN ACT

RELATING TO EXHIBITIONS OF DOGFIGHTS; AMENDING SECTION 25-3507, IDAHO CODE, TO PROVIDE THAT PERSONS WHO KNOWINGLY PARTICIPATE IN CERTAIN ACTIVITIES RELATED TO DOGFIGHTING EXHIBITIONS SHALL BE GUILTY OF A FELONY AND TO EXEMPT FROM APPLICATION CERTAIN ACTIVITIES.

**HOUSE BILL NO. 517**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO MOTOR CARRIERS AND HARVEST SEASON; AMENDING SECTION 67-2901B, IDAHO CODE, TO CLARIFY THAT VEHICLES HAULING AGRICULTURAL COMMODITIES OR PRODUCTS OF THE FOREST ARE EXEMPT FROM REGULATION ALL YEAR; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-674, IDAHO CODE, TO PROVIDE THAT HARVEST SEASON FOR THE PURPOSE OF VEHICLES TRANSPORTING AGRICULTURAL PRODUCTS, INCLUDING FRESH FRUITS AND VEGETABLES, LIVESTOCK, LIVESTOCK FEED, PRODUCTS OF THE FOREST OR MANURE, SHALL BE YEAR-ROUND; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 518**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO NEWSPAPERS; AMENDING SECTION 60-106, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE QUALIFICATIONS OF NEWSPAPERS FOR PURPOSES OF PRINTING LEGAL NOTICES; AND DECLARING AN EMERGENCY.

**H 511, H 512, H 513, H 514, H 515, H 516, H 517, and H 518** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1255** and **S 1256**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**S 1305, S 1306, and S 1307**, by Finance Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Denney moved that the House adjourn until 1:15 p.m., Wednesday, February 1, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:35 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**TWENTY-FOURTH LEGISLATIVE DAY**  
**WEDNESDAY, FEBRUARY 1, 2006**

House of Representatives

The House convened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Bedke, Bradford. Total -- 2.

Total -- 70.

Prayer was offered by Representative Bastian.

The Pledge of Allegiance was led by Katelyn Holzer, Page.

**Approval of Journal**

February 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-third Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

February 1, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1277, S 1278, and SJM 113** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1277, S 1278, and SJM 113** and, when so signed, ordered them returned to the Senate.

February 1, 2006

Mr. Speaker:

I return herewith enrolled **H 404 and H 409** which have been signed by the President.

WOOD, Secretary

Enrolled **H 404 and H 409** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 1, 2006

Mr. Speaker:

I return herewith **H 440** which has passed the Senate.

WOOD, Secretary

**H 440** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

February 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 511, H 512, H 513, H 514, H 515, H 516, H 517, and H 518.**

FIELD(18), Chairman

**H 511, H 512, H 513, H 514, H 515, and H 516** were referred to the Agricultural Affairs Committee.

**H 517** was referred to the Transportation and Defense Committee.

**H 518** was referred to the State Affairs Committee.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 32**

**BY EDUCATION COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND DESIGNATING THE WEEK OF SEPTEMBER 10 THROUGH 16, 2006, AS BULLYING AWARENESS WEEK.

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

WHEREAS, the school shooting on April 20, 1999, at Columbine High School in Littleton, Colorado, during which fifteen students and a teacher were killed and 23 other students were wounded, was an event set apart in our hearts and memories; and

WHEREAS, it behooves each of us, as parents, students, educators and citizens to recognize the lessons to be learned from this tragedy and identify changes to prevent repetition; and

WHEREAS, many organizations, school districts, educators and parents have publicly expressed concern about the bullying of children; and

WHEREAS, it is important that we acknowledge the serious issues and the negative effects of bullying, including the long-term damage which may be caused for our youth and the risks of teenage suicide; and

WHEREAS, playground observations identify that at least one incident of bullying occurs every seven minutes; and

WHEREAS, bullying may consist of physical incidents of hitting, kicking, or choking, verbal threats, teasing and taunting, or systematic exclusion from activities; and

WHEREAS, providing a safe physical and emotional environment is a significant goal and a personal responsibility of each individual; and

WHEREAS, in remembrance of the Columbine shootings, and as a symbol of our year-round struggle against bullying, it is appropriate that we designate a week to emphasize the importance of our endeavors.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that, on behalf of the citizens of the state of Idaho, the Legislature designates the week of September 10 through 16, 2006, as Bullying Awareness Week.

**HCR 32** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 519**

**BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE**

**AN ACT**

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2732B, IDAHO CODE, TO REVISE THE PROHIBITED QUANTITY OF PSEUDOEPHEDRINE FOR PURPOSES OF DETERMINING APPLICABLE PUNISHMENT.

**HOUSE BILL NO. 520**

**BY BUSINESS COMMITTEE**

**AN ACT**

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1223, IDAHO CODE, TO INCREASE THE NUMBER OF YEARS COLLEGE OR

UNIVERSITY FACULTY CAN TEACH ENGINEERING DESIGN WITHOUT A LICENSE, TO EXEMPT CERTAIN APPLICANTS FOR LICENSURE FROM EXAMINATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 521**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO SURVEYS; AMENDING SECTION 55-1904, IDAHO CODE, TO REQUIRE FILING OF A RECORD OF SURVEY WHICH RESULTS IN THE SETTING OF CERTAIN MONUMENTS AT CORNERS OF RECORD WITHIN A SPECIFIED TIME PERIOD.

**HOUSE BILL NO. 522**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO ORGANIZATION OF RECIPROCAL INSURERS; AMENDING SECTION 41-2908, IDAHO CODE, TO PROVIDE THAT A SUBSCRIBER TO A DOMESTIC RECIPROCAL INSURER PROPOSING TO TRANSACT WORKER'S COMPENSATION INSURANCE, WHICH SUBSCRIBER IS A CORPORATION, LIMITED LIABILITY COMPANY OR OTHER LEGAL ENTITY RECOGNIZED BY THE STATE OF IDAHO AS A SEPARATE ENTITY, SHALL BE CONSIDERED AS ONE SUBSCRIBER, REGARDLESS OF THE NUMBER OF ITS WHOLLY OWNED SUBSIDIARIES AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 523**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-104, IDAHO CODE, TO AUTHORIZE THE FISH AND GAME COMMISSION TO ASSESS A CERTAIN APPLICATION SURCHARGE TO IMPLEMENT, OPERATE AND MAINTAIN A BONUS OR PREFERENCE POINT CONTROLLED HUNT SYSTEM.

**HOUSE BILL NO. 524**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO NAVIGATIONAL AND NONNAVIGATIONAL ENCROACHMENTS; AMENDING SECTION 58-1312, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR THE PERMITTING OF EXISTING NAVIGATIONAL OR NONNAVIGATIONAL ENCROACHMENTS.

**HOUSE BILL NO. 525**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO NAVIGATIONAL AND NONNAVIGATIONAL ENCROACHMENTS; AMENDING SECTION 58-1302, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 526**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO NAVIGATIONAL AND NONNAVIGATIONAL ENCROACHMENTS; AMENDING SECTION 58-1307, IDAHO CODE, TO REVISE FEE AND COST PROVISIONS FOR CERTAIN PERMITS AND TO AUTHORIZE THE BOARD OF LAND COMMISSIONERS TO CHARGE SPECIFIED APPLICANTS THE ACTUAL COSTS OF PROCESSING APPLICATIONS IN THE EVENT THE ACTUAL COSTS EXCEED THE NONREFUNDABLE FEE.

**HOUSE BILL NO. 527**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO NAVIGATIONAL AND NONNAVIGATIONAL ENCROACHMENTS; AMENDING SECTION 58-1305, IDAHO CODE, TO PROVIDE FOR THE RECORDATION OF PERMITS ISSUED FOR NONCOMMERCIAL NAVIGATIONAL ENCROACHMENTS, TO PROVIDE FOR THE EFFECT OF RECORDATION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 58-1306, IDAHO CODE, TO PROVIDE FOR COMMUNITY NAVIGATIONAL ENCROACHMENTS, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE FOR APPLICATION PROCESS AND PROCEDURES RELATING TO COMMUNITY NAVIGATIONAL ENCROACHMENTS, TO PROVIDE FOR THE RECORDATION OF PERMITS ISSUED FOR NONNAVIGATIONAL ENCROACHMENTS, COMMERCIAL NAVIGATIONAL ENCROACHMENTS AND COMMUNITY NAVIGATIONAL ENCROACHMENTS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 528**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO NAVIGATIONAL AND NONNAVIGATIONAL ENCROACHMENTS; AMENDING SECTION 58-1305, IDAHO CODE, TO PROVIDE FOR THE PROCESSING OF APPLICATIONS RELATING TO CERTAIN NAVIGATIONAL ENCROACHMENTS NOT INTENDED PRIMARILY FOR COMMUNITY USE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 58-1306, IDAHO CODE, TO PROVIDE FOR COMMUNITY NAVIGATIONAL ENCROACHMENTS, TO CLARIFY TERMINOLOGY, TO PROVIDE FOR APPLICATION PROCESS AND PROCEDURES RELATING TO COMMUNITY NAVIGATIONAL ENCROACHMENTS, TO PROVIDE THAT APPLICATIONS FOR COMMUNITY NAVIGATIONAL ENCROACHMENTS MUST BE SUBMITTED OR APPROVED BY THE RIPARIAN OR LITTORAL OWNER, TO PROVIDE THAT CERTAIN FACTORS SHALL BE CONSIDERED IN GRANTING OR DENYING AN APPLICATION FOR A COMMUNITY NAVIGATIONAL ENCROACHMENT, TO CLARIFY TERMINOLOGY, TO PROVIDE THAT A PERMIT SHALL NOT BE REQUIRED FOR REPAIR OF AN EXISTING COMMUNITY NAVIGATIONAL ENCROACHMENT AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 529**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
 AN ACT

RELATING TO STATE-OWNED TIMBER; AMENDING SECTION 58-415, IDAHO CODE, TO REVISE MEASURING METHODS FOR THE SALE OF STATE-OWNED TIMBER.

**HOUSE BILL NO. 530**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO RETAIL SALES OF PSEUDOEPHEDRINE PRODUCTS; AMENDING TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 33, TITLE 37, IDAHO CODE, TO DEFINE TERMS, TO SET FORTH RETAILER REQUIREMENTS RELATING TO PSEUDOEPHEDRINE PRODUCTS, TO SET FORTH LIMITATIONS ON SALES AND PURCHASES, TO PROVIDE PENALTIES, TO PROVIDE FOR PREEMPTION AND TO PROVIDE APPLICATION.

**HOUSE BILL NO. 531**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO THE IDAHO STATE BOARD OF EDUCATION; AMENDING SECTION 33-120, IDAHO CODE, TO PERMIT THE BOARD TO ADOPT RULES TO IMPLEMENT A STUDENT INFORMATION MANAGEMENT SYSTEM, TO PROVIDE ACCESS TO THE SYSTEM AND TO PROVIDE DEFINITIONS; AMENDING SECTION 33-512, IDAHO CODE, TO REMOVE REFERENCE TO THE STUDENT INFORMATION MANAGEMENT SYSTEM; AMENDING SECTION 33-515, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1001, IDAHO CODE, TO REMOVE THE DEFINITION FOR THE STUDENT INFORMATION MANAGEMENT SYSTEM AND FOR RELATED DEFINITIONS; AND AMENDING SECTION 33-1004G, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 532**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO THE TRANSFER OF RESIDENTIAL REAL ESTATE; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 18, TITLE 63, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE THAT VOTERS IN A COUNTY MAY AUTHORIZE A RESIDENTIAL REAL ESTATE TRANSFER TAX IN THAT COUNTY, TO PROVIDE THE PERCENTAGE OF VOTERS REQUIRED FOR SUCH AUTHORIZATION, TO PROVIDE ADMINISTRATIVE REQUIREMENTS, TO PROVIDE FOR INITIATION OF AN ELECTION FOR A COUNTY RESIDENTIAL REAL ESTATE TRANSFER TAX, TO PROVIDE AN EFFECTIVE DATE, TO IMPOSE A RESIDENTIAL REAL ESTATE TRANSFER TAX IF AUTHORIZED, TO PROVIDE EXEMPTIONS TO THE RESIDENTIAL REAL ESTATE TRANSFER TAX, TO

PROVIDE COLLECTION PROCEDURES AND TO PROVIDE PENALTIES AND ENFORCEMENT; AMENDING CHAPTER 6, TITLE 55, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 55-616, 55-617, 55-618, 55-619, 55-620, 55-621 AND 55-622, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR A REPORT OF TRANSFERS OR CHANGE OF OWNERSHIP RECORDS, TO PROVIDE FOR PROPERTY TRANSFER CERTIFICATES, TO PROVIDE FOR EXEMPTIONS TO THE PROPERTY TRANSFER CERTIFICATE REQUIREMENT AND TO PROVIDE FOR A RESTRICTION ON THE DISCLOSURE OF INFORMATION; AND AMENDING SECTION 55-805, IDAHO CODE, TO REQUIRE THAT A PROPERTY TRANSFER CERTIFICATE MUST BE DELIVERED TO THE OFFICE OF THE COUNTY RECORDER AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING SEVERABILITY.

**H 519, H 520, H 521, H 522, H 523, H 524, H 525, H 526, H 527, H 528, H 529, H 530, H 531, and H 532** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 462** and **H 464**, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

**SJM 114**, by State Affairs Committee, was read the second time by title and filed for third reading.

**H 413**, by State Affairs Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**S 1305** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **S 1305** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring,

Ringo, Roberts, Rusche, Rydalch, Saylor, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 60.

NAYS -- Barrett, Crow, Loertscher, McKague, Sali, Wood. Total -- 6.

Absent and excused -- Bedke, Bradford, Schaefer, Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1305** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1306** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **S 1306** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Bradford, Schaefer, Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1306** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1307** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **S 1307** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini,

Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bedke, Bradford. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1307** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Thursday, February 2, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:46 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### TWENTY-FIFTH LEGISLATIVE DAY THURSDAY, FEBRUARY 2, 2006

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Black, Bradford. Total -- 2.

Total -- 70.

Prayer was offered by Representative Shirley.

The Pledge of Allegiance was led by Katrina Smith, Page.

### Approval of Journal

February 2, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-Fourth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

February 1, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

**H 403**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

**Report of Standing Committees**

February 2, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 32, H 519, H 520, H 521, H 522, H 523, H 524, H 525, H 526, H 527, H 528, H 529, H 530, H 531, and H 532.**

FIELD(18), Chairman

**HCR 32** and **H 531** were referred to the Education Committee.

**H 519** and **H 530** were referred to the Judiciary, Rules, and Administration Committee.

**H 520, H 521, and H 522** were referred to the Business Committee.

**H 523, H 524, H 525, H 526, H 527, H 528, and H 529** were referred to the Resources and Conservation Committee.

**H 532** was referred to the Revenue and Taxation Committee.

February 2, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 440.**

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 440**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 2, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 404** and **H 409** to the Governor at 1:40 p.m., as of this date, February 1, 2006.

FIELD(18), Chairman

February 1, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 451** and recommend that it do pass.

SCHAEFER, Chairman

**H 451** was filed for second reading.

February 2, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HJR 2** and recommend that it do pass.

DEAL, Chairman

**HJR 2** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**HOUSE JOINT MEMORIAL NO. 10  
BY RESOURCES AND CONSERVATION COMMITTEE  
A JOINT MEMORIAL**

TO THE UNITED STATES SECRETARY OF THE INTERIOR, TO THE GOVERNOR OF MONTANA, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF MONTANA IN THE CONGRESS OF THE UNITED STATES, TO THE GOVERNOR OF THE STATE OF IDAHO AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the U.S. Fish and Wildlife Service reintroduced the gray wolf into central Idaho with the goal of reestablishing a viable, self-sustaining population; and

WHEREAS, the U. S. Fish and Wildlife Service determined that the existence of 30 breeding pairs of wolves spread out over the states of Idaho, Montana and Wyoming for three consecutive years would constitute a recovered population; and

WHEREAS, the gray wolf populations of Idaho and Montana alone far exceed the aforementioned recovered population standard; and



WHEREAS, the states of Idaho and Montana have produced wolf conservation and management plans deemed adequate by the U. S. Fish and Wildlife Service; and

WHEREAS, the Wyoming state wolf management plan was rejected by the U. S. Fish and Wildlife Service; and

WHEREAS, the state of Wyoming and the federal government are litigating the U. S. Department of the Interior's decision to reject Wyoming's wolf management plan; and

WHEREAS, it could take years for this litigation to work its way through the courts.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature urges the Secretary of the Interior Gale Norton to meet with representatives from Idaho and Montana to consider and agree upon alternative strategies to immediately delist the gray wolf within Idaho and Montana as requested in the October 7, 2005, letter from Montana Governor Schweitzer and Idaho Governor Kempthorne to Secretary Norton.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the Secretary of the Interior Gale Norton, the Governor of Montana Brian Schweitzer, the congressional delegation representing the State of Montana in the Congress of the United States, the Governor of Idaho Dirk Kempthorne and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HOUSE JOINT MEMORIAL NO. 11**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, it is essential for the state of Idaho to monitor gray wolves and fulfill its obligations under the Wolf Recovery Plan approved by the Idaho Legislature in 2002, the U.S. Fish and Wildlife Service 10j rule of 2005, as well as maintain minimum counts as required by the Endangered Species Act, which also requires, prior to de-listing wolves, that the state have adequate regulatory mechanisms in place and recovery goals achieved; and

WHEREAS, because the state formally took over wolf management responsibilities on January 5, 2006, and due to the fact that the wolf population is now estimated in excess of 500 in 36 breeding pairs distributed across the state, it is critical for the state to gain a better understanding of pack activity and their use of the wilderness; and

WHEREAS, over the last decade, backpacking, horse packing, and using steel foothold traps in monitoring efforts have

proven largely unsuccessful in collaring wolves in the wilderness and the Department of Fish and Game wants to employ other techniques for obtaining information about wolves; and

WHEREAS, it is estimated that there are a minimum of eight packs of gray wolves currently using the wilderness areas that do not have radio monitoring collars, and radio telemetry is important to determine pack size, breeding success, rendezvous and denning sites as well as pack territory; and

WHEREAS, in early 2005, the state of Idaho requested permission from the U.S. Forest Service to allow the Department of Fish and Game to land helicopters in federally protected wilderness areas during the winter months when wilderness use is minimal, snow typically protects any underlying vegetation from damage during landings, and concentration of wolves is optimal for the purpose of monitoring in those areas; and

WHEREAS, if granted permission to land helicopters, the state of Idaho proposed collaring up to 16 gray wolves and this research activity would support Idaho's wolf recovery plan by providing information on wolf demographics and behavior, movement patterns, and activity sites within the wilderness; and

WHEREAS, use of aircraft, including helicopters, in wilderness areas is permitted only at established airstrips, or as minimally necessary for the administration of the area as a wilderness and this determination must be made by the U.S. Forest Service Regional Forester for the area through issuance of a special use permit; and

WHEREAS, the state worked with the U.S. Forest Service in completing a minimum requirements analysis that indicated that the use of a helicopter would be the minimum tool to accomplish the project objectives in comparison with the use of trappers traveling into the wilderness using established landing strips, by foot or by horseback during the summer months and locating, luring and trapping wolves via leg hold traps, a method that is less successful, requires significantly more time, and has a greater potential for damage to captured wolves; and

WHEREAS, on December 4, 2005, the Regional Forester published a Scoping Notice, consisting of a two-page summary of the proposal and the minimum requirements analysis, seeking public comment and, although expected to make a decision on January 10, 2006, the U.S. Forest Service Regional Forester has now delayed decision pending further analysis of public comments and issues related to the request; and

WHEREAS, this delay significantly hinders Idaho's efforts at monitoring during a time of year when wolves are easier to find, potentially forcing the state to deploy field efforts during the summer months when there is higher human use of the wilderness areas and catching wolves will be more intrusive.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, urging that the U.S. Forest Service enter a decision as soon as possible granting a special use permit allowing the Idaho Department of Fish and Game to land helicopters in wilderness areas as requested for the purpose of monitoring gray wolves in those areas which is essential for the state of Idaho to fulfill its obligations under the Idaho Wolf Recovery Plan of 2002, the U.S. Fish and Wildlife Service 10j rule of 2005, as well as requirements imposed by the Endangered Species Act.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HJM 10** and **HJM 11** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 533**

**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**

AN ACT

RELATING TO THE DEATH PENALTY; AMENDING SECTION 19-2515, IDAHO CODE, TO PROVIDE ADDITIONAL STATUTORY AGGRAVATING CIRCUMSTANCES; AND AMENDING SECTION 19-2515A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 534**

**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**

AN ACT

RELATING TO STATUTE OF LIMITATIONS; AMENDING SECTION 19-401, IDAHO CODE, TO REVISE THE CRIMES FOR WHICH NO STATUTE OF LIMITATIONS APPLIES; AND AMENDING SECTION 19-402, IDAHO CODE, TO REVISE STATUTE OF LIMITATIONS PROVISIONS FOR CERTAIN FELONIES.

**HOUSE BILL NO. 535**

**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**

AN ACT

RELATING TO SEXUAL OFFENDERS; AMENDING SECTION 18-8324, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISSEMINATION OF INFORMATION RELATING TO VIOLENT SEXUAL PREDATORS AND TO PROVIDE FOR THE DEPOSIT AND USE OF CERTAIN FEES.

**HOUSE BILL NO. 536**

**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**

AN ACT

RELATING TO HUMAN TRAFFICKING; AMENDING TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 85, TITLE 18, IDAHO CODE, TO SET FORTH LEGISLATIVE INTENT, TO DEFINE "HUMAN TRAFFICKING," TO PROVIDE PENALTIES, TO SET

FORTH RESTITUTION AND REHABILITATION PROVISIONS AND TO PROVIDE FOR HUMAN TRAFFICKING VICTIM PROTECTION.

**HOUSE BILL NO. 537**

**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**

AN ACT

RELATING TO SEXUAL OFFENDERS; AMENDING CHAPTER 3, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-318, IDAHO CODE, TO PROVIDE FOR SPLIT SENTENCES FOR SPECIFIED SEXUAL OFFENDERS AND TO PROVIDE FOR COMMUTATION OF SENTENCE FOR CERTAIN SEXUAL OFFENDERS; AMENDING SECTION 18-8308, IDAHO CODE, TO REVISE VERIFICATION OF ADDRESS PROVISIONS RELATING TO VIOLENT SEXUAL PREDATORS; AMENDING CHAPTER 83, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-8322A, IDAHO CODE, TO PROVIDE FOR MANDATORY ELECTRONIC MONITORING BY THE DEPARTMENT OF CORRECTION FOR VIOLENT SEXUAL PREDATORS ON PROBATION OR PAROLE; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 538**

**BY BUSINESS COMMITTEE**

AN ACT

RELATING TO LANDSCAPE ARCHITECTS; AMENDING SECTION 54-3003, IDAHO CODE, TO REVISE LICENSURE QUALIFICATIONS, TO REVISE EXAMINATION PROVISIONS, TO INCREASE EXAMINATION AND LICENSE FEES, TO PROVIDE THAT THE BOARD MAY RECOVER THE ACTUAL COSTS ASSOCIATED WITH AN APPLICANT'S REVIEW OF A FAILED EXAMINATION AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 539**

**BY BUSINESS COMMITTEE**

AN ACT

RELATING TO ARCHITECTS; AMENDING SECTION 54-303, IDAHO CODE, TO REVISE THE CONDUCT OF EXAMINATIONS; AMENDING SECTION 54-305, IDAHO CODE, TO PROVIDE FOR RESPONSIBLE CONTROL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-307, IDAHO CODE, TO PROVIDE FOR RESPONSIBLE CONTROL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-308, IDAHO CODE, TO SET FORTH WHEN AN ARCHITECT MAY SIGN AND SEAL TECHNICAL SUBMISSIONS AND OTHER WORK AND TO REQUIRE THAT CERTAIN TECHNICAL SUBMISSIONS BE MAINTAINED AND MADE AVAILABLE TO THE BOARD UPON REQUEST; AMENDING SECTION 54-309, IDAHO CODE, TO DEFINE TERMS AND TO PERMIT THE USE OF THE TITLE "ARCHITECT" IN CERTAIN CIRCUMSTANCES; AND AMENDING SECTION

54-310, IDAHO CODE, TO PROHIBIT PERSONS FROM AIDING OR ABETTING OTHERS IN THE UNLICENSED PRACTICE OF ARCHITECTURE IN THIS STATE.

**HOUSE BILL NO. 540**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE STATE BOARD OF MORTICIANS; AMENDING SECTION 54-1104, IDAHO CODE, TO EXEMPT CEMETERIES OR THEIR AUTHORIZED AGENTS SELLING VALUES OR BURIAL RECEPTACLES TO THE PUBLIC; AMENDING SECTION 54-1109, IDAHO CODE, TO REVISE REQUIREMENTS FOR A MORTICIAN'S LICENSE; AMENDING SECTION 54-1112, IDAHO CODE, TO REVISE REQUIREMENTS FOR RESIDENT TRAINEE LICENSES; REPEALING SECTION 54-1119, IDAHO CODE, RELATING TO THE AUTHORITY OF THE DEPARTMENT OF HEALTH AND WELFARE TO CONTROL HANDLING OF DEAD BODIES; AMENDING SECTION 54-1129, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 54-1130, IDAHO CODE, TO EXEMPT CERTAIN LICENSED INSURANCE AGENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1131, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 54-1132, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO REMOVE REFERENCES TO CEMETERY MERCHANDISE AND SERVICES, TO REQUIRE THE PRESENTATION OF LICENSES AND TO REQUIRE THE MAINTENANCE OF RECORDS; AMENDING SECTION 54-1133, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1134, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO PREARRANGEMENT TRUST FUND DEPOSITS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1136, IDAHO CODE, TO REVISE REQUIREMENTS APPLICABLE TO PERSONS ADVERTISING AND MARKETING PREARRANGEMENT SALES CONTRACTS; AMENDING SECTION 54-1137, IDAHO CODE, TO PROVIDE REFERENCES TO FUNERAL ESTABLISHMENTS OR CREMATORIES REPRESENTED BY SELLERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1138, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO REQUIRE FUNERAL ESTABLISHMENTS OR CREMATORIES THAT GO OUT OF BUSINESS OR SELL ASSETS TO DISCLOSE IN WRITING THE PARTICULARS OF THE CONTRACTS ENTERED INTO BY THEIR AGENTS; AND AMENDING SECTION 54-1142, IDAHO CODE, TO PROVIDE REFERENCES TO MORTICIANS AND TO MAKE GRAMMATICAL CORRECTIONS.

**HOUSE BILL NO. 541**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO STATE PARKS; AMENDING SECTION 67-4237, IDAHO CODE, TO PROVIDE THAT PARKING VIOLATIONS IN STATE PARKS SHALL BE ENFORCED BY QUALIFIED EMPLOYEES OF THE DEPARTMENT OF

PARKS AND RECREATION DELEGATED WITH ENFORCEMENT AUTHORITY BY THE DIRECTOR OF THE DEPARTMENT OF PARKS AND RECREATION.

**HOUSE BILL NO. 542**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO THE PARK AND RECREATION BOARD; AMENDING SECTION 57-1503, IDAHO CODE, TO PROVIDE THAT THE BOARD SHALL APPOINT THE WATERWAY IMPROVEMENT FUND ADVISORY COMMITTEE; AMENDING SECTION 67-4223, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE TERMS OF APPOINTMENT FOR THE RECREATIONAL VEHICLE ADVISORY COMMITTEE; AND AMENDING SECTION 67-7128, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE COMPENSATION OF THE OFF-ROAD MOTOR VEHICLE ADVISORY COMMITTEE AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 543**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO GOVERNANCE OF UTILITY TYPE VEHICLES; AMENDING SECTION 67-7101, IDAHO CODE, TO DEFINE "UTILITY TYPE VEHICLE"; AMENDING SECTION 67-7122, IDAHO CODE, TO GOVERN REGISTRATION REQUIREMENTS; AMENDING SECTION 67-7128, IDAHO CODE, TO PROVIDE REPRESENTATION ON THE OFF-ROAD MOTOR VEHICLE ADVISORY COMMITTEE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-105, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 49-122, IDAHO CODE, TO DEFINE "UTILITY TYPE VEHICLE"; AMENDING SECTION 49-501, IDAHO CODE, TO GOVERN TITLING REQUIREMENTS FOR UTILITY TYPE VEHICLES AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 49-1608, IDAHO CODE, TO PROVIDE APPLICATION TO DEALERS OF UTILITY TYPE VEHICLES AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 544**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO IRRIGATION DISTRICT ELECTIONS; AMENDING SECTION 43-111, IDAHO CODE, TO PROVIDE THAT THE NUMBER OF VOTES BE BASED ON ACRES OF ASSESSED LAND IF APPROVED BY A MAJORITY OF ELECTORS AND TO PROVIDE CLARIFICATION FOR CO-OWNERS OR MULTIPLE OWNERS OF PARCELS OF LAND; AND AMENDING SECTION 43-112, IDAHO CODE, TO PROVIDE A PROCEDURE FOR ELECTIONS IN IRRIGATION DISTRICTS HAVING ADOPTED A VOTING SYSTEM WHERE VOTES ARE BASED ON ACRES OF ASSESSED LAND AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 545****BY RESOURCES AND CONSERVATION COMMITTEE**

## AN ACT

RELATING TO WATER; AMENDING CHAPTER 14, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1406B, IDAHO CODE, TO PROVIDE FOR SPECIFIED NORTHERN IDAHO WATER RIGHTS ADJUDICATIONS; AMENDING SECTION 42-1414, IDAHO CODE, TO REVISE FEE PROVISIONS FOR FILING NOTICE OF CLAIMS WITH THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES; AND AMENDING SECTION 42-1425, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS RELATING TO ACCOMPLISHED TRANSFERS AND THE PUBLIC INTEREST REGARDING NORTHERN IDAHO ADJUDICATIONS, TO PROVIDE THAT CERTAIN CHANGES OF PLACE OF USE, POINTS OF DIVERSION, NATURE OR PURPOSE OF USE, OR PERIOD OF USE OF A WATER RIGHT MAY BE CLAIMED IN THE NORTHERN IDAHO ADJUDICATIONS AND TO PROVIDE FOR OBJECTIONS TO RECOMMENDATIONS FOR SPECIFIED ACCOMPLISHED CHANGES.

**HOUSE BILL NO. 546****BY RESOURCES AND CONSERVATION COMMITTEE**

## AN ACT

RELATING TO THE IDAHO WATER RESOURCE BOARD; AMENDING SECTION 42-1756, IDAHO CODE, TO REVISE CONDITIONS UNDER WHICH THE BOARD MAY APPROVE A LOAN FOR CERTAIN WATER PROJECT COSTS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 42-2042, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 547****BY EDUCATION COMMITTEE**

## AN ACT

RELATING TO THE STATE BOARD FOR PROFESSIONAL-TECHNICAL EDUCATION; AMENDING SECTION 33-2211, IDAHO CODE, TO PROVIDE ADDITIONAL RULEMAKING AUTHORITY; AND AMENDING SECTION 33-2303, IDAHO CODE, TO PERMIT THE BOARD TO ENTER INTO AGREEMENTS TO PROVIDE VOCATIONAL REHABILITATION SERVICES, TO PERMIT APPLICATIONS FOR APPROVAL AND CERTIFICATION OF SUCH SERVICES AND TO PROVIDE AUTHORITY REGARDING CERTIFICATIONS AND APPROVALS.

**H 533, H 534, H 535, H 536, H 537, H 538, H 539, H 540, H 541, H 542, H 543, H 544, H 545, H 546, and H 547** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

**H 462** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **H 462** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Boe, Bolz, Brackett, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- Cannon. Total -- 1.

Absent and excused -- Black, Block, Bradford. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 462** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 464** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 464** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Loertscher, Sali. Total -- 3.

Absent and excused -- Black, Block, Bradford. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 464** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**SJM 114** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Rydalch to open debate.

The question being, "Shall **SJM 114** be adopted?"

Whereupon the Speaker declared **SJM 114** adopted by voice vote and ordered the memorial returned to the Senate.

**H 413** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open debate.

The question being, "Shall **H 413** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Block, Bradford, Lake.

Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 413** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Denney moved that the House adjourn until 8 a.m., Friday, February 3, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:59 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

## TWENTY-SIXTH LEGISLATIVE DAY FRIDAY, FEBRUARY 3, 2006

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 63 members present.

Absent and excused -- Bradford, Crow, Deal, Loertscher, Schaefer, Smith, Wills. Total -- 7.

Total -- 70.

Prayer was offered by Representative Harwood.

The Pledge of Allegiance was led by Megan Lake, Page.

### Approval of Journal

February 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-fifth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 2, 2006

Mr. Speaker:

I transmit herewith **S 1275, S 1296, S 1297, S 1329, S 1330,** and **S 1308** which have passed the Senate.

WOOD, Secretary

**S 1275, S 1296, S 1297, S 1329, S 1330,** and **S 1308** were filed for first reading.

### Report of Standing Committees

February 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 10, HJM 11, H 533, H 534, H 535, H 536, H 537, H 538, H 539, H 540, H 541, H 542, H 543, H 544, H 545, H 546,** and **H 547.**

FIELD(18), Chairman

**H 533, H 534, H 535, H 536,** and **H 537** were referred to the Judiciary, Rules, and Administration Committee.

**H 538, H 539,** and **H 540** were referred to the Business Committee.

**H 541, H 542, H 544, H 545, and H 546** were referred to the Resources and Conservation Committee.

**H 543** was referred to the Transportation and Defense Committee.

**H 547** was referred to the Education Committee.

**HJM 10 and HJM 11** were filed for second reading.

February 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1255** and recommend it be referred to the Environment, Energy, and Technology Committee.

FIELD(18), Chairman

**S 1255** was referred to the Environment, Energy, and Technology Committee.

February 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1256** and recommend it be referred to the Business Committee.

FIELD(18), Chairman

**S 1256** was referred to the Business Committee.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**S 1275, S 1296, and S 1297**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1308**, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

**S 1329 and S 1330**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 451**, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

**HJR 2**, by State Affairs Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Monday, February 6, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:16 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**TWENTY-NINTH LEGISLATIVE DAY  
MONDAY, FEBRUARY 6, 2006**

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Raybould.

The Pledge of Allegiance was led by Tiffani Sessions, Page.

**Approval of Journal**

February 6, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-sixth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

February 3, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1305, S 1306, and S 1307** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1305, S 1306, and S 1307** and, when so signed, ordered them returned to the Senate.

February 3, 2006

Mr. Speaker:

I return herewith enrolled **H 440** which has been signed by the President.

WOOD, Secretary

Enrolled **H 440** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 3, 2006

Mr. Speaker:

I transmit herewith **S 1264** which has passed the Senate.

WOOD, Secretary

**S 1264** was filed for first reading.

### Report of Standing Committees

February 6, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 435** and **H 436** and recommend that they do pass.

DEAL, Chairman

**H 435** and **H 436** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 33 BY EDUCATION COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE RELATING TO CIVIC AND HISTORICAL EDUCATION AND URGING THE SECRETARY OF STATE TO CONVENE A SUMMIT FOR CIVIC AND HISTORICAL LEARNING, PROVIDING COMPOSITION OF THE COMMITTEE AND REQUIRING A REPORT.

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

WHEREAS, civic and historical learning encourages young people to be thoughtful and productive members of their communities and future leaders of the state; and

WHEREAS, it is crucial to the future health of our republic form of government that all young people be knowledgeable about democratic principles and practices of a republic form of government and the rule of law, be engaged in their communities and in politics, and be committed to individual freedom which will ensure the public good; and

WHEREAS, on the National Assessment of Educational Progress in 1998, only twenty-five percent of students at the upper elementary and secondary levels were proficient in civics and government; and

WHEREAS, nationally, under twenty percent of eligible 18 to 25 year-olds voted in the 2004 presidential election; and

WHEREAS, according to "The Civic and Political Health of the Nation: A Generational Portrait" nearly one-half of 15 to 25 year-olds indicate that civic education increases their interest and participation in civic affairs; and

WHEREAS, individuals who have a clear understanding of the rights and responsibilities of citizenship in a republic form of government under the rule of law are more likely to exercise those rights and responsibilities to be competent and responsible citizens; and

WHEREAS, the need for civic and historical learning in our state is crucial to the long-term social and political health of the state and is a part of the thoroughness in education provided in section 33-1612, Idaho Code; and

WHEREAS, the eight principles of thoroughness are: a safe environment conducive to learning is provided; educators are empowered to maintain classroom discipline; the basic values of honesty, self-discipline, unselfishness, respect for authority and the central importance of work are emphasized; the skills necessary to communicate effectively are taught; a basic curriculum necessary to enable students to enter academic or professional-technical postsecondary educational programs is provided; the skills necessary for students to enter the work force are taught; the students are introduced to current technology; and the importance of students acquiring the skills to enable them to be responsible citizens of their homes, schools and communities is emphasized.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Secretary of State, with the assistance of the Department of Education, is urged to establish a committee to convene a Summit for Civic and Historical Learning at Boise State University with a goal of determining a strategy for enhancing long-term civic engagement and learning within the state, and recommending a plan for improving civic engagement and learning to the First Regular Session of the Fifty-ninth Idaho Legislature.

BE IT FURTHER RESOLVED that the committee should be composed of a diverse range of student, teacher and administrator representatives from grades K through 12 and postsecondary education, media, civic organizations, and elected officials, and shall be facilitated by the Department of Education's Office of Civics, Service, Character and International Education.

BE IT FURTHER RESOLVED that the committee shall report its findings and recommendations for future action to the Office of the Secretary of State and the Office of the Superintendent of Public Instruction no later than December 1, 2006.

**HCR 33** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 548  
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION 54-1009, IDAHO CODE, TO AUTHORIZE THE ADMINISTRATOR TO REVOKE OR SUSPEND LICENSES IF A LICENSEE FAILS TO MAINTAIN REQUIRED INSURANCE DURING THE TERM OF ACTIVE LICENSURE AND TO MAKE TECHNICAL CHANGES; AND AMENDING SECTION 54-1013, IDAHO CODE, TO PROVIDE DESCRIPTIVE LANGUAGE AND TO SET FORTH PROVISIONS APPLICABLE TO INACTIVE LICENSES.

**HOUSE BILL NO. 549  
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION 54-1008, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE DURATION OF LICENSES; REPEALING SECTION 54-1013A, IDAHO CODE, RELATING TO THE RENEWAL OF CERTAIN LICENSES; AND AMENDING SECTION 54-1014, IDAHO CODE, TO REMOVE OBSOLETE CODE REFERENCES.

**HOUSE BILL NO. 550  
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO THE IDAHO ELEVATOR SAFETY CODE ACT; AMENDING CHAPTER 86, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-8623, IDAHO CODE, TO ESTABLISH THE IDAHO ELEVATOR SAFETY FUND AND TO PROVIDE FOR THE APPROPRIATION OF MONEYS IN THE FUND.

**HOUSE BILL NO. 551  
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO PUBLIC WORKS CONTRACTORS; AMENDING SECTION 54-1904, IDAHO CODE, TO REVISE LICENSING FEES.

**HOUSE BILL NO. 552  
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO THE DIVISION OF BUILDING SAFETY; AMENDING SECTION 39-4107, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE BUILDING CODE BOARD; AMENDING SECTION 39-4109, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE APPLICATION OF CODES AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 39-4116, IDAHO CODE, TO REMOVE A DATE REFERENCE AND TO REVISE APPLICABLE BUILDING CODES.

**HOUSE BILL NO. 553  
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO VOCATIONAL APPRENTICESHIP TRAINING PROGRAMS; AMENDING SECTION 54-1006, IDAHO CODE, TO REQUIRE THE IDAHO ELECTRICAL BOARD TO PRESCRIBE RULES PROVIDING FOR THE CURRICULUM TO BE USED IN APPRENTICESHIP TRAINING PROGRAMS, THE QUALIFICATIONS NECESSARY TO ATTAIN JOURNEYMAN STATUS AND SUCH OTHER QUALIFICATIONS DEEMED NECESSARY BY THE BOARD AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2606, IDAHO CODE, TO REQUIRE THE IDAHO PLUMBING BOARD TO ESTABLISH BY RULE THE CURRICULUM TO BE USED IN APPRENTICESHIP TRAINING PROGRAMS, THE QUALIFICATIONS NECESSARY TO ATTAIN JOURNEYMAN STATUS AND SUCH OTHER QUALIFICATIONS DEEMED NECESSARY BY THE BOARD; AND AMENDING SECTION 54-5005, IDAHO CODE, TO REQUIRE THE IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD TO ESTABLISH BY RULE THE CURRICULUM TO BE USED IN APPRENTICESHIP TRAINING PROGRAMS, THE QUALIFICATIONS NECESSARY TO ATTAIN JOURNEYMAN STATUS AND SUCH OTHER QUALIFICATIONS DEEMED NECESSARY BY THE BOARD AND TO REFORMAT THE SECTION.

**HOUSE BILL NO. 554  
BY BUSINESS COMMITTEE**

AN ACT

RELATING TO THE DIVISION OF BUILDING SAFETY; AMENDING THE HEADING FOR CHAPTER 40, TITLE 39, IDAHO CODE; AMENDING SECTION 39-4001, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-4002, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 39-4003, IDAHO CODE, TO REVISE TERMINOLOGY, TO REVISE DUTIES OF THE ADMINISTRATOR AND TO UPDATE REFERENCES TO APPLICABLE STANDARDS; AMENDING SECTION 39-4003A, IDAHO CODE, TO REVISE TERMINOLOGY AND TO UPDATE REFERENCES TO FEDERAL REGULATIONS; AMENDING SECTION 39-4004, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 39-4006, IDAHO CODE, RELATING TO A PROHIBITION ON THE CONVERSION OF SYSTEMS FOLLOWING ISSUANCE OF INSIGNIA; REPEALING SECTION 39-4008, IDAHO CODE, RELATING TO EXEMPTIONS FOR MANUFACTURED HOMES FROM LOCAL ORDINANCES OR REGULATIONS; REPEALING SECTION 39-4009, IDAHO CODE, RELATING TO PERSONS AUTHORIZED TO SUPERVISE THE INSTALLATION OF PLUMBING, HEAT PRODUCING AND ELECTRICAL SYSTEMS IN MANUFACTURED HOMES; AND AMENDING SECTION 67-2601, IDAHO CODE, TO PROVIDE CODE REFERENCES, TO REFERENCE DEPUTY



ADMINISTRATORS, TO REMOVE A REFERENCE TO RECREATIONAL VEHICLES AND TO MAKE TECHNICAL CHANGES.

**HOUSE BILL NO. 555**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO EMINENT DOMAIN; AMENDING CHAPTER 7, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-701A, IDAHO CODE, TO PROVIDE LIMITATIONS ON EMINENT DOMAIN FOR PRIVATE PARTIES, URBAN RENEWAL OR ECONOMIC DEVELOPMENT PURPOSES AND TO PROVIDE FOR REVIEW AT JUDICIAL PROCEEDINGS INVOLVING THE EXERCISE OF THE POWER OF EMINENT DOMAIN.

**HOUSE BILL NO. 556**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO MONEYS CONTRIBUTED TO A POLITICAL CAMPAIGN; REPEALING SECTION 67-6610C, IDAHO CODE, RELATING TO USE OF CONTRIBUTIONS FOR CERTAIN PURPOSES BY A CANDIDATE OR OFFICEHOLDER; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6610C, IDAHO CODE, TO ENUMERATE PERMITTED AND NONPERMITTED USES OF A CONTRIBUTION ACCEPTED BY A CANDIDATE; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 557**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PUBLIC UTILITY PROPERTY NOT PROVIDING UTILITY SERVICE; AMENDING SECTION 61-502A, IDAHO CODE, TO PROVIDE THAT, EXCEPT UPON ITS FINDING THAT THE PUBLIC INTEREST WILL BE SERVED THEREBY, THE PUBLIC UTILITIES COMMISSION IS PROHIBITED IN ANY ORDER FROM SETTING RATES FOR ANY UTILITY THAT GRANTS A RETURN ON CONSTRUCTION WORK IN PROGRESS OR ON PROPERTY HELD FOR FUTURE USE AND WHICH IS NOT CURRENTLY USED AND USEFUL IN PROVIDING UTILITY SERVICE, TO DELETE REFERENCE TO SHORT-TERM CONSTRUCTION WORK IN PROGRESS AND TO PROVIDE IF THE COMMISSION SETS RATES FOR ANY UTILITY INCLUDING A RETURN ON PROPERTY HELD FOR FUTURE USE AND SUBSEQUENTLY DETERMINES THAT SUCH PROPERTY IS NOT NEEDED TO PROVIDE UTILITY SERVICE, THEN ANY GAIN OR LOSS OCCURRING FROM THE SALE OR OTHER DISPOSITION OF THE PROPERTY WILL BE INCLUDED IN THE UTILITY'S RATES.

**H 548, H 549, H 550, H 551, H 552, H 553, H 554, H 555, H 556, and H 557** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1264**, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**HJM 10** and **HJM 11**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

**S 1329** and **S 1330**, by Finance Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Schaefer asked unanimous consent that **H 451** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**HJR 2** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

The question being, "Shall **HJR 2** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Nonini, Raybould, Roberts, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 53.

NAYS -- Boe, Henbest, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Saylor, Skippen, Smith(30), Trail. Total -- 17.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, **HJR 2** passed the House. Title was approved and the resolution was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, February 7, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 1 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**THIRTIETH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 7, 2006**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused -- Bradford. Total -- 1.  
Total -- 70.

Prayer was offered by Representative Saylor.

The Pledge of Allegiance was led by Johanna Roberts, Page.

**Approval of Journal**

February 7, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-ninth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

February 6, 2006

Mr. Speaker:

I transmit herewith enrolled **SJM 114** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **SJM 114** and, when so signed, ordered it returned to the Senate.

February 6, 2006

Mr. Speaker:

I transmit herewith **S 1302**, **S 1303**, and **S 1311** which have passed the Senate.

WOOD, Secretary

**S 1302**, **S 1303**, and **S 1311** were filed for first reading.

**Report of Standing Committees**

February 7, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 33**, **H 548**, **H 549**, **H 550**, **H 551**, **H 552**, **H 553**, **H 554**, **H 555**, **H 556**, and **H 557**.

FIELD(18), Chairman

**HCR 33** was referred to the Education Committee.

**H 548**, **H 549**, **H 550**, **H 551**, **H 552**, **H 553**, and **H 554** were referred to the Business Committee.

**H 555**, **H 556**, and **H 557** were referred to the State Affairs Committee.

February 7, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 440** to the Governor at 1:11 p.m., as of this date, February 6, 2006.

FIELD(18), Chairman

February 6, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 517** and recommend that it do pass.

WOOD, Chairman

**H 517** was filed for second reading.

February 7, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 453**, **H 454**, **H 434**, **H 488**, and **H 477** and recommend that they do pass.

DEAL, Chairman

**H 453**, **H 454**, **H 434**, **H 488**, and **H 477** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**HOUSE JOINT MEMORIAL NO. 12  
BY AGRICULTURAL AFFAIRS COMMITTEE**

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, since the beginning of time, the ability of man to provide food, fiber, and fuel for himself and others has determined his independence, freedom, and security; and

WHEREAS, when man began to colonize, the strength of each and every colony was directly related to his ability to provide a safe and reliable source of food, fiber, and fuel for his people; and

WHEREAS, when nations began to form, only nations with such ability rose to the top and since then many have fallen because they lost such ability; and

WHEREAS, agriculture is and will continue to be a fundamental and vital industry in Idaho, our nation, and the entire world; and

WHEREAS, a strong and viable agricultural industry is a very important part of our national security and overall well-being; and

WHEREAS, the primary source of funding for building schools, roadways, fire stations, and providing police protection in our rural communities comes from the taxes generated by agriculture and other natural resource industries; and

WHEREAS, American farmers, ranchers, and food processors are held by federal, state, and local laws to meet the highest standards in the world when it comes to environmental protection, worker safety, wage rates, and food safety concerns; and

WHEREAS, the family farm unit is the foundation of agriculture and one of the basic strengths of this nation.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge that American farmers, ranchers, and food processors be enabled to compete freely and trade fairly in foreign markets on a strictly level playing field.

BE IT FURTHER RESOLVED, that because of the importance of the standards to which American producers and food processors are held, primarily standards concerning food safety, we urge that foreign countries wishing to participate in markets that lie within the boundaries of the United States be held to the same standards.

BE IT FURTHER RESOLVED, when determining the economic values of international trade agreements, we urge that these standards be quantified and considered in such determinations.

BE IT FURTHER RESOLVED, that we encourage the education of the general public as to the importance of the role agriculture plays in the development of a society, recognizing that such public education is critical in the preservation and

strengthening of the family farm unit and the overall preservation and strengthening of the agricultural industry itself.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HJM 12** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 558  
BY LOCAL GOVERNMENT COMMITTEE  
AN ACT**

RELATING TO DISTRICT HEALTH BOARDS OF TRUSTEES; AMENDING SECTION 39-411, IDAHO CODE, TO PROVIDE MINIMUM AND MAXIMUM NUMBER OF MEMBERS FOR BOARDS OF TRUSTEES FOR DISTRICT BOARDS OF HEALTH AND TO REVISE TERMS OF OFFICE FOR ORGANIZATION PURPOSES.

**HOUSE BILL NO. 559  
BY LOCAL GOVERNMENT COMMITTEE  
AN ACT**

RELATING TO CITIES; AMENDING SECTION 50-609, IDAHO CODE, TO PROVIDE THAT THE MAYOR OF A CITY IS HEREBY AUTHORIZED TO CALL ON EVERY RESIDENT IN THE CITY OVER TWENTY-ONE YEARS OF AGE TO AID IN ENFORCING THE LAWS.

**HOUSE BILL NO. 560  
BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO RULES OF THE ROAD; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-624, IDAHO CODE, TO PROVIDE FOR THE DUTY OF A DRIVER OF A MOTOR VEHICLE UPON APPROACHING A STATIONARY POLICE VEHICLE OR AN AUTHORIZED EMERGENCY VEHICLE DISPLAYING FLASHING LIGHTS.

**HOUSE BILL NO. 561  
BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-1002, IDAHO CODE, TO REVISE THE CRITERIA FOR MAXIMUM ALLOWABLE LOAD FOR ANY

VEHICLE TIRE OPERATED ON ANY PUBLIC HIGHWAY, TO PROVIDE NONAPPLICATION TO NONREDUCIBLE OVERWEIGHT AND/OR OVERSIZE VEHICLES AND/OR LOADS AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 562**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO USE OF DEALER AND MANUFACTURER LICENSE PLATES; AMENDING SECTION 49-1627, IDAHO CODE, TO PROVIDE THAT DEALER AND MANUFACTURER PLATES MAY BE USED ON LADEN VEHICLES OPERATED BY THE MANUFACTURER, DEALER OR HIS LICENSED VEHICLE SALESMAN, IN CONNECTION WITH THE MANUFACTURER'S OR DEALER'S BUSINESS AND TO PROVIDE THAT A DEALER PLATE MAY BE USED ON A LADEN VEHICLE OR TRAILER IN CONNECTION WITH A MANUFACTURER'S OR DEALER'S BUSINESS TO MOVE VEHICLES OR TRAILERS FROM A MANUFACTURER TO A DEALER, FROM DEALERSHIP TO DEALERSHIP OR FROM A DEALERSHIP TO OFF-SITE LOCATIONS IN PROMOTION OF THE DEALER'S BUSINESS.

**HOUSE BILL NO. 563**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO ACUPUNCTURE; AMENDING SECTION 54-4703, IDAHO CODE, TO REVISE LICENSE REQUIREMENTS; AND AMENDING SECTION 54-4707, IDAHO CODE, TO REVISE CERTIFICATION REQUIREMENTS.

**HOUSE BILL NO. 564**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO OPTOMETRISTS; AMENDING SECTION 54-1506, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO PROVIDE FOR THE DEPOSIT AND DISTRIBUTION OF FEES AND TO INCREASE THE ANNUAL FEE FOR LICENSE RENEWAL; REPEALING SECTION 54-1507, IDAHO CODE, RELATING TO ADDITIONAL LICENSE FEES; AND AMENDING SECTION 54-1508, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING THE COMPENSATION OF BOARD MEMBERS FROM CERTAIN MONEYS.

**HOUSE BILL NO. 565**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE IDAHO RESIDENTIAL CARE ADMINISTRATORS ACT; AMENDING SECTION 54-4208, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO EDUCATIONAL PROGRAMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-4211, IDAHO CODE, TO REMOVE LANGUAGE PROVIDING FOR THE ISSUANCE OF RESIDENTIAL CARE FACILITY

ADMINISTRATOR LICENSES TO CERTAIN INDIVIDUALS; AND AMENDING SECTION 54-4213, IDAHO CODE, TO REVISE GROUNDS FOR DISCIPLINARY ACTION.

**HOUSE BILL NO. 566**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO PSYCHOLOGISTS; AMENDING SECTION 54-2315, IDAHO CODE, TO INCREASE THE MAXIMUM ALLOWABLE FEE FOR LICENSE RENEWALS.

**HOUSE BILL NO. 567**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE COMMISSION ON AGING; AMENDING SECTION 67-5008, IDAHO CODE, TO INCLUDE THE OMBUDSMAN PROGRAM AS ONE FOR WHICH GRANTS OR CONTRACTS MAY BE UTILIZED.

**HOUSE BILL NO. 568**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
AN ACT

RELATING TO AGRICULTURAL FIELD BURNING; AMENDING SECTION 9-340D, IDAHO CODE, TO PROVIDE THAT A PUBLIC RECORDS EXEMPTION SHALL NOT APPLY TO CERTAIN INFORMATION RELATING TO AGRICULTURAL FIELD BURNING AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 22-4803, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL PROVIDE ADVANCE NOTICE AND SHALL POST INFORMATION REGARDING AGRICULTURAL FIELD BURNING.

**HOUSE BILL NO. 569**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY TAXATION; REPEALING SECTION 63-602FF, IDAHO CODE, RELATING TO PARTIAL EXEMPTION FOR PARCELS OF LAND IN A RURAL HOME SITE DEVELOPMENT PLAT; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602JJ, IDAHO CODE, TO EXEMPT THE SPECULATIVE PORTION OF EACH VACANT SUBDIVISION OR PLANNED UNIT DEVELOPMENT LOT FROM PROPERTY TAXATION UNTIL IMPROVEMENTS ARE BEING BUILT ON THE LOT OR IT IS SOLD OR TRANSFERRED TO AN UNRELATED ENTITY AND TO PROVIDE DEFINITIONS; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**HOUSE BILL NO. 570**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 9-337, IDAHO CODE, TO DEFINE "APPLICANT" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 9-340C, IDAHO CODE, TO PROVIDE THAT AN APPLICANT'S

NAME SHALL BE DISCLOSED TO THE PUBLIC ONLY UNDER CERTAIN CONDITIONS; AND AMENDING SECTION 67-5241, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 571**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO VETERANS; AMENDING CHAPTER 5, TITLE 65, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 65-501, IDAHO CODE, TO PROVIDE A STATEMENT OF PURPOSE; AMENDING CHAPTER 5, TITLE 65, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 65-502, IDAHO CODE, TO DEFINE TERMS; REPEALING SECTION 65-503, IDAHO CODE, RELATING TO GROUNDS FOR REFUSING EMPLOYMENT OR DISCHARGING FROM EMPLOYMENT; AMENDING SECTION 65-502, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO THE PREFERENCE GIVEN TO QUALIFIED VETERANS, SPOUSES, WIDOWS AND WIDOWERS BY PUBLIC EMPLOYERS; AMENDING SECTION 65-506, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO THE BASIC PREFERENCE AND THE ADDITION OF POINTS TO COMPETITIVE EXAMINATION RATINGS; AMENDING SECTION 65-504, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO OBSERVANCE BY OFFICIALS OF THE PREFERENCE AND EXCEPTIONS; AMENDING SECTION 65-505, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS APPLICABLE TO THE FAILURE OR REFUSAL TO GIVE PREFERENCE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 65-507, IDAHO CODE, DEFINING "DISABLED VETERAN"; AMENDING SECTION 65-508, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS RELATING TO APPLICATION; AMENDING CHAPTER 5, TITLE 65, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 65-508, IDAHO CODE, TO PROVIDE FOR REEMPLOYMENT AND LEAVES OF ABSENCE; REPEALING SECTION 65-509, IDAHO CODE, DEFINING "VETERAN" AND REPEALING SECTION 65-510, IDAHO CODE, RELATING TO DEFINITIONS; AMENDING SECTION 65-501, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 65-515, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY; REPEALING SECTION 65-511, IDAHO CODE, RELATING TO REEMPLOYMENT RIGHTS OF PUBLIC EMPLOYEES CALLED FOR MILITARY DUTY, REPEALING SECTION 65-512, IDAHO CODE, RELATING TO RIGHTS AFTER REINSTATEMENT, REPEALING SECTION 65-513, IDAHO CODE, RELATING TO LEAVES OF ABSENCE FOR PUBLIC EMPLOYEES WHO ARE NOT ACCEPTED FOR MILITARY DUTY AND REPEALING SECTION 65-514, IDAHO CODE, RELATING TO ENFORCEMENT; AMENDING CHAPTER 5, TITLE 65, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 65-511, IDAHO CODE, TO PROVIDE SEVERABILITY;

AMENDING SECTION 67-5302, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 67-5309, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE RULES OF THE DIVISION OF HUMAN RESOURCES AND THE PERSONNEL COMMISSION; AND AMENDING SECTION 49-123, IDAHO CODE, TO REVISE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 572**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO COUNTY APPORTIONMENT OF FOREST RESERVE FUNDS; AMENDING SECTION 57-1303, IDAHO CODE, TO REVISE THE DISTRIBUTION FORMULA FOR FOREST RESERVE FUNDS RECEIVED BY SCHOOL DISTRICTS WITHIN A COUNTY RECEIVING FOREST RESERVE FUNDS, TO DELETE AN ARCHAIC TERM AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 573**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO LEGISLATIVE DISTRICT CENTRAL COMMITTEES; AMENDING SECTION 34-503, IDAHO CODE, TO PROVIDE THAT THE PRECINCT COMMITTEEMEN WITHIN EACH LEGISLATIVE DISTRICT SHALL MEET WITHIN THE LEGISLATIVE DISTRICT OR AT A CONVENIENT LOCATION IN A COUNTY CONTIGUOUS TO THE LEGISLATIVE DISTRICT, WITHIN ELEVEN DAYS AFTER THE PRIMARY ELECTION.

**HOUSE BILL NO. 574**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO IDAHO STATE VETERANS HOMES; AMENDING SECTION 66-901, IDAHO CODE, TO PROVIDE FOR ADMISSION TO AN IDAHO STATE VETERANS HOME TO THE SPOUSES OF ELIGIBLE VETERANS AND TO DEFINE "SPOUSE."

**H 558, H 559, H 560, H 561, H 562, H 563, H 564, H 565, H 566, H 567, H 568, H 569, H 570, H 571, H 572, H 573, and H 574** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1302, S 1303, and S 1311**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 435 and H 436**, by State Affairs Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Denney asked unanimous consent that all bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Wednesday, February 8, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:26 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**THIRTY-FIRST LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 8, 2006**

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused -- Bradford. Total -- 1.  
Total -- 70.

Prayer was offered by Representative Boe.

The Pledge of Allegiance was led by Catherine Hendrickson, Page.

**Approval of Journal**

February 8, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirtieth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

February 7, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 404 and H 409**

/s/ Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

**Report of Standing Committees**

February 8, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 12, H 558, H 559, H 560, H 561, H 562, H 563, H 564, H 565, H 566, H 567, H 568, H 569, H 570, H 571, H 572, H 573, and H 574.**

FIELD(18), Chairman

**HJM 12 and H 568** were referred to the Agricultural Affairs Committee.

**H 558 and H 559** were referred to the Local Government Committee.

**H 560, H 561, and H 562** were referred to the Transportation and Defense Committee.

**H 563, H 564, H 565, H 566, and H 567** were referred to the Health and Welfare Committee.

**H 569** was referred to the Revenue and Taxation Committee.

**H 570, H 571, H 572, H 573, and H 574** were referred to the State Affairs Committee.

February 8, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 414, H 415, and H 556** and recommend that they do pass.

DEAL, Chairman

**H 414, H 415, and H 556** were filed for second reading.

February 8, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 422** and recommend that it do pass.

CROW, Chairman

**H 422** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE JOINT MEMORIAL NO. 13

##### BY EDUCATION COMMITTEE

##### A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the goal of the No Child Left Behind Act (NCLB), moving all students to proficiency in reading, language and mathematics by 2014, is laudable; and

WHEREAS, that goal can best be achieved by providing the Idaho kindergarten through twelfth grade public education system the flexibility to capitalize on Idaho's unique resources and population; and

WHEREAS, Idaho has been a national leader in school improvement reform as exemplified by the passage of the Idaho Reading Initiative, the creation of academic standards, the alignment of Idaho public school curricula, and the creation of the Idaho Standards Achievement Test (ISAT); and

WHEREAS, Idaho applauds and supports the implementation and expansion of Secretary Spellings' flexibility framework for new NCLB policy announced April 7, 2005, including the implementation of pilot programs to study use of growth models in calculating Adequate Yearly Progress (AYP); and

WHEREAS, education stakeholders in Idaho are committed to providing the best public education possible for our children; and

WHEREAS, providing a quality education requires that certain aspects of NCLB be further enhanced.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the Congress to support federal legislation that will address the following:

- (1) Correcting difficulties in the calculation of AYP;
- (2) Providing states the flexibility to effectively and efficiently use resources by targeting sanctions to students who actually need assistance;

(3) Providing states local control over their education systems by allowing waivers to accommodate high-quality state accountability systems, including the use of measures of progress;

(4) Providing states more individualized measures of success in calculating AYP for students with disabilities and limited English proficient students; and

(5) Placing funding triggers in the federal program so that the most costly sanctions are not implemented in any year in which Congress does not provide adequate funding to states.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HJM 13** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 575

##### BY APPROPRIATIONS COMMITTEE

##### AN ACT

RELATING TO MINES AND MINING BONDS; AMENDING SECTION 47-1513, IDAHO CODE, TO DELETE LANGUAGE THAT PROVIDED ANY UNENCUMBERED AND UNEXPENDED BALANCES IN THE SURFACE MINING RECLAMATION FUND AND THE CYANIDATION FACILITY CLOSURE FUND REMAINING AT THE END OF A FISCAL YEAR SHALL NOT LAPSE BUT SHALL BE CARRIED FORWARD UNTIL EXPENDED OR MODIFIED BY SUBSEQUENT STATUTE; AND AMENDING SECTION 47-1703, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION AND TO DELETE LANGUAGE THAT PROVIDED ANY UNENCUMBERED AND UNEXPENDED BALANCE OF THE ABANDONED MINE RECLAMATION FUND REMAINING AT THE END OF A FISCAL YEAR SHALL NOT LAPSE BUT SHALL BE CARRIED FORWARD FOR THE PURPOSES OF THE STATUTE ON ABANDONED MINES UNTIL EXPENDED OR UNTIL MODIFIED BY SUBSEQUENT STATUTE.

#### HOUSE BILL NO. 576

##### BY RESOURCES AND CONSERVATION COMMITTEE

##### AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-201, IDAHO CODE, TO REVISE FILING REQUIREMENTS RELATING TO WRITTEN NOMINATIONS FOR THE OFFICE OF DIRECTOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 43-401, IDAHO CODE, TO REVISE PUBLICATION REQUIREMENTS RELATING TO NOTICES OF CERTAIN IRRIGATION DISTRICT ELECTIONS; AND AMENDING SECTION 43-1808, IDAHO CODE, TO REVISE

PROVISIONS RELATING TO ELECTIONS INVOLVING THE QUESTION OF A CONTRACT BETWEEN A DISTRICT AND THE UNITED STATES.

**HOUSE BILL NO. 577**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1349A, IDAHO CODE, TO PROVIDE ADDITIONAL METHODS FOR CHARGING BENEFITS ATTRIBUTABLE TO COST REIMBURSEMENT EMPLOYERS; AMENDING SECTION 72-1366, IDAHO CODE, TO PROVIDE FOR REPAYMENT OF ANY BENEFITS RECEIVED AS A RESULT OF HAVING WILLFULLY MADE A FALSE STATEMENT OR WILLFULLY FAILED TO REPORT A MATERIAL FACT; AMENDING SECTION 9-340C, IDAHO CODE, TO DEFINE EMPLOYMENT SECURITY INFORMATION AND TO PROVIDE THAT THE IDENTITY OF AN INFORMANT WHO REPORTS A SUSPECTED VIOLATION OF THE EMPLOYMENT SECURITY LAW TO THE DEPARTMENT OF COMMERCE AND LABOR UNDER AN ASSURANCE OF CONFIDENTIALITY SHALL NOT BE DISCLOSED; AMENDING SECTION 63-3077A, IDAHO CODE, TO CLARIFY THAT THE STATE TAX COMMISSION AND THE DEPARTMENT OF COMMERCE AND LABOR MAY EXCHANGE CERTAIN INFORMATION AND TO PROVIDE THAT AMOUNTS OWED FOR PENALTY AND INTEREST ON DEBTS OWED TO THE STATE TAX COMMISSION OR THE DEPARTMENT OF COMMERCE AND LABOR MAY BE OFFSET AGAINST REFUNDS OWED TO THE DEBTOR BY EITHER AGENCY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 578**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1347A, IDAHO CODE, TO REVISE CONDITIONS WHEN A RESERVE TAX MAY BE IMPOSED FOR CALENDAR YEAR 2006; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 579**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO THE PEACE OFFICER STANDARDS AND TRAINING COUNCIL; AMENDING SECTION 19-5109, IDAHO CODE, TO REMOVE LANGUAGE AUTHORIZING THE COUNCIL TO RECEIVE APPLICATIONS AND DISBURSE MONEYS FOR FINANCIAL ASSISTANCE, TO REVISE PROVISIONS APPLICABLE TO COUNCIL'S

POWER TO DECERTIFY OFFICERS, TO REVISE THE TIME PERIOD REQUIRED FOR REPORTING CERTAIN ACTIONS TO THE COUNCIL, TO SET FORTH PROVISIONS APPLICABLE TO THE REJECTION OF APPLICATIONS FOR CERTIFICATION, TO DEFINE "CONVICTED" AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 19-5112, IDAHO CODE, TO DELETE LANGUAGE REFERENCING FINANCIAL AID AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 580**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO FALSE REPORTS OF EXPLOSIVES; AMENDING SECTION 18-3313, IDAHO CODE, TO CLARIFY THAT A PERSON WHO MAKES A FALSE REPORT OF EXPLOSIVES TO AN EMPLOYEE OF A POLICE DEPARTMENT, SHERIFF'S OFFICE OR EMERGENCY DISPATCH CENTER IS GUILTY OF A FELONY.

**HOUSE BILL NO. 581**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO ADOPTION; AMENDING SECTION 16-1514, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE AND TO REVISE PROVISIONS APPLICABLE TO PETITIONS FOR ADOPTIONS OF FOREIGN BORN CHILDREN; AND AMENDING CHAPTER 15, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1514A, IDAHO CODE, TO SET FORTH PROVISIONS APPLICABLE TO INTERNATIONAL ADOPTIONS.

**HOUSE BILL NO. 582**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING SUBSTANCES; AMENDING SECTION 18-8002, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO PROVIDE FOR A CIVIL PENALTY FOR REFUSAL TO SUBMIT TO EVIDENTIARY TESTING AND TO PROVIDE FOR THE DISTRIBUTION AND COLLECTION OF PENALTY MONEYS.

**HOUSE BILL NO. 583**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO CRIMINAL PROCEDURE; AMENDING CHAPTER 26, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2604A, IDAHO CODE, TO PROVIDE FOR THE EXPUNGEMENT OF THE CRIMINAL RECORDS OF INNOCENT PERSONS.



**HOUSE BILL NO. 584**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO RESIDENTIAL MORTGAGE PRACTICES; AMENDING SECTION 26-3104, IDAHO CODE, TO PROHIBIT CERTAIN UNLICENSED PERSONS FROM ENGAGING IN MORTGAGE BROKERING ACTIVITIES, MORTGAGE LENDING ACTIVITIES OR LOAN ORIGINATION ACTIVITIES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 585**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO THE DEPARTMENT OF INSURANCE; AMENDING CHAPTER 2, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-232A, IDAHO CODE, TO SET FORTH PROVISIONS APPLICABLE TO HEARINGS; AMENDING SECTION 41-308, IDAHO CODE, TO REMOVE REFERENCES TO HEARINGS RELATED TO CERTIFICATES OF AUTHORITY; AND AMENDING SECTION 41-1016, IDAHO CODE, TO PROVIDE A CODE REFERENCE, TO REMOVE LANGUAGE REFERENCING HEARINGS, TO REFERENCE VIOLATIONS BY APPLICANTS AND TO REMOVE LANGUAGE REFERENCING NOTIFICATION AND HEARING PROVISIONS RELATING TO THE DENIAL OR REFUSAL TO RENEW A LICENSE FOR AN APPLICANT.

**HOUSE BILL NO. 586**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO INSURANCE ADMINISTRATORS; AMENDING SECTION 41-913, IDAHO CODE, TO REVISE FEES, TO REVISE EXPIRATION AND RENEWAL PERIODS AND TO PROVIDE CORRECT TERMINOLOGY.

**HOUSE BILL NO. 587**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO COMMERCIAL TRANSACTIONS; AMENDING SECTION 28-41-201, IDAHO CODE, TO REMOVE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-41-301, IDAHO CODE, TO REVISE THE DEFINITION FOR "REGULATED LENDER," TO REVISE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-45-401, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO WILLFUL AND KNOWING VIOLATIONS; AMENDING SECTION 28-46-108, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REFERENCE PERSONS REQUIRED TO BE LICENSED FOR PURPOSES OF CERTAIN ADMINISTRATIVE ENFORCEMENT ORDERS; AMENDING SECTION 28-46-113, IDAHO CODE, TO REMOVE LANGUAGE AUTHORIZING THE ADMINISTRATOR TO BRING

CERTAIN CIVIL ACTIONS; REPEALING PART 2, CHAPTER 46, TITLE 28, IDAHO CODE, RELATING TO APPLICABILITY, NOTIFICATION AND FEES AND TAXES; AMENDING SECTION 28-46-301, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE AUTHORITY TO MAKE REGULATED CONSUMER LOANS; AMENDING SECTION 28-46-302, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO LICENSES TO MAKE REGULATED CONSUMER LOANS AND TO REVISE AND REMOVE CODE REFERENCES; AMENDING SECTION 28-46-303, IDAHO CODE, TO REFERENCE CONDITIONS EXISTING AT THE TIME OF APPLICATION; AMENDING SECTION 28-46-304, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO RECORDS AND ANNUAL REPORTS; AMENDING SECTION 28-46-305, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR MAY EXAMINE RECORDS, TO PROVIDE REFERENCES TO REGULATED LENDERS AND TO REMOVE LANGUAGE REQUIRING A FEE FOR INVESTIGATION PURPOSES; AMENDING SECTION 28-46-402, IDAHO CODE, TO EXEMPT CERTAIN SUPERVISED FINANCIAL ORGANIZATIONS FROM LICENSING REQUIREMENTS; AMENDING SECTION 28-46-403, IDAHO CODE, TO REMOVE LANGUAGE PROVIDING FOR THE APPROVAL AUTHORITY OF THE ADMINISTRATOR AND TO CLARIFY THE CONTINUING NATURE OF CERTAIN REQUIREMENTS; AMENDING SECTION 28-46-404, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO PAYDAY LOAN LICENSE APPLICATIONS; AMENDING SECTION 28-46-407, IDAHO CODE, TO REFERENCE THE FAILURE TO PAY ANY FEES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 588**  
**BY BUSINESS COMMITTEE**  
 AN ACT

RELATING TO THE POWERS AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF FINANCE; AMENDING SECTION 26-3105, IDAHO CODE, TO AUTHORIZE THE DIRECTOR TO PARTICIPATE IN THE ESTABLISHMENT AND IMPLEMENTATION OF A MULTISTATE AUTOMATED LICENSING SYSTEM FOR MORTGAGE BROKERS AND LENDERS AND INDIVIDUAL MORTGAGE LOAN ORIGINATORS AND TO REQUIRE CRIMINAL HISTORY RECORD CHECKS.

**HOUSE BILL NO. 589**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2737A, IDAHO CODE, TO REVISE THE PENALTIES APPLICABLE TO THE MANUFACTURE OR DELIVERY OF METHAMPHETAMINE OR AMPHETAMINE WHERE CHILDREN ARE PRESENT.

**HOUSE BILL NO. 590**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO COUNTY-BASED INTERMODAL COMMERCE AUTHORITIES; AMENDING SECTION 70-2203, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE ESTABLISHMENT AND ABOLISHMENT OF AN AUTHORITY; AMENDING SECTION 70-2204, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO AUTHORITY COMMISSIONERS; AMENDING SECTION 70-2205, IDAHO CODE, TO REVISE THE POWERS OF A GOVERNING BODY OF A COUNTY FOR WHICH AN INTERMODAL AUTHORITY HAS BEEN CREATED AND TO PROVIDE THAT CERTAIN ACTIONS MAY BE TAKEN BY A PUBLIC BODY AFTER A HEARING; AMENDING SECTION 70-2206, IDAHO CODE, TO REVISE THE GENERAL POWERS OF A COUNTY-BASED INTERMODAL COMMERCE AUTHORITY AND TO REVISE TERMINOLOGY; AMENDING SECTION 70-2210, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO PROPERTY AND DISPOSAL OF PROPERTY OF AN INTERMODAL AUTHORITY; AND AMENDING SECTION 70-2211, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO BONDS AND OBLIGATIONS.

**HOUSE BILL NO. 591**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE INVESTMENT OF PERMANENT FUNDS; REPEALING SECTIONS 3 AND 5, CHAPTER 132, LAWS OF 2004, REGARDING THE DEFINITION OF "EARNINGS DEFINED" AND THE EFFECTIVE DATE OF THE ACT; AND AMENDING SECTION 57-724A, IDAHO CODE, TO PROVIDE FOR CALCULATION OF GAINS ACHIEVED BY THE PERMANENT FUND OF EACH ENDOWMENT FUND TO BE INCORPORATED INTO THE CALCULATION OF GAINS AND NOT BE A SEPARATE ITEM OF EARNINGS.

**HOUSE BILL NO. 592**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO INVESTMENT OF PERMANENT FUNDS; AMENDING SECTION 57-724, IDAHO CODE, TO REVISE THE METHOD FOR THE CALCULATION OF GAINS AND LOSSES; DECLARING AN EMERGENCY, PROVIDING A RETROACTIVE EFFECTIVE DATE AND PROVIDING APPLICATION.

**HOUSE JOINT RESOLUTION NO. 4**  
**BY STATE AFFAIRS COMMITTEE**  
A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO LIMITATIONS ON COUNTY AND MUNICIPAL INDEBTEDNESS, TO ALLOW SCHOOL

DISTRICTS TO INCUR INDEBTEDNESS WITH THE ASSENT OF TWO-THIRDS OF THE QUALIFIED ELECTORS OR THE ASSENT OF NO LESS THAN SIXTY PERCENT, RATHER THAN TWO-THIRDS, OF THE QUALIFIED ELECTORS OF THE SCHOOL DISTRICT VOTING AT AN ELECTION HELD FOR THAT PURPOSE IF THE ELECTION IS CONDUCTED UNDER THE ADMINISTRATION OF THE COUNTY AND IS HELD ON THE FIRST TUESDAY IN FEBRUARY, THE FOURTH TUESDAY IN MAY, THE FIRST TUESDAY IN AUGUST, OR THE TUESDAY FOLLOWING THE FIRST MONDAY IN NOVEMBER; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**H 575, H 576, H 577, H 578, H 579, H 580, H 581, H 582, H 583, H 584, H 585, H 586, H 587, H 588, H 589, H 590, H 591, H 592,** and **HJR 4** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 517**, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

**H 453, H 454, H 434, H 488,** and **H 477**, by State Affairs Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 451** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

Pursuant to Rule 38(3), Mr. Martinez disclosed a conflict of interest regarding **H 451**.

The question being, "Shall **H 451** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett,

Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bradford. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 451** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HJM 10** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **HJM 10** be adopted?"

Whereupon the Speaker declared **HJM 10** adopted by voice vote and ordered the memorial transmitted to the Senate.

**HJM 11** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andrus to open debate.

The question being, "Shall **HJM 11** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- LeFavour, Ringo. Total -- 2.

Absent and excused -- Bradford. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **HJM 11** adopted and ordered the memorial transmitted to the Senate.

**S 1329** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1329** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bradford. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1329** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1330** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1330** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bradford. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1330** passed the House. Title was approved and the bill was ordered returned to the Senate.

**H 435** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 435** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Martinez, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Crow, LeFavour, Loertscher, Mathews, Sali, Schaefer, Wood. Total -- 7.

Absent and excused -- Bradford, Garrett. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 435** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 436** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 436** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bradford, Garrett. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 436** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Denney moved that the House adjourn until 11:30 a.m., Thursday, February 9, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:18 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### THIRTY-SECOND LEGISLATIVE DAY THURSDAY, FEBRUARY 9, 2006

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Black. Total -- 1.

Total -- 70.

Prayer was offered by Representative Wills.

The Pledge of Allegiance was led by Nathan Barry, Page.

### Approval of Journal

February 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-first Legislative Day and recommend that same be adopted as corrected. FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR

Boise

February 8, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

**H 440**

/s/

Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

February 8, 2006

Mr. Speaker:

I transmit herewith **S 1276** which has passed the Senate.

WOOD, Secretary

**S 1276** was filed for first reading.

### Report of Standing Committees

February 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 13, H 575, H 576, H 577, H 578, H 579, H 580, H 581, H 582, H 583, H 584, H 585, H 586, H 587, H 588, H 589, H 590, H 591, H 592,** and **HJR 4.**

FIELD(18), Chairman

**HJM 13** was referred to the Education Committee.

**H 575** was referred to the Appropriations Committee.

**H 576** was referred to the Resources and Conservation Committee.

**H 578** was referred to the Commerce and Human Resources Committee.

**H 579, H 580, H 581, H 582, H 583,** and **H 589** were referred to the Judiciary, Rules, and Administration Committee.

**H 584, H 585, H 586, H 587,** and **H 588** were referred to the Business Committee.

**H 590, H 591, H 592,** and **HJR 4** were referred to the State Affairs Committee.

**H 577** was filed for second reading.

February 9, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 468** and **H 476** and recommend that they do pass.

DEAL, Chairman

**H 468** and **H 476** were filed for second reading.

February 9, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 421** and recommend that it do pass.

CROW, Chairman

**H 421** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 34 BY HEALTH AND WELFARE COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE CONCERNING THE IMPACTS OF COLON CANCER ON THE CITIZENS OF IDAHO AND DECLARING THE MONTH OF MARCH AS "COLORECTAL CANCER AWARENESS MONTH."

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

WHEREAS, colorectal cancer in the United States is the second leading cause of cancer deaths in men and women combined; and

WHEREAS, it is estimated that in 2006, over 147,000 new cases of colorectal cancer will be diagnosed in the United States; and

WHEREAS, in 2006, the disease is expected to kill nearly 57,000 individuals in this country; and

WHEREAS, in 2005, there were approximately 540 new colorectal cancer cases diagnosed in Idaho; and

WHEREAS, screening for colorectal cancer is underutilized, and less than 50% of the individuals over the age of 50 years receive annual screenings for colorectal cancer; and

WHEREAS, regular screenings can save lives by detecting polyps that lead to colorectal cancer; and

WHEREAS, the benefits of early detection of colorectal cancer are dramatic, with a 5-year survival rate of 90% when it is found at an early stage and 66% when it has spread only to nearby organs or lymph nodes; and

WHEREAS, currently, only 38% of colon cancers are found at the earliest and most treatable stages and the 5-year survival rate is less than 10% when found at later stages; and

WHEREAS, the American Cancer Society is taking a leadership role in educating the public on the methods of prevention and symptoms for early detection; and

WHEREAS, the state and federal governments have a leadership role to play in fighting colon cancer through public education and improved awareness of early detection through screening.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we join in the designation of March 2006, as "Colorectal Cancer Awareness Month" and urge all citizens to recognize the importance of colon cancer screening and early detection in fighting this deadly disease.

#### HOUSE CONCURRENT RESOLUTION NO. 35 BY STATE AFFAIRS COMMITTEE

##### A CONCURRENT RESOLUTION

PROVIDING LEGISLATIVE FINDINGS AND REQUESTING THE ATTORNEY GENERAL OF THE STATE OF IDAHO TO APPOINT SPECIAL COUNSEL TO BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION TO DETERMINE WHETHER SECTIONS 67-429B AND 67-429C, IDAHO CODE, VIOLATE SECTION 20,

ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO OR ANY OTHER SECTIONS OF THE CONSTITUTION OF THE STATE OF IDAHO.

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

WHEREAS, Sections 67-429B and 67-429C, Idaho Code, approved by the Indian Gaming Initiative (Proposition One of 2002), propose to authorize the use of video gaming machines; and

WHEREAS, the Idaho Supreme Court, subsequent to the enactment of Proposition One in 2002, has determined that the type of video gaming machines authorized by Sections 67-429B and 67-429C, Idaho Code, are slot machines, and as such would violate Section 20, Article III, of the Constitution of the State of Idaho; and

WHEREAS, Section 20, Article III, of the Constitution of the State of Idaho states that all gambling is contrary to public policy and is strictly prohibited except for (a) a state lottery authorized by state law; (b) pari-mutuel betting authorized by state law; and (c) bingo raffle games operated by qualified, charitable organizations authorized by state law, and that even those three gambling exceptions are prohibited from employing "any form of casino gambling including, but not limited to, blackjack, craps, roulette, poker, baccarat, keno and slot machines, or employ any electronic or electromechanical imitation or simulation of any form of casino gambling"; and

WHEREAS, the Indian gaming authorized in Sections 67-429B and 67-429C, Idaho Code, by their express terms, appear to explicitly authorize the Indian tribes to engage in an electronic or electromechanical imitation or simulation of a form of casino gaming contrary to Section 20, Article III, of the Constitution of the State of Idaho and other sections of the Constitution of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Attorney General of the State of Idaho is requested to appoint special counsel to bring an action in a court of competent jurisdiction to determine whether Sections 67-429B and 67-429C, Idaho Code, violate Section 20, Article III, of the Constitution of the State of Idaho or any other sections of the Constitution of the State of Idaho.

**HCR 34** and **HCR 35** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 593  
BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO SMOKE MANAGEMENT AND CROP RESIDUE DISPOSAL; AMENDING SECTION 22-4802, IDAHO CODE, TO REVISE THE DEFINITION OF "CROP RESIDUE."

**HOUSE BILL NO. 594  
BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO NOXIOUS WEEDS; AMENDING SECTION 22-2402, IDAHO CODE, TO DEFINE TERMS AND TO REVISE DEFINITIONS; AMENDING SECTION 22-2403, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS AND TO REVISE THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE RELATING TO NOXIOUS WEEDS; AMENDING SECTION 22-2404, IDAHO CODE, TO REVISE THE DIRECTOR'S AUTHORIZED POWERS RELATING TO NOXIOUS WEEDS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-2405, IDAHO CODE, TO REVISE THE DUTIES OF COUNTIES RELATING TO NOXIOUS WEEDS; AMENDING SECTION 22-2407, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PURPOSES OF NOXIOUS WEED CONTROL AS IT REGARDS LANDOWNERS AND CITIZENS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2409, IDAHO CODE, TO PROVIDE AND REVISE PENALTY PROVISIONS FOR VIOLATIONS; AND AMENDING SECTION 22-2411, IDAHO CODE, TO PROVIDE THAT THE CONTROL OF NOXIOUS AQUATIC PLANTS MAY BE CARRIED OUT UNDER THE GENERAL SUPERVISION OF PUBLIC BODIES.

**HOUSE BILL NO. 595  
BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE ALFALFA AND CLOVER SEED COMMISSION; AMENDING SECTION 22-4203, IDAHO CODE, TO STRIKE DEFINITIONS RELATING TO DISTRICTS; AMENDING SECTION 22-4205, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE COMPOSITION OF GROWER NOMINATING COMMITTEES APPOINTED BY THE DEPARTMENT OF AGRICULTURE; AND AMENDING SECTION 22-4215, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISBURSEMENT OF MONEYS FROM THE ACCOUNTS OF THE IDAHO ALFALFA AND CLOVER COMMISSION.

**HOUSE BILL NO. 596  
BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO ANIMALS; AMENDING SECTION 25-236, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE POSSESSION, SALE, TRADE, BARTER, EXCHANGE AND IMPORTATION OF CERTAIN ANIMALS IN IDAHO; AMENDING SECTION 25-3001, IDAHO CODE, TO REVISE THE DEFINITION OF DOMESTIC FUR-BEARING ANIMALS, TO REVISE PROVISIONS RELATING TO THOSE PREMISES DEEMED FARMS, FUR FARMS OR FUR RANCHES AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 36-711, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DEFINITIONS OF DOMESTIC FUR-BEARING ANIMALS AND DOMESTIC CERVIDAE.

**HOUSE BILL NO. 597**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO THE IDAHO BEAN COMMISSION; AMENDING SECTION 22-2919, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISBURSEMENT OF MONEYS FROM THE ACCOUNTS OF THE IDAHO BEAN COMMISSION AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 598**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO THE RIGHT TO FARM; AMENDING SECTION 22-4503, IDAHO CODE, TO PROVIDE FOR THE AWARD OF REASONABLE COSTS AND ATTORNEY'S FEES TO AGRICULTURAL OPERATIONS THAT PREVAIL IN ACTIONS ALLEGING NUISANCE.

**HOUSE BILL NO. 599**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO THE IDAHO HORSE BOARD; AMENDING SECTION 25-2505, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ASSESSMENTS ON HORSES, TO PROVIDE THAT IDAHO HORSE BOARD PAID ASSESSMENT CARDS SHALL BE EVIDENCE TO THE STATE BRAND BOARD THAT ASSESSMENTS HAVE BEEN PAID AND TO PROVIDE A PERIOD OF VALIDITY FOR IDAHO HORSE BOARD PAID ASSESSMENT CARDS; AND AMENDING SECTION 25-2510, IDAHO CODE, TO REVISE PROVISIONS AND PROCEDURES REGARDING REFERENDUMS RELATING TO HORSE OWNER MANDATORY ASSESSMENTS.

**HOUSE BILL NO. 600**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO PESTICIDES AND CHEMIGATION; AMENDING CHAPTER 34, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-3427, IDAHO CODE, TO REQUIRE THE POSTING OF PESTICIDE SAFETY INFORMATION FOR AGRICULTURAL WORKERS; AND AMENDING CHAPTER 34, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-3428, IDAHO CODE, TO REQUIRE THE POSTING OF PESTICIDE APPLICATION NOTICES.

**HOUSE BILL NO. 601**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO THE MILITARY VETERAN MOTORCYCLE LICENSE PLATE; AMENDING SECTION 49-418D, IDAHO CODE, TO REVISE THE DATE OF AVAILABILITY OF THE PLATE AND TO REVISE PROVISIONS FOR APPROVAL OF THE PLATE DESIGN AND NUMBERING SYSTEM; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 602**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-454, IDAHO CODE, TO ESTABLISH THE PROJECT CHOICE FEE, TO PROVIDE FOR DEPOSIT OF THE FEE AND TO PROVIDE FOR APPLICATION; AMENDING SECTION 49-402B, IDAHO CODE, TO REFERENCE THE PROJECT CHOICE FEE FOR PURPOSES OF BIENNIAL REGISTRATION; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 603**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO GOVERNANCE OF UTILITY TYPE VEHICLES; AMENDING SECTION 67-7101, IDAHO CODE, TO DEFINE "UTILITY TYPE VEHICLE"; AMENDING SECTION 67-7122, IDAHO CODE, TO GOVERN REGISTRATION REQUIREMENTS; AMENDING SECTION 67-7128, IDAHO CODE, TO PROVIDE REPRESENTATION ON THE OFF-ROAD MOTOR VEHICLE ADVISORY COMMITTEE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-105, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 49-122, IDAHO CODE, TO DEFINE "UTILITY TYPE VEHICLE"; AMENDING SECTION 49-501, IDAHO CODE, TO GOVERN TITLING REQUIREMENTS FOR UTILITY TYPE VEHICLES AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 49-1608, IDAHO CODE, TO PROVIDE APPLICATION TO DEALERS OF UTILITY TYPE VEHICLES AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 604**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO PERMITS FOR OVERSIZE AND OVERWEIGHT VEHICLE LOADS; AMENDING SECTION 49-1004, IDAHO CODE, TO PROVIDE A DESIGNATED PILOT PROJECT ROUTE ON A PORTION OF STATE HIGHWAY 38; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 605**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO SPECIAL MOTOR VEHICLE LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-416D, IDAHO CODE, TO ESTABLISH AN IDAHO STATE HISTORIC PRESERVATION SPECIAL LICENSE PLATE PROGRAM; AMENDING CHAPTER 41, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4129B, IDAHO CODE, TO PROVIDE FOR THE CREATION OF AN IDAHO HISTORIC PRESERVATION AND CULTURAL ENHANCEMENT FUND; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 606**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO SPECIAL MOTOR VEHICLE LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-418E, IDAHO CODE, TO ESTABLISH AN IDAHO ELKS REHABILITATION HOSPITAL SPECIAL LICENSE PLATE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 607**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO SPECIAL MOTOR VEHICLE LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-416E, IDAHO CODE, TO ESTABLISH A BREAST CANCER EDUCATION AND SCREENING SPECIAL LICENSE PLATE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 608**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO SPECIAL MOTOR VEHICLE LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-415C, IDAHO CODE, TO ESTABLISH A NATIONAL RIFLE ASSOCIATION SPECIAL LICENSE PLATE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 609**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO SPECIAL LICENSE PLATE PROGRAMS; AMENDING SECTION 49-402C, IDAHO CODE, TO PROVIDE FOR COLLECTION OF A SIX THOUSAND DOLLAR NONREFUNDABLE FEE FROM THE SPONSORING ENTITY OF ANY SPECIAL LICENSE PLATE PROGRAM APPROVED AFTER JANUARY 1, 2007, AND TO PROVIDE FOR DEPOSIT OF THE FEE AND ALL PROCEEDS FROM THE SALE OF THE SPECIALTY PLATE PROGRAM APPROVED AFTER JANUARY 1, 2007, TO THE STATE HIGHWAY ACCOUNT.

**HOUSE BILL NO. 610**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO APPORTIONMENT OF FUNDS FROM THE HIGHWAY DISTRIBUTION ACCOUNT TO LOCAL UNITS OF GOVERNMENT; AMENDING SECTION 40-709, IDAHO CODE, TO PROVIDE DISTRIBUTION IF REVENUES DO NOT MEET THE PREVIOUS YEAR'S REVENUES AND TO PROVIDE THAT CITIES SHALL NOT

RECEIVE LESS MONEY THAN THEY RECEIVED IN THE PREVIOUS FISCAL YEAR FROM THE HIGHWAY DISTRIBUTION ACCOUNT IF REVENUES IN THE HIGHWAY DISTRIBUTION ACCOUNT MEET OR EXCEED THE PREVIOUS FISCAL YEAR'S REVENUES AND TO PROVIDE FOR SURPLUS DISTRIBUTION.

**HOUSE BILL NO. 611**  
**BY HEALTH AND WELFARE COMMITTEE**  
 AN ACT

RELATING TO PHARMACISTS; AMENDING SECTION 54-1733, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE VALIDITY OF PRESCRIPTION DRUG ORDERS.

**HOUSE BILL NO. 612**  
**BY HEALTH AND WELFARE COMMITTEE**  
 AN ACT

RELATING TO DAYCARE PROGRAMS; AMENDING SECTION 39-1101, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1102, IDAHO CODE, TO DEFINE TERMS AND TO REVISE DEFINITIONS; AMENDING SECTION 39-1103, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1104, IDAHO CODE, TO REVISE THE AGE REQUIREMENT FOR A PERSON SUBMITTING AN APPLICATION TO OPERATE A DAYCARE PROGRAM AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1105, IDAHO CODE, TO REQUIRE CRIMINAL HISTORY BACKGROUND CHECKS FOR SPECIFIED INDIVIDUALS, TO REQUIRE REGISTERED SEX OFFENDER DISCLOSURES, TO PROHIBIT IMMEDIATE FAMILY MEMBERS WHO ARE REGISTERED SEX OFFENDERS FROM BEING ON THE PREMISES WHILE CHILDREN PARTICIPATING IN A DAYCARE PROGRAM ARE PRESENT AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1106, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1107, IDAHO CODE, TO REVISE LICENSE FEES, TO REMOVE A FEE REDUCTION PROVISION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1109, IDAHO CODE, TO PROVIDE A REQUIREMENT FOR A TELEPHONE TO BE LOCATED ON THE PREMISES, TO REMOVE A SEPARATE STANDARDS REQUIREMENT, TO PROVIDE THAT ONLY STAFF PROVIDING DIRECT SUPERVISION TO CHILDREN BE COUNTED IN COMPUTING CHILD TO STAFF RATIOS, TO PROVIDE FOR CHILD TO STAFF RATIOS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1110, IDAHO CODE, TO REQUIRE THAT SPECIFIED AREAS BE MAINTAINED IN A SAFE CONDITION, TO DELETE REFERENCE TO EMERGENCY COMMUNICATION SYSTEM, TO REVISE AND ADD TO DAYCARE PROGRAM HEALTH STANDARDS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1111, IDAHO CODE, TO DELETE A CODE REFERENCE; AMENDING SECTION 39-1113, IDAHO CODE, TO PERMIT THE DEPARTMENT OF HEALTH AND



WELFARE TO DENY, SUSPEND OR REVOKE A LICENSE UPON FINDINGS OF ILLEGAL ACTIVITY, ACTIVITY DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY OR WELFARE, OR ACTIVITY THAT THREATENS THE HEALTH OR SAFETY OF A CHILD ENROLLED IN THE PROGRAM, TO ADD TO THE SPECIFIED CRIMES PRECLUDING ELIGIBILITY FOR A LICENSE AND TO PROVIDE CORRECT TERMINOLOGY; REPEALING SECTION 39-1114, IDAHO CODE, RELATING TO EXCEPTION TO LICENSURE; AMENDING SECTION 39-1115, IDAHO CODE, TO PROVIDE FOR A GRACE PERIOD TO COME INTO COMPLIANCE WITH LICENSURE REQUIREMENTS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTIONS 39-1116 AND 39-1117, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1118, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 39-1119, IDAHO CODE, TO REVISE TRAINING HOUR REQUIREMENTS, TO REQUIRE ADDITIONAL SPECIFIED TRAINING AND TO PROVIDE CORRECT TERMINOLOGY.

**HOUSE BILL NO. 613**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE BOARD OF PHARMACY; AMENDING SECTION 37-2709, IDAHO CODE, TO PROVIDE FOR A COMMON DRUG NAME AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 614**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE BOARD OF PHARMACY; AMENDING SECTION 9-340C, IDAHO CODE, TO PROVIDE A PROPER CODE REFERENCE IN THE PUBLIC RECORDS ACT; AMENDING SECTION 37-2726, IDAHO CODE, TO PERMIT THE BOARD OF PHARMACY TO ESTABLISH THE FORMAT FOR ELECTRONICALLY FILED CONTROLLED SUBSTANCES PRESCRIPTIONS, TO REQUIRE THE BOARD TO ESTABLISH BY RULE THE INFORMATION TO BE SUBMITTED, TO REQUIRE THE BOARD TO CREATE, OPERATE AND MAINTAIN A CONTROLLED SUBSTANCES PRESCRIPTIONS DATABASE, TO PROVIDE FOR PURPOSE AND PROCEDURE, TO SPECIFY THE INDIVIDUALS TO WHOM INFORMATION IN THE DATABASE MUST BE AVAILABLE, TO REQUIRE THE BOARD TO MAINTAIN RECORDS ON INFORMATION DISCLOSED FROM THE DATABASE, TO REQUIRE THE BOARD TO PROMULGATE RULES TO LIMIT DATABASE ACCESS TO AUTHORIZED INDIVIDUALS, TO PROVIDE FOR THE ASSUMPTION OF COSTS ASSOCIATED WITH RECORDING AND SUBMITTING DATA AND TO PROVIDE FOR DEFINITIONS; AND AMENDING SECTION 37-2730A, IDAHO CODE, TO REQUIRE DISCLOSURE PRESCRIPTION TRACKING PROGRAM INFORMATION TO INDIVIDUALS AND PERSONS LISTED, TO PERMIT DISCLOSURE OF INFORMATION TO LISTED AGENCIES AND BOARDS, TO

REMOVE ADDITIONAL DISCRETIONARY AUTHORITY TO RELEASE INFORMATION AND TO REMOVE CONFIDENTIALITY PROVISIONS.

**HOUSE BILL NO. 615**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO MENTAL HEALTH PARITY IN STATE GROUP INSURANCE; TO STATE LEGISLATIVE FINDINGS; AMENDING CHAPTER 57, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5761A, IDAHO CODE, TO PROVIDE THAT STATE EMPLOYEES AND THEIR FAMILIES NOT BE DISCRIMINATED AGAINST IN MENTAL HEALTH GROUP DISABILITY INSURANCE BENEFITS OR GROUP HEALTH CARE SERVICE COVERAGE, TO DEFINE TERMS AND TO PROVIDE COVERAGE REQUIREMENTS; AND TO PROVIDE FOR A REPORT TO THE LEGISLATURE.

**HOUSE BILL NO. 616**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO CORONERS; AMENDING CHAPTER 28, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-2810, IDAHO CODE, TO REQUIRE AUTOPSIES TO BE PERFORMED IN CERTAIN CASES IN WHICH CREUTZFELDT-JAKOB DISEASE IS SUSPECTED AND TO REQUIRE THAT THE FINDINGS OF SUCH AUTOPSIES BE REPORTED TO THE DEPARTMENT OF HEALTH AND WELFARE.

**HOUSE BILL NO. 617**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2711, IDAHO CODE, TO ADD CARISOPRODOL TO SCHEDULE IV OF IDAHO CONTROLLED SUBSTANCE SCHEDULES.

**HOUSE BILL NO. 618**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO HEALTH CARE FACILITIES; AMENDING CHAPTER 14, TITLE 39, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 39-1418, 39-1419, 39-1420, 39-1421 AND 39-1422, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO REQUIRE THAT EACH INDIVIDUAL HEALTH CARE FACILITY SUBMIT A QUARTERLY INFECTION RATE REPORT TO THE DEPARTMENT OF HEALTH AND WELFARE, TO SPECIFY INFORMATION TO BE SUBMITTED, TO REQUIRE THAT THE REPORTS BE MADE PUBLIC, TO REQUIRE EACH INDIVIDUAL HEALTH CARE FACILITY TO SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT AND TO THE PUBLIC HEALTH DISTRICT IN WHICH THE FACILITY IS LOCATED, TO REQUIRE THE DEPARTMENT TO EVALUATE THE SUBMITTED DATA ON A REGULAR BASIS, TO REQUIRE THAT THE HEALTH CARE

FACILITY'S ANNUAL REPORT BE MADE PUBLIC, TO PROVIDE FOR THE APPOINTMENT OF AN ADVISORY COMMITTEE AND TO PROVIDE ITS MEMBERSHIP AND ITS RESPONSIBILITIES, TO REQUIRE THAT THE DEPARTMENT SUBMIT ANNUAL REPORTS, TO PROVIDE THE PROCEDURE FOR SO DOING AND TO REQUIRE THAT THE DEPARTMENT'S ANNUAL REPORT BE MADE PUBLIC AND TO PROVIDE FOR PRIVACY OF INDIVIDUAL INFORMATION CONTAINED IN THE HEALTH CARE FACILITY AND THE DEPARTMENT REPORTS.

**HOUSE BILL NO. 619**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE PHYSICAL THERAPY PRACTICE ACT; AMENDING SECTION 54-2203, IDAHO CODE, TO DEFINE TERMS AND REVISE DEFINITIONS; AMENDING SECTION 54-2205, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE ESTABLISHMENT OF THE PHYSICAL THERAPY LICENSURE BOARD; AMENDING CHAPTER 22, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2206, IDAHO CODE, TO PROVIDE FOR THE POWERS AND DUTIES OF THE BOARD; AMENDING SECTION 54-2206, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE LANGUAGE REQUIRING AN APPLICANT TO FURNISH REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2207, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-2208, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2209, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE A CODE REFERENCE; AMENDING SECTION 54-2210, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE A CODE REFERENCE; AMENDING SECTION 54-2211, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2212, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 54-2213, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS APPLICABLE TO LICENSE RENEWAL AND TO REVISE A CODE REFERENCE; AMENDING SECTION 54-2214, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE DESCRIPTIVE LANGUAGE AND TO REVISE PROVISIONS APPLICABLE TO THE RENEWAL AND REINSTATEMENT OF LICENSES; AMENDING SECTIONS 54-2215, 54-2216 AND 54-2217, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING SECTION 54-2218, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE THE GROUNDS FOR DISCIPLINARY ACTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2219, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS APPLICABLE TO DISCIPLINE ACTIONS AND PROCEDURES AND TO REMOVE REFERENCES TO THE LICENSURE BOARD; AMENDING SECTION 54-2220, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE

PROVISIONS APPLICABLE TO CENSURE OR REPRIMAND BY THE BOARD; AMENDING SECTIONS 54-2221 AND 54-2222, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING CHAPTER 22, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2224, IDAHO CODE, TO PROVIDE FOR THE DISPOSITION OF RECEIPTS AND PAYMENT OF EXPENSES; AMENDING SECTION 67-2601, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF SELF-GOVERNING AGENCIES SHALL INCLUDE THE IDAHO PHYSICAL THERAPY LICENSURE BOARD, TO REMOVE A REFERENCE TO THE LICENSURE BOARD AS ASSOCIATED WITH THE BOARD OF MEDICINE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-2602, IDAHO CODE, TO EMPOWER THE BUREAU OF OCCUPATIONAL LICENSES TO ENTER A WRITTEN AGREEMENT WITH THE PHYSICAL THERAPY LICENSURE BOARD.

**HOUSE BILL NO. 620**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE OPEN MEETING LAW; AMENDING SECTION 67-2345, IDAHO CODE, TO PROVIDE THAT AN EXECUTIVE SESSION MAY BE HELD BY A GOVERNING BODY OF A PUBLIC AGENCY TO CONSULT WITH ITS LEGAL COUNSEL FOLLOWING THE COMMENCEMENT OF LITIGATION IN WHICH THE GOVERNING BODY IS A PARTY OR WHERE LITIGATION IS PROBABLE AND TO PROVIDE WHEN LITIGATION IS PROBABLE; AMENDING SECTION 67-2347, IDAHO CODE, TO INCREASE MONETARY PENALTIES, TO ALLOW CERTAIN PRIVATE ACTIONS IN THE EVENT OF A VIOLATION OF THE OPEN MEETING LAW AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 621**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE IDAHO TOBACCO MASTER SETTLEMENT AGREEMENT COMPLEMENTARY ACT; AMENDING SECTION 39-8402, IDAHO CODE, TO REVISE THE DEFINITION OF "STAMPING AGENT" AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 622**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PUBLICATION REQUIREMENTS; AMENDING SECTIONS 18-8324 AND 21-504, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTION 21-805B, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-201, IDAHO CODE, TO REVISE NOTICE PUBLICATION

REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 22-302, 22-1202 AND 22-2405, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTIONS 22-3604 AND 22-3704, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 22-4301 AND 27-106, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTIONS 27-112 AND 27-118, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 27-126, 31-202, 31-407 AND 31-808, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTIONS 31-819 AND 31-903, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 31-1003, 31-1404 AND 31-1411, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTION 31-1411A, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 31-1417A, 31-1419A AND 31-1427, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTION 31-1435, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1604, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO REVISE TERMINOLOGY; REPEALING SECTION 31-2306, IDAHO CODE, RELATING TO JOINT STATEMENT BY AUDITOR AND TREASURER; AMENDING SECTION 31-3601, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTIONS 31-3616A, 31-3908, 31-4118, 31-4304, 31-4330, 31-4505 AND 31-4510, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTION 31-4701, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-602, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTIONS 34-1405 AND 38-505, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 38-809, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTIONS 38-1017, 38-1020 AND 38-1025, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-128, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-423, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTION 39-1319, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING

SECTIONS 39-1322 AND 39-1323, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 39-1328, 39-1340, 39-2802, 39-2810, 39-5806, 39-5814, 39-7408 AND 39-7408D, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTIONS 39-7411 AND 39-7910, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 50-227, 50-326 AND 50-1708, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTION 50-1752, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2006, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTIONS 50-2008, 50-2011 AND 50-2012, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 50-2202, 50-2605, 50-2718 AND 50-2906, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS; AMENDING SECTION 60-105, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO RATES FOR OFFICIAL NOTICES AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 60-106, IDAHO CODE, RELATING TO QUALIFICATIONS OF NEWSPAPERS PRINTING LEGAL NOTICES; AMENDING CHAPTER 1, TITLE 60, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 60-106, IDAHO CODE, TO SET FORTH REQUIREMENTS FOR LEGAL NOTICES AND QUALIFICATIONS OF NEWSPAPERS PRINTING LEGAL NOTICES; AND AMENDING SECTIONS 63-810, 63-1005, 63-1102, 67-913, 67-2321, 67-2323, 67-6509 AND 67-6538, IDAHO CODE, TO REVISE NOTICE PUBLICATION REQUIREMENTS.

**HOUSE BILL NO. 623  
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO KINDERGARTENS; REPEALING SECTION 33-208, IDAHO CODE, WHICH PROVIDED THAT IT SHALL NOT BE COMPULSORY FOR INDIVIDUAL SCHOOL DISTRICTS TO ESTABLISH A KINDERGARTEN PROGRAM AND IT SHALL NOT BE MANDATORY FOR A CHILD WHO IS ELIGIBLE BY AGE FOR ATTENDANCE TO ENROLL IN AN ESTABLISHED PUBLIC KINDERGARTEN.

**HOUSE BILL NO. 624  
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO SCHOOL PROPERTY; AMENDING SECTION 33-601, IDAHO CODE, TO PROVIDE THAT SCHOOL PROPERTY WITH AN ESTIMATED VALUE OF LESS THAN FIVE HUNDRED DOLLARS MAY BE DISPOSED OF BY AN EMPLOYEE OF THE DISTRICT EMPOWERED BY THE BOARD TO DISPOSE OF SUCH PROPERTIES.

**HOUSE BILL NO. 625**  
**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5210, IDAHO CODE, TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT RULES ON SATISFACTORY PROOF OF ADDRESS FOR CHILDREN ATTENDING PUBLIC VIRTUAL SCHOOLS.

**HOUSE BILL NO. 626**  
**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO SCHOOL DISTRICTS; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-521, IDAHO CODE, TO STATE PUBLIC POLICY, TO PROVIDE IMMUNITY TO THE SCHOOL DISTRICT, ITS CONTRACTORS AND EMPLOYEES FROM LIABILITY FOR ANY CIVIL ACTION ARISING OUT OF THE CONDUCT OF AN EXTRACURRICULAR ACTIVITY AND TO PROVIDE EXCEPTIONS AND CONDITIONS.

**H 593, H 594, H 595, H 596, H 597, H 598, H 599, H 600, H 601, H 602, H 603, H 604, H 605, H 606, H 607, H 608, H 609, H 610, H 611, H 612, H 613, H 614, H 615, H 616, H 617, H 618, H 619, H 620, H 621, H 622, H 623, H 624, H 625, and H 626** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1276**, by Stennett, Marley, Malepeai, Werk, Kelly, Langhorst, and Burkett, was introduced, read the first time by title, and referred to the Local Government Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 414, H 415, and H 556**, by State Affairs Committee, were read the second time by title and filed for third reading.

**H 422**, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 517** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **H 517** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney,

Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- Cannon, Smith(24). Total -- 2.

Absent and excused -- Black, Harwood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 517** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 453** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **H 453** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Black, Harwood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 453** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Deal asked unanimous consent that **H 454** be referred to the Revenue and Taxation Committee. There being no objection, it was so ordered.

**H 434** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 434** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal,

Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Black. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 434** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 488** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe and Mr. Bayer to open debate.

The question being, "Shall **H 488** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- Mr. Speaker. Total -- 1.

Absent and excused -- Black. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 488** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 477** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 477** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin,

McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Black. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 477** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 8 a.m., Friday, February 10, 2006. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:16 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### THIRTY-THIRD LEGISLATIVE DAY FRIDAY, FEBRUARY 10, 2006

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused -- Clark, Crow, Field(23), Loertscher, Schaefer, Smith(24). Total -- 6.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Luke Thomas, Page.

### Approval of Journal

February 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-second Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

February 9, 2006

February 9, 2006

Mr. Speaker:

I transmit herewith **SCR 120** which has passed the Senate.

WOOD, Secretary

**SCR 120** was filed for first reading.

**Report of Standing Committees**

February 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 34, HCR 35, H 593, H 594, H 595, H 596, H 597, H 598, H 599, H 600, H 601, H 602, H 603, H 604, H 605, H 606, H 607, H 608, H 609, H 610, H 611, H 612, H 613, H 614, H 615, H 616, H 617, H 618, H 619, H 620, H 621, H 622, H 623, H 624, H 625, and H 626.**

FIELD(18), Chairman

**HCR 35, H 620, H 621, and H 622** were referred to the State Affairs Committee.

**H 593, H 594, H 595, H 596, H 597, H 598, H 599, and H 600** were referred to the Agricultural Affairs Committee.

**H 602, H 603, H 604, H 605, H 606, H 607, H 608, H 609, and H 610** were referred to the Transportation and Defense Committee.

**H 611, H 612, H 613, H 614, H 615, H 616, H 617, H 618, and H 619** were referred to the Health and Welfare Committee.

**H 623, H 624, H 625, and H 626** were referred to the Education Committee.

**HCR 34 and H 601** were filed for second reading.

February 9, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 446, H 447, and H 448** and recommend that they do pass.

BLACK, Chairman

**H 446, H 447, and H 448** were filed for second reading.

February 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 533, H 535, and H 536** and recommend that they do pass.

FIELD(18), Chairman

**H 533, H 535, and H 536** were filed for second reading.

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 534** and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(18), Chairman

**H 534** was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 36  
BY RESOURCES AND CONSERVATION COMMITTEE  
A CONCURRENT RESOLUTION  
APPROVING APPLICATIONS TO APPROPRIATE  
WATER FOR MINIMUM STREAMFLOW.**

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

WHEREAS, the Idaho Water Resource Board may apply for a permit to appropriate unappropriated waters of any stream to establish a minimum streamflow; and

WHEREAS, under the provisions of Section 42-1503, Idaho Code, an approved application shall not become finally effective until affirmatively acted upon by the Legislature, except that if the Legislature fails to act prior to the end of the regular session to which the application was submitted, the application shall be considered approved; and

WHEREAS, on November 1, 2004, the Department of Water Resources approved two applications by issuing a Preliminary Order, which became a Final Order on February 14, 2005, authorizing the appropriation of water for minimum streamflows in Niagara Springs Creek, tributary to the Snake River and Niagara Springs and its creeks tributary to the Snake River as follows:

Identification Number:	36-8347
Location: Subreach A:	Beginning at the third (last) Idaho Power Company diversion, located in Lot 1 (NE1/4NE1/4), Section 10, Township 9 South, Range 15 East, Boise-Meridian, Gooding County, and extending downstream approximately one-eighth (1/8) of a mile to a point in Lot 11 (SW1/4NW1/4), Section 11, Township 9 South, Range 15 East, Boise-Meridian, Gooding County, where the outflow stream widens into the Niagara Springs Estuary.

The downstream terminus of Subreach A is approximately located at the outflow of the Idaho Power Fish Hatchery.

Rate of Flow  
for Subreach A: 45 cubic feet per second ("cfs")  
year-round.

Location: Subreach B: Beginning at a point where the Niagara Springs outflow stream widens into an estuary located in Lot 11 (SW1/4NW1/4), Section 11, Township 9 South, Range 15 East, Boise-Meridian, Gooding County (at the approximate location of the outlet of the Idaho Power Fish Hatchery), and extending downstream to the confluence of the Niagara Springs Estuary and the Snake River, all located within Lot 11, Section 11, Township 9 South, Range 15 East, Boise-Meridian, Gooding County.

Rate of Flow  
for Subreach B: 110 cubic feet per second ("cfs")  
year-round.

Purpose: Recreation, aesthetics, fish and  
wildlife.

Priority Date: January 29, 1988.

Identification  
Number: 36-8670  
Location: Beginning at the head of Niagara Springs located in Lot 1 (NE1/4NE1/4), Section 10, Township 9 South, Range 15 East, and Lot 3 (NW1/4NW1/4), Section 11, Township 9 South, Range 15 East, Boise-Meridian, Gooding County, and continuing downstream to the Rim View Diversion located within Lot 1 (NE1/4NE1/4), Section 10, Township 9 South, Range 15 East, Boise-Meridian, Gooding County.

Rate of Flow 264 cubic feet per second ("cfs")  
year-round.

Purpose: Aesthetics and recreation.

Priority Date: March 24, 1992.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the same is hereby approved subject to the conditions and limitations contained in the Preliminary Order issued by the Department of Water Resources on November 1, 2004, which became a Final Order on February 14, 2005.

**HOUSE CONCURRENT RESOLUTION NO. 37**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
A CONCURRENT RESOLUTION  
APPROVING APPLICATION TO APPROPRIATE WATER  
FOR MINIMUM STREAMFLOW.

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

WHEREAS, the Idaho Water Resource Board may apply for a permit to appropriate unappropriated waters of any stream to establish a minimum streamflow; and

WHEREAS, under the provisions of Section 42-1503, Idaho Code, an approved application shall not become finally effective until affirmatively acted upon by the Legislature, except that if the Legislature fails to act prior to the end of the regular session to which the application was submitted, the application shall be considered approved; and

WHEREAS, on January 13, 2006, the Department of Water Resources approved an application by issuing an Amended Preliminary Order, that became a Final Order on January 28, 2006, authorizing the appropriation of water for minimum streamflows in the North Fork of the Clearwater River as follows:

Identification

Number: 83-11962

Location: Beginning at the confluence with Kelly Creek in the SW1/4SW1/4, Section 18, T39N, R10E, B.M., Clearwater County, and extending downstream 44.6 river miles to the confluence with Beaver Creek in Lot 7 (NE1/4SE1/4NE1/4), Section 6, T40N, R07E, B.M.

Rate of Flow: 1,349 cfs from January 1 through January 31; 1,838 cfs during the month of February; 2,885 cfs March 1 through March 31; 5,863 cfs from April 1 through April 30; 10,396 cfs from May 1 through May 31; 8,470 cfs from June 1 through June 30; 2,331 cfs from July 1 through July 31; 1,128 cfs from August 1 through August 31; 873 cfs from September 1 through September 30; 828 cfs from October 1 through October 31; 1,239 cfs from November 1 through November 30; 1,237 cfs from December 1 through December 31.

Purpose: Provides for fish habitat.

Priority Date: April 1, 2005.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the same is hereby approved subject to the conditions and limitations contained in the Amended

Preliminary Order issued by the Department of Water Resources on January 13, 2006, which became a Final Order on January 28, 2006.

**HOUSE CONCURRENT RESOLUTION NO. 38**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE  
EXPRESSING SUPPORT FOR THE DEVELOPMENT OF  
THE IDAHO BIRDING TRAIL, RECOGNIZING THE  
ECONOMIC OPPORTUNITIES AND BENEFITS THE TRAIL  
WILL AFFORD TO COMMUNITIES IN THE STATE OF  
IDAHO, AND ACKNOWLEDGING THE IMPORTANCE OF  
OUR NATIVE BIRDS AND THEIR HABITATS.

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

WHEREAS, eco-tourism, or nature-tourism, has become a big business for many communities, with birds often being a central attraction; and

WHEREAS, within the last decade there has been an emerging interest in the development of "birding trails," which consist of self-guided driving routes and trail systems along the nation's interstates and byways that highlight the best spots for birding, linking premier birding habitats in convenient loops and spurs; and

WHEREAS, more than a dozen birding and wildlife-watching trails now have been developed and mapped, crisscrossing the country on federal and state land, and more are on drawing boards in various stages of development; and

WHEREAS, a partnership of groups and individuals, including state agencies, visitors' bureaus, educators, wildlife agencies, recreationists, and chapters of the Audubon Society, have worked together for the development of such sites; and

WHEREAS, the growth of birding trails, combined with America's love of the automobile, has helped build interest and spread birder tourism dollars and communities with trail sites have learned that birders are a boon to their economies, providing a means of diversification, especially for rural areas, with trail maps often providing information on lodging, restaurants and other places of interest; and

WHEREAS, birding trails are often located along the major North American flyways, including the "Pacific Flyway" that, in part, traverses the panhandle and Snake River valley of Idaho, and these flyways provide suitable habitat for native birds; and

WHEREAS, watching wildlife is the fastest growing outdoor activity in the United States, and approximately sixty percent of Idahoans regularly engage in wildlife watching, about half a million of whom participate specifically in watching birds on an annual basis; and

WHEREAS, the Idaho Department of Fish and Game has developed a birding trail, and associated trail guide, for a trail to be known as the "Idaho Birding Trail" and hopes to introduce the state trail in time for International Migratory Bird Day in May of 2006; and

WHEREAS, the Idaho Birding Trail will consist of a series of four loops, estimated at approximately 2,000 miles, consisting of the Northern Loop extending from the Canadian border south to

Riggins, the Southwestern Loop, covering Riggins south to the Owyhee Mountains and the Oregon border east to Twin Falls, the Southeastern Loop encompassing the Twin Falls area east to the Wyoming border and Bear Lake north to Island Park, and the East-Central Loop consisting of the Sun Valley/Stanley area northeast to Salmon; and

WHEREAS, the four loops will guide visitors to two hundred sites, including such sites as the Snake River Birds of Prey National Conservation Area, Ponderosa State Park, Market Lake Wildlife Management Area, Camas National Wildlife Refuge, Coeur d'Alene River Wildlife Management Area, and Kootenai National Wildlife Refuge; and

WHEREAS, the Idaho Birding Trail will offer the public educational and recreational experiences as well as benefit nearby communities and offer such communities economic opportunities associated with the resulting increase in tourism to these areas.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we express our support for the development of the Idaho Birding Trail, recognize the economic opportunities and benefits the trail will afford to communities in the state of Idaho, declare it to be the official Idaho birding trail, and encourage the Idaho Department of Commerce and Labor to include the Idaho Birding Trail in its promotional literature.

**HOUSE JOINT MEMORIAL NO. 14**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
A JOINT MEMORIAL

TO THE PRESIDENT AND VICE PRESIDENT OF THE  
UNITED STATES, TO THE SECRETARY OF THE UNITED  
STATES DEPARTMENT OF INTERIOR, TO THE  
MAJORITY AND MINORITY LEADERSHIP OF THE  
SENATE AND THE HOUSE OF REPRESENTATIVES OF  
THE UNITED STATES IN CONGRESS ASSEMBLED, AND  
TO THE CONGRESSIONAL DELEGATION REPRESENTING  
THE STATE OF IDAHO IN THE CONGRESS OF THE  
UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Federal Lands Recreation Enhancement Act, H.R. 3283, 108th United States Congress, was introduced in the United States House of Representatives and would have authorized the United States Forest Service, the United States Bureau of Land Management, the United States Fish and Wildlife Service, the National Park Service, and the United States Bureau of Reclamation to charge visitor fees for recreation on publicly owned lands; and

WHEREAS, H.R. 3283 was not voted on separately in the United States House of Representatives and was not introduced in, did not have hearings in, and was not approved by the United States Senate, but instead was attached to the omnibus spending bill, H.R. 4818, by the 108th United States Congress, as an appropriation rider; and



WHEREAS, the 108th United States Congress enacted H.R. 4818, and the Federal Lands Recreation Enhancement Act is now codified as 16 U.S.C. sections 6801 through 6814; and

WHEREAS, the Federal Lands Recreation Enhancement Act includes criminal penalties and is substantive legislation that fundamentally changes the way public land in the state is funded and managed; and

WHEREAS, the concept of paying fees to use public land is contrary to the idea that public land belongs to the people of the state and is land where every person is granted access and is welcome, a concept that has been and should remain in place; and

WHEREAS, recreational fees constitute double taxation and bear no relationship to the actual costs associated with recreational use such as hiking, picnicking, observing wildlife, or scenic driving on state roads and public rights-of-way; and

WHEREAS, the fees imposed by the Federal Lands Recreation Enhancement Act are a regressive tax that places an undue burden on the people living in rural areas adjacent to or surrounded by large areas of federal land and discriminates against lower-income and working Idahoans by placing financial obstacles in the way of their enjoyment of public land; and

WHEREAS, the public land access fees in the Federal Lands Recreation Enhancement Act are controversial and are opposed by hundreds of organizations, several state legislatures and millions of rural Americans; and

WHEREAS, the Federal Lands Recreation Enhancement Act establishes an interagency pass that may be used to cover entrance fees and recreational amenity fees for federal public land and water, disregarding the substantially different ways in which national parks and other federal public land are managed and funded; and

WHEREAS, the limited means of expressing opposition to and the lack of public debate in the implementation of the fee program raises the concern that some citizens may be deterred from visiting and enjoying public land in the state and throughout the United States; and

WHEREAS, tourism is an important industry to the state, and the imposition of recreational use fees will have a negative effect on state and local economies.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature of the State of Idaho demands that the Federal Lands Recreation Enhancement Act, which was enacted on December 8, 2004, be repealed and that no recreational fees authorized under the Federal Lands Recreation Enhancement Act be imposed to use federal public land in the state.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to be sent to the Honorable George W. Bush, President of the United States; the Honorable Richard B. Cheney, Vice-President of the United States and President of the U.S. Senate; the Honorable Gale Norton, United States Secretary of the Interior; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Ted Stevens, President Pro Tempore of the U.S. Senate, the Honorable William H. Frist, Majority Leader of the U.S. Senate; the Honorable Harry Reid,

Minority Leader of the U.S. Senate; the Honorable John Boehner, Majority Leader of the U.S. House of Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HCR 36, HCR 37, HCR 38, and HJM 14** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**SCR 120**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 627  
BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE  
AN ACT**

RELATING TO THE ISTARs TECHNOLOGY FUND; AMENDING SECTION 1-1623, IDAHO CODE, TO PROVIDE A CODE REFERENCE, TO REFERENCE PAYMENTS BY CREDIT CARD OR DEBIT CARD AND TO ALLOW FOR THE DESIGNATION OF MONEYS FOR CERTAIN TECHNOLOGIES; AND AMENDING SECTION 31-3221, IDAHO CODE, TO PROVIDE FOR THE DEPOSIT OF CERTAIN PAYMENTS INTO THE ISTARs TECHNOLOGY FUND FOR SPECIFIED USES.

**HOUSE BILL NO. 628  
BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE  
AN ACT**

RELATING TO JUDGES' RETIREMENT AND COMPENSATION; AMENDING CHAPTER 20, TITLE 1, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 1-2012, IDAHO CODE, TO AUTHORIZE THE SUPREME COURT TO ADOPT, AMEND AND RESCIND RULES AND ADMINISTRATIVE POLICIES.

**HOUSE BILL NO. 629  
BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE  
AN ACT**

RELATING TO CRIMINAL PENALTIES; AMENDING SECTION 18-1601, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-1905, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 18-2308, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-2317, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-2318, IDAHO CODE, TO INCREASE A PENALTY; AMENDING SECTION 18-2322, IDAHO CODE,

TO INCREASE A PENALTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-2501, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-3202, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 18-3304, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-3305, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 18-3306, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 18-3809, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-3810, IDAHO CODE, TO REMOVE A CODE REFERENCE APPLICABLE TO PENALTIES; AMENDING SECTION 18-4109, IDAHO CODE, TO INCREASE A PENALTY; AMENDING SECTION 18-4616, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-4629, IDAHO CODE, TO INCREASE A PENALTY AND TO PROVIDE A CODE REFERENCE; AMENDING SECTION 18-6801, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 18-7020, IDAHO CODE, TO INCREASE A PENALTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-7031, IDAHO CODE, TO INCREASE A PENALTY; AMENDING SECTION 19-4705, IDAHO CODE, TO CLARIFY THE EFFECTIVE DATE FOR THE APPORTIONMENT OF CERTAIN FINES AND FORFEITURES; AND AMENDING SECTION 49-1401, IDAHO CODE, TO INCREASE PENALTIES.

**HOUSE BILL NO. 630**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO THREATS OF VIOLENCE; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3302I, IDAHO CODE, TO PROVIDE THAT ANY PERSON WHO WILLFULLY THREATENS TO COMMIT AN ACT OF VIOLENCE ON SCHOOL GROUNDS BY USE OF A FIREARM OR OTHER DEADLY OR DANGEROUS WEAPON IS GUILTY OF A MISDEMEANOR AND TO DEFINE TERMS.

**HOUSE BILL NO. 631**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO PROSECUTING ATTORNEYS; AMENDING SECTION 59-907, IDAHO CODE, TO ALLOW COUNTIES TO CONTRACT FOR PROSECUTORIAL SERVICES UNDER CERTAIN CONDITIONS AND TO PROVIDE FOR A LIMITED EXCEPTION TO ALLOW A PROSECUTING ATTORNEY TO HOLD ANOTHER COUNTY OFFICE.

**HOUSE BILL NO. 632**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO EXEMPT FROM LICENSE REQUIREMENTS DETENTION DEPUTIES WITH CERTAIN CREDENTIALS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 633**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO A DRUG HOTLINE FEE; AMENDING CHAPTER 27, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-2735A, IDAHO CODE, TO PROVIDE FOR A DRUG HOTLINE FEE FOR DRUG VIOLATIONS; AND AMENDING SECTION 57-816, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE FOR THE USE OF CERTAIN MONEYS TO SUPPORT A TWENTY-FOUR HOUR ANONYMOUS HOTLINE AND REWARD SYSTEM FOR THE REPORTING OF DRUG VIOLATIONS.

**HOUSE BILL NO. 634**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO EXPRESSIONS OF APOLOGY, CONDOLENCE AND SYMPATHY; AMENDING CHAPTER 2, TITLE 9, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 9-207, IDAHO CODE, TO PROVIDE THAT EXPRESSIONS OF APOLOGY, CONDOLENCE AND SYMPATHY MADE BY HEALTH CARE PROFESSIONALS SHALL BE INADMISSIBLE IN CERTAIN CIRCUMSTANCES, TO PROVIDE FOR ADMISSIBILITY OF A STATEMENT OF FAULT AND TO DEFINE TERMS; AND TO PROVIDE AN EFFECTIVE DATE AND APPLICATION.

**HOUSE BILL NO. 635**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO GAMBLING; AMENDING SECTION 18-3801, IDAHO CODE, TO PROVIDE A REFERENCE TO SLOT MACHINES, TO DEFINE THE TERM "SLOT MACHINE" AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 636**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO WATER; TO ESTABLISH A MINIMUM STREAM FLOW WATER RIGHT FOR A DEFINED STRETCH OF THE NORTH FORK OF THE CLEARWATER RIVER IMMEDIATELY BELOW DWORSHAK DAM TO THE CONFLUENCE WITH THE CLEARWATER RIVER TO BE HELD BY THE IDAHO WATER RESOURCE BOARD IN

TRUST FOR THE PEOPLE OF THE STATE OF IDAHO;  
DECLARING AN EMERGENCY AND PROVIDING A  
CONTINGENT EFFECTIVE DATE.

**HOUSE BILL NO. 637**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO PUBLIC WORKS; AMENDING SECTION 67-5708B, IDAHO CODE, TO SPECIFY THOSE REAL PROPERTIES AND IMPROVEMENTS THAT CONSTITUTE FACILITIES NEEDS RELATING TO THE DEPARTMENT OF WATER RESOURCES AND THE WATER RESOURCE BOARD; AND AMENDING SECTION 67-5711, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM SPECIFIED ADMINISTRATION AND REVIEW OF CERTAIN PUBLIC WORKS PROJECTS FOR THE DEPARTMENT OF WATER RESOURCES AND THE WATER RESOURCE BOARD AND TO PROVIDE THAT CERTAIN REQUIREMENTS APPLY TO THE DEPARTMENT OF WATER RESOURCES AND THE WATER RESOURCE BOARD RELATING TO THE LETTING OF CONTRACTS FOR PUBLIC WORKS.

**HOUSE BILL NO. 638**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO THE PARK AND RECREATION BOARD; AMENDING SECTION 57-1503, IDAHO CODE, TO PROVIDE THAT THE BOARD SHALL APPOINT THE WATERWAY IMPROVEMENT FUND ADVISORY COMMITTEE; AMENDING SECTION 67-4223, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE TERMS OF APPOINTMENT FOR THE RECREATIONAL VEHICLE ADVISORY COMMITTEE; AND AMENDING SECTION 67-7128, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE TERMS AND COMPENSATION OF THE OFF-ROAD MOTOR VEHICLE ADVISORY COMMITTEE AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 639**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO NAVIGATIONAL AND NONNAVIGATIONAL ENCROACHMENTS; AMENDING SECTION 58-1302, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 640**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-112, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE A CORRECT CODE REFERENCE, AND TO REVISE PROVISIONS RELATING TO THE TRANSFER OF MONEYS INTO THE ANIMAL DAMAGE CONTROL FUND.

**HOUSE BILL NO. 641**

**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO MINING AND THE RECLAMATION FUND; AMENDING SECTION 47-1803, IDAHO CODE, TO PROVIDE THAT ANY MONEYS AN OPERATOR HAS PAID INTO THE RECLAMATION FUND SHALL BE CREDITED AGAINST THE COST OF RECLAMATION ON AFFECTED LANDS FOR WHICH THE OPERATOR IS RESPONSIBLE AND TO PROVIDE THAT IF THE COST OF THE RECLAMATION DOES NOT EXCEED THE AMOUNT OF MONEYS THE OPERATOR HAS CONTRIBUTED TO THE FUND, THE OPERATOR SHALL BE REFUNDED THE DIFFERENCE.

**HOUSE BILL NO. 642**

**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO NONPROFIT CORPORATIONS; AMENDING SECTION 30-3-24, IDAHO CODE, TO PROVIDE THAT IF THE CORPORATION IS A HOMEOWNER'S ASSOCIATION, IT MAY ESTABLISH A HOMEOWNER'S ASSOCIATION CAPITAL RESERVE FUND TO DEPOSIT ASSESSMENTS COLLECTED FROM HOMEOWNERS FOR PAYMENT FOR LONG-TERM CAPITAL PROJECTS.

**HOUSE BILL NO. 643**

**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO MOTOR VEHICLE FEES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-451, IDAHO CODE, TO PROVIDE FOR THE RECOVERY OF MOTOR VEHICLE LICENSING, TITLE AND REGISTRATION FEES BY A COMPANY ENGAGED IN THE RENTAL OF MOTOR VEHICLES AND TO PLACE LIMITATIONS ON SUCH RECOVERY.

**HOUSE BILL NO. 644**

**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO INSURANCE; AMENDING SECTIONS 41-2140 AND 41-2210, IDAHO CODE, TO REQUIRE COVERAGE FOR MEDICALLY NECESSARY CARE FOR CHILDREN BORN WITH CLEFT LIP OR CLEFT PALATE; AMENDING SECTION 41-3437, IDAHO CODE, TO REQUIRE COVERAGE FOR MEDICALLY NECESSARY CARE FOR CHILDREN BORN WITH CLEFT LIP OR CLEFT PALATE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTIONS 41-3923 AND 41-4023, IDAHO CODE, TO REQUIRE COVERAGE FOR MEDICALLY NECESSARY CARE FOR CHILDREN BORN WITH CLEFT LIP OR CLEFT PALATE.

**HOUSE BILL NO. 645**

**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE IDAHO LIQUEFIED PETROLEUM GAS PUBLIC SAFETY ACT; AMENDING SECTION 54-5102,

IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION AND TO PROVIDE FURTHER APPLICATION; AMENDING SECTION 54-5108, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 143, LAWS OF 2005, TO REDESIGNATE THE SECTION AND TO PROVIDE APPLICATION TO A FACILITY WITH A STORAGE CAPACITY OF A FOUR THOUSAND ONE GALLONS OR MORE.

**HOUSE BILL NO. 646**  
**BY BUSINESS COMMITTEE**

AN ACT

RELATING TO VITAL STATISTICS; AMENDING SECTION 39-269, IDAHO CODE, TO REQUIRE DISINTERMENT PERMITS BE ISSUED ONLY UPON VERIFIED APPLICATION OF THE PERSON HAVING THE HIGHEST LEGAL AUTHORITY UNDER SECTION 54-1142, IDAHO CODE.

**HOUSE BILL NO. 647**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO THE STATE PERSONNEL SYSTEM; AMENDING SECTION 67-5315, IDAHO CODE, TO REMOVE A DATE AND TO REQUIRE THE DIVISION OF HUMAN RESOURCES TO ADOPT A RULE PERMITTING PROBLEM SOLVING THROUGH PEER REVIEW.

**HOUSE BILL NO. 648**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-204, IDAHO CODE, TO PROVIDE THAT PERSONS PERFORMING SERVICE IN THE COURSE OF THE BUSINESS OF AN EMPLOYER ARE COVERED UNDER PRIVATE EMPLOYMENT PROVISIONS, TO REVISE THE DEFINITION FOR "EMPLOYMENT" AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 72-212, IDAHO CODE, TO REMOVE AN EXEMPTION FROM COVERAGE RELATING TO EMPLOYMENT NOT CARRIED ON BY THE EMPLOYER FOR THE SAKE OF PECUNIARY GAIN.

**HOUSE BILL NO. 649**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**

AN ACT

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-102, IDAHO CODE, TO DEFINE ADDITIONAL TERMS; AMENDING SECTION 72-432, IDAHO CODE, TO PROHIBIT BALANCE BILLING; AMENDING SECTION 20-245, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 72-436, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 72-438, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE

AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 72-451, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 650**  
**BY RESOURCES AND CONSERVATION COMMITTEE**

AN ACT

RELATING TO AQUIFER PROTECTION DISTRICTS; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 5, TITLE 39, IDAHO CODE, TO PROVIDE A PURPOSE, TO DEFINE A TERM, TO PROVIDE FOR AQUIFER PROTECTION DISTRICTS, TO PROVIDE A PROCEDURE FOR FORMATION, TO PROVIDE FOR MODIFICATION AND DISSOLUTION, TO PROVIDE FOR AUTHORITY, TO PROVIDE POWERS AND DUTIES, TO PROVIDE LIMITATIONS ON POWER, TO PROVIDE FOR A POLICY AND BUDGET ADVISORY COMMITTEE, TO PROVIDE FOR FUNDS, TO AUTHORIZE FEES AND TO PROVIDE FOR BUDGETS.

**HOUSE BILL NO. 651**  
**BY BUSINESS COMMITTEE**

AN ACT

RELATING TO PLUMBING; AMENDING SECTION 54-2611, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO CLASSIFICATIONS OF COMPETENCY, TO PROVIDE FOR RESIDENTIAL PLUMBING JOURNEYMEN, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2614, IDAHO CODE, TO PROVIDE FOR AN APPLICATION FEE; AND AMENDING SECTION 54-2616, IDAHO CODE, TO PROVIDE FOR A CERTIFICATE FEE.

**HOUSE BILL NO. 652**  
**BY BUSINESS COMMITTEE**

AN ACT

RELATING TO ASSETS AND LIABILITIES OF INSURANCE COMPANIES; AMENDING SECTION 41-603, IDAHO CODE, TO PERMIT DOMESTIC INSURANCE COMPANIES TO TREAT GOODWILL, TRADE NAMES AND OTHER LIKE INTANGIBLE ASSETS AS ALLOWED ASSETS CONSISTENT WITH THE INDUSTRY'S ACCOUNTING STANDARDS IN ANY DETERMINATION OF THE FINANCIAL CONDITION OF AN INSURER AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 653**  
**BY BUSINESS COMMITTEE**

AN ACT

RELATING TO LIABILITY INSURANCE; AMENDING CHAPTER 16, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1608A, IDAHO CODE, TO REQUIRE DEALERS AND VEHICLE MANUFACTURERS TO OBTAIN LIABILITY INSURANCE AS A CONDITION OF LICENSURE, TO REQUIRE MINIMUM COVERAGE AMOUNTS AND TO REQUIRE THAT CERTIFICATES OF INSURANCE BE FILED WITH THE IDAHO TRANSPORTATION DEPARTMENT.

**HOUSE BILL NO. 654  
BY BUSINESS COMMITTEE  
AN ACT**

RELATING TO MOTOR VEHICLE DEALERS AND SALESMEN LICENSING; AMENDING CHAPTER 16, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1638, IDAHO CODE, TO PROVIDE FOR PAYMENT OF CLAIMS OR OTHER COMPENSATION TO MOTOR VEHICLE DEALERS UNDER A MANUFACTURER INCENTIVE PROGRAM FOR MOTOR VEHICLE DEALERS AND TO PROVIDE CONDITIONS UNDER WHICH A MANUFACTURER OR DISTRIBUTOR CAN AND CANNOT CHARGE BACK TO A MOTOR VEHICLE DEALER THE AMOUNT OF A CLAIM OR CASH VALUE OF A PRIZE AWARDED TO A DEALER UNDER A MANUFACTURER INCENTIVE PROGRAM.

**HOUSE BILL NO. 655  
BY BUSINESS COMMITTEE  
AN ACT**

RELATING TO INSURANCE; AMENDING SECTION 41-2223, IDAHO CODE, TO PROVIDE THAT LARGE EMPLOYER CARRIERS MAY DISCONTINUE OFFERING PARTICULAR HEALTH BENEFIT PLANS AT THE TIME OF COVERAGE RENEWAL UNDER CERTAIN CONDITIONS; AMENDING SECTION 41-4707, IDAHO CODE, TO PROVIDE THAT SMALL EMPLOYER CARRIERS MAY DISCONTINUE OFFERING PARTICULAR HEALTH BENEFIT PLANS AT THE TIME OF COVERAGE RENEWAL UNDER CERTAIN CONDITIONS; AND AMENDING SECTION 41-5207, IDAHO CODE, TO PROVIDE THAT INDIVIDUAL CARRIERS MAY DISCONTINUE OFFERING PARTICULAR HEALTH BENEFIT PLANS AT THE TIME OF COVERAGE RENEWAL UNDER CERTAIN CONDITIONS.

**H 627, H 628, H 629, H 630, H 631, H 632, H 633, H 634, H 635, H 636, H 637, H 638, H 639, H 640, H 641, H 642, H 643, H 644, H 645, H 646, H 647, H 648, H 649, H 650, H 651, H 652, H 653, H 654, and H 655** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 577**, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

**H 468** and **H 476**, by State Affairs Committee, were read the second time by title and filed for third reading.

**H 421**, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Denney asked unanimous consent that all bills on the Third Reading Calendar retain their places until Monday, February 13, 2006. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Denney moved that the House adjourn until 11 a.m., Monday, February 13, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:33 a.m. **BRUCE NEWCOMB**, Speaker

ATTEST: PAMM JUKER, Chief Clerk

**THIRTY-SIXTH LEGISLATIVE DAY  
MONDAY, FEBRUARY 13, 2006**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Ian McMahan, Page.

**Approval of Journal**

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-third Legislative Day and recommend that same be adopted as corrected.

**FIELD(18)**, Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

At this time, the Speaker put the House at ease.

A Lincoln Day Memorial Service was presented to the members of the House.

Opening Remarks ..... Representative Pence  
Posting of the Colors ..... Civil War Enactors of Boise  
Choral Performance ..... Boise Master Chorale  
Dr. James Jirak, Director  
Tribute to President Abraham Lincoln ..... Mr. Skip Critell  
Closing ..... Representative Bilbao

Prior to going at ease, the House was at the Fourth Order of Business.

**Consideration of Messages from the  
Governor and the Senate**

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Phil Hart, State Representative, District District 3, House Seat B, Kootenai County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Tina Jacobson, of Rathdrum, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Tina Jacobson, Acting State Representative, District 3, House Seat B, State of Idaho, for a term commencing on Monday, February 13, 2006, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 9th day of February in the year of our Lord two thousand and six, and of the Independence of the United States of America, the two hundred and thirtieth year.

/s/ DIRK A. KEMPTHORNE  
Governor  
/s/ BEN YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Ms. Jacobson.

February 10, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1329** and **S 1330** for the signature of the Speaker. WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1329** and **S 1330** and, when so signed, ordered them returned to the Senate.

February 10, 2006

Mr. Speaker:

I transmit herewith **S 1299**, **S 1315**, **S 1317**, and **S 1258** which have passed the Senate. WOOD, Secretary

**S 1299**, **S 1315**, **S 1317**, and **S 1258** were filed for first reading.

February 10, 2006

Mr. Speaker:

I return herewith **H 405** and **H 406** which have passed the Senate. WOOD, Secretary

**H 405** and **H 406** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 36**, **HCR 37**, **HCR 38**, **HJM 14**, **H 627**, **H 628**, **H 629**, **H 630**, **H 631**, **H 632**, **H 633**, **H 634**, **H 635**, **H 636**, **H 637**, **H 638**, **H 639**, **H 640**, **H 641**, **H 642**, **H 643**, **H 644**, **H 645**, **H 646**, **H 647**, **H 648**, **H 649**, **H 650**, **H 651**, **H 652**, **H 653**, **H 654**, and **H 655**. FIELD(18), Chairman

**HCR 36**, **HCR 37**, **HCR 38**, **HJM 14**, **H 636**, **H 637**, **H 638**, **H 639**, **H 640**, **H 641**, and **H 650** were referred to the Resources and Conservation Committee.

**H 627**, **H 628**, **H 629**, **H 630**, **H 631**, **H 632**, **H 633**, and **H 634** were referred to the Judiciary, Rules, and Administration Committee.

**H 635** was referred to the State Affairs Committee.

**H 642**, **H 643**, **H 644**, **H 645**, **H 646**, **H 651**, **H 652**, **H 653**, **H 654**, and **H 655** were referred to the Business Committee.

**H 647**, **H 648**, and **H 649** were referred to the Commerce and Human Resources Committee.

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 452** and **H 574** and recommend that they do pass. DEAL, Chairman

**H 452** and **H 574** were filed for second reading.

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 454** and recommend that it do pass. CROW, Chairman

**H 454** was placed on the Third Reading Calendar.

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 508** and recommend that it do pass. CROW, Chairman

**H 508** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### **HOUSE CONCURRENT RESOLUTION NO. 39 BY TRANSPORTATION AND DEFENSE COMMITTEE A CONCURRENT RESOLUTION**

STATING LEGISLATIVE FINDINGS AND COMMENDING MOST MEMBERS OF THE IDAHO MEDICAL ASSOCIATION FOR PROVIDING HEALTH CARE TO MILITARY PERSONNEL AND THEIR FAMILIES DURING DEPLOYMENT.

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

WHEREAS, the United States of America has a declared commitment against the war on terror;

WHEREAS, many soldiers have been called to active duty and have been put on alert to mobilize for active duty; and

WHEREAS, the Department of Defense has instructed our citizen soldiers and their families to put their personal, financial and other affairs in order in the event of an overseas deployment; and

WHEREAS, every family member, neighbor or medical provider could be affected by this ongoing military mobilization; and

WHEREAS, upon this mobilization of military personnel, the Idaho Army National Guard, the U.S. Army, the U.S. Air Force, the U.S. Navy, and the U.S. Marines, and their families will be enrolled in the Department of Defense TRICARE insurance program; and

WHEREAS, military personnel and their families will be in insurance transition during these difficult times and require the full support of all Idaho medical providers; and

WHEREAS, most of the medical providers of the Idaho Medical Association have responded to the call of the state's Commander in Chief, Governor Dirk Kempthorne that no soldier or his/her family will be denied needed medical care during this deployment and active duty against the War on Terror.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that, on behalf of the citizens of the State of Idaho commend:

1. Most of the medical providers of the Idaho Medical Association for their spirit of public good faith in support of military personnel and their families during insurance benefit transition.

2. Most medical providers of the Idaho Medical Association for their spirit of patriotism and sacrifice for military personnel and their families that no soldier or his/her family will be denied needed medical care during this deployment and active duty against the War on Terror.

3. Most medical providers of the Idaho Medical Association for their spirit of commitment against the War on Terror.

BE IT FURTHER RESOLVED that we request all medical providers in Idaho to accept the Department of Defense TRICARE insurance program for Idaho military personnel on active duty and their families.

#### **HOUSE CONCURRENT RESOLUTION NO. 40 BY HEALTH AND WELFARE COMMITTEE A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THE DEPARTMENT OF HEALTH AND WELFARE AND THE OFFICE OF THE ATTORNEY GENERAL TO DEVELOP A STATEWIDE, UNIVERSAL SYSTEM AND FORM FOR PHYSICIAN ORDERS FOR LIFE-SUSTAINING TREATMENT AND TO REPORT THEIR PROPOSALS TO THE LEGISLATURE.

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

WHEREAS, physician orders for life-sustaining treatment are voluntary and are intended to help the patient and the patient's physician or nurse practitioner discuss and develop plans that reflect the patient's wishes; and

WHEREAS, physician orders for life-sustaining treatment are written instructions stating the patient's intent on how the patient's medical decisions are to be made if the patient is unable to make that decision; and

WHEREAS, physicians, nurses, emergency medical personnel and health care facilities strive to honor and carry out patient intent on life-sustaining treatment; and

WHEREAS, Idaho does not have a statewide, universal form for physician orders for life-sustaining treatment; and

WHEREAS, some physician orders for life-sustaining treatment are recognized in some care settings but not in others and may not be recognized by emergency medical personnel or other health care providers.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Department of Health and Welfare and the Office of the Attorney General are requested to develop a statewide, universal system or form for physician orders for life-sustaining treatment. The Department of Health and Welfare and the Office of the Attorney General are requested to work with representatives of emergency medical services, hospitals, physicians, health care facilities and other interested parties to develop the specific system or form for physician orders for life-sustaining treatment, including the statewide and universal application and implementation guidelines. These parties are requested to bring a report to the First Regular Session of the Fifty-ninth Idaho Legislature outlining their proposals. Legislation, if necessary, may be drafted by the Office of the Attorney General to implement these suggestions.

#### **HOUSE CONCURRENT RESOLUTION NO. 41 BY HEALTH AND WELFARE COMMITTEE A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE DEVELOPMENT AND IMPLEMENTATION OF A STATE WEBSITE PORTAL TO

**ASSIST IDAHOANS IN BECOMING MORE INFORMED ABOUT HEALTHY LIFESTYLES AND AVAILABLE HEALTH CARE OPTIONS IN IDAHO.**

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

WHEREAS, there is currently a lack of transparency in the pricing of health care; and

WHEREAS, consumers of health care services do not have access to enough information to make fully-informed decisions about the expenditure of their health care dollars; and

WHEREAS, the health gains attained over the last thirty years have flattened and the next generation of Americans may not live as long and healthy lives as their parents; and

WHEREAS, the implementation of a "health.idaho.gov" website portal administered by the Idaho Department of Administration with the collaboration of the Department of Insurance and the Division of Health, Department of Health and Welfare, would assist Idahoans by disseminating health care information on a wider and more accessible basis; and

WHEREAS, the "health.idaho.gov" website portal would be designed to increase the health knowledge of all Idahoans and enable them to make informed choices; and

WHEREAS, the "health.idaho.gov" website portal could provide information including costs for health procedures and prescription drug programs, healthy lifestyle choices and preventive health information, as well as links to health care services and providers in Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho Legislature encourages the development and implementation of a "health.idaho.gov" website portal to assist Idahoans in becoming more informed about healthy lifestyles and available health care options in Idaho.

**HOUSE JOINT MEMORIAL NO. 15  
BY HEALTH AND WELFARE COMMITTEE  
A JOINT MEMORIAL**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, there are an estimated 148,000 adults in Idaho without health care coverage; and

WHEREAS, 286,000 Idaho adults live in households with incomes of less than or equal to 185 percent of the Federal Poverty Guidelines (FPG); and

WHEREAS, 78,000 or nearly 30 percent of the households at or below 180 percent of the FPG are without health insurance; and

WHEREAS, many of these individuals qualify for patient assistance programs available through pharmaceutical companies; and

WHEREAS, health care providers throughout Idaho, including hospitals, community health centers, residency programs, free clinics, physicians' offices, county governments and other community agencies, have shown a commitment to assisting patients in accessing these programs because the application process is burdensome and time-consuming; and

WHEREAS, depending upon the medication needed, there are approximately 191 programs and forms from the various pharmaceutical companies that must be completed in order to access these medications; and

WHEREAS, each patient averages between three to five medications and some have as many as nine medications; and

WHEREAS, the average savings in prescription costs to these patients is estimated to be approximately \$2,400 annually; and

WHEREAS, these prescriptions represent preventive medications, the availability of which reduces additional costs in the health care safety net and are lifesaving in certain circumstances; and

WHEREAS, the most common types of medications requested are hypertension medications and antidepressants; and

WHEREAS, the estimated time to complete each application for each patient by hand is thirty minutes to one hour; and

WHEREAS, there would be considerable time saved for health care providers in Idaho and increased access to necessary prescriptions for low-income Idahoans if the process were streamlined; and

WHEREAS, it is generally estimated that a standardized application for these prescriptions would reduce the time necessary to complete applications for any individual by half, based upon experience using electronic software that completes the process at a cost.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge Congress to mandate a standardized application for use by pharmaceutical companies in determining eligibility for free medications from the pharmaceutical companies.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HCR 39, HCR 40, HCR 41, and HJM 15** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.



**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 656**

**BY LOCAL GOVERNMENT COMMITTEE**

AN ACT

RELATING TO THE BASIN PROJECT COMMISSION; AMENDING SECTION 39-8106, IDAHO CODE, TO PROVIDE FOR AN ADDITIONAL MEMBER ON THE BOARD OF COMMISSIONERS OF THE BASIN PROJECT COMMISSION.

**HOUSE BILL NO. 657**

**BY LOCAL GOVERNMENT COMMITTEE**

AN ACT

AMENDING THE CHARTER OF THE CITY OF BELLEVUE, TO AMEND CHAPTER III, SECTION 33, AS ADDED BY SECTION 2, CHAPTER 130, LAWS OF 1996, TO REDESIGNATE THE SECTION; TO AMEND CHAPTER IV, ELECTIONS, SECTIONS 33, 34, 36, 37, 41, 42 AND 43 THEREOF TO PROVIDE FOR THE ELECTION DATES AND ELECTION PROCEDURES TO BE AS SET FORTH IN THE GENERAL LAWS OF THE STATE OF IDAHO APPLICABLE TO ELECTION OF CITY OFFICIALS, INCLUDING SUBSEQUENT AMENDMENTS THERETO; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 658**

**BY LOCAL GOVERNMENT COMMITTEE**

AN ACT

RELATING TO PARTIAL EXEMPTION FOR PARCELS OF LAND IN A RURAL HOMESITE DEVELOPMENT PLAT; REPEALING SECTION 63-602FF, IDAHO CODE, RELATING TO PARTIAL EXEMPTION FROM TAXATION FOR PARCELS OF LAND IN A RURAL HOMESITE DEVELOPMENT PLAT; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602FF, IDAHO CODE, TO PROVIDE EXEMPTION FROM TAXATION FOR THE SPECULATIVE PORTION OF THE VALUE OF EACH PARCEL OF LAND IN A RURAL HOMESITE DEVELOPMENT PLAT UNTIL SUCH TIME AS IMPROVEMENTS ARE BEING BUILT UPON THE PARCEL, OR ANY INTEREST IN THE OWNERSHIP OF THE PARCEL IS SOLD OR TRANSFERRED TO AN UNRELATED ENTITY AND TO PROVIDE DEFINITIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 659**

**BY TRANSPORTATION AND DEFENSE COMMITTEE**

AN ACT

RELATING TO A MOTOR VEHICLE MANUFACTURER'S LICENSE; AMENDING SECTION 49-1612, IDAHO CODE, TO PROHIBIT ISSUANCE OF A VEHICLE MANUFACTURER'S LICENSE TO AN APPLICANT WHO DOES NOT HAVE AN ESTABLISHED PLACE OF BUSINESS WITHIN IDAHO, TO REQUIRE NOTIFICATION TO THE DEPARTMENT UPON A CHANGE OF BUSINESS ADDRESS, TO PROVIDE FOR GRANTING A

NEW LICENSE FOR THE UNEXPIRED PORTION OF THE TERM OF THE LICENSE AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 660**

**BY TRANSPORTATION AND DEFENSE COMMITTEE**

AN ACT

RELATING TO TITLING OF SALVAGE VEHICLES; AMENDING SECTION 49-524, IDAHO CODE, TO DELETE THE AGE AND MARKET VALUE LIMITATIONS RELATING TO OBTAINING A SALVAGE CERTIFICATE OF OWNERSHIP FOR A SALVAGE VEHICLE; AND AMENDING SECTION 49-525, IDAHO CODE, TO PROVIDE A PROCEDURE FOR OBTAINING A BRANDED CERTIFICATE OF TITLE FOR A VEHICLE WHICH IS FIVE YEARS OLD OR LESS OR WHICH HAS A KNOWN MARKET VALUE IN EXCESS OF SIX THOUSAND DOLLARS WHICH HAS BEEN DETERMINED TO BE A SALVAGE VEHICLE AND WHICH HAS NOT BEEN INSPECTED BY THE DEPARTMENT.

**HOUSE BILL NO. 661**

**BY TRANSPORTATION AND DEFENSE COMMITTEE**

AN ACT

RELATING TO TAXATION OF MOTOR FUELS; AMENDING SECTION 63-2402, IDAHO CODE, TO PROVIDE THAT THE TAX LIABILITY FOR MOTOR FUELS IS THE RESPONSIBILITY OF THE RECEIVING DISTRIBUTOR, TO AUTHORIZE DISTRIBUTORS TO INCLUDE AN AMOUNT EQUAL TO THE TAX AS PART OF THE SELLING PRICE AND TO PROVIDE THE PROCESSES FOR REMITTANCE OF FUEL TAX WHEN THE DISTRIBUTOR, RETAILER OR CONSUMER IS EXEMPT FROM THE TAX LIABILITY; AMENDING SECTION 63-2407, IDAHO CODE, TO REVISE THE PROCESS FOR CLAIMING A DEDUCTION BASED ON THE NUMBER OF GALLONS RECEIVED BY THE DISTRIBUTOR DURING A REPORTING PERIOD AND TO DELETE DISTRIBUTOR DEDUCTION PROVISIONS RELATING TO TAXES PREVIOUSLY PAID ON WORTHLESS ACCOUNTS; AMENDING SECTION 63-2427A, IDAHO CODE, TO PROVIDE A CONDITION FOR ISSUANCE OF A DISTRIBUTOR'S LICENSE; REPEALING SECTION 63-2435, IDAHO CODE, PROVIDING THAT MOTOR FUEL TAXES ARE STATE MONEY; AND PROVIDING SEVERABILITY.

**HOUSE BILL NO. 662**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 56-250, 56-251, 56-252, 56-253, 56-254 AND 56-255, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE LEGISLATIVE INTENT, TO PROVIDE DEFINITIONS, TO PROVIDE POWERS AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE, TO PROVIDE FOR MEDICAL ASSISTANCE PAYMENTS BY THE DEPARTMENT TO OR ON BEHALF

OF DESIGNATED CATEGORIES OF ELIGIBLE PERSONS, TO PERMIT THE DEPARTMENT TO MAKE PAYMENT FOR MEDICALLY NECESSARY SERVICES FURNISHED BY PROVIDERS TO DESIGNATED CATEGORIES OF ELIGIBLE PARTICIPANTS AND TO SPECIFY THE SERVICES FOR WHICH PAYMENT MAY BE MADE; REPEALING SECTION 56-209d, IDAHO CODE, RELATING TO THE MEDICAL ASSISTANCE PROGRAM, SERVICES TO BE PROVIDED AND EXPERIMENTAL SERVICES OR PROCEDURES EXCLUDED; AND AMENDING SECTION 31-873, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 663**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 56-256 AND 56-257, IDAHO CODE, TO PERMIT THE DEPARTMENT OF HEALTH AND WELFARE TO ESTABLISH PERSONAL HEALTH ACCOUNTS FOR MEDICAID PARTICIPANTS, TO PROVIDE A PURPOSE FOR THE ACCOUNTS, TO PROVIDE FOR FUNDING OF THE ACCOUNTS, TO PERMIT RULEMAKING BY THE DEPARTMENT, TO PROVIDE FOR USE OF THE ACCOUNT FUNDS, AND TO PROVIDE PAYMENTS FROM THE ACCOUNTS, TO REQUIRE THE DEPARTMENT TO ESTABLISH ENFORCEABLE COST SHARING, TO PROVIDE FOR A PURPOSE, TO PROVIDE FOR RULEMAKING BY THE DEPARTMENT, TO PROVIDE FOR PRACTICES THAT MAY INVOKE COPAYMENTS, TO DEFINE TERMS AND TO PERMIT EXCEPTIONS.

**HOUSE BILL NO. 664**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-209n, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR WORKERS WITH DISABILITIES TO QUALIFY FOR MEDICAID, TO PROVIDE AN EXCEPTION FOR PAYING A MEDICAID PREMIUM AND TO PROVIDE FOR A PREMIUM BASED ON INCOME; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 665**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO HEALTH INSURANCE; AMENDING CHAPTER 47, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-4714, IDAHO CODE, TO REQUIRE ANNUAL REPORTS BY CARRIERS TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, TO PROVIDE FOR THE INFORMATION TO BE SUBMITTED, TO REQUIRE THE DIRECTOR TO PREPARE AND PUBLISH A COMPARATIVE POLICY REPORT, AND TO REQUIRE THAT A REPORT SUMMARY BE PUBLISHED ON THE DIRECTOR'S WEBSITE.

**HOUSE BILL NO. 666**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO PUBLIC ASSISTANCE LAW; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-209n, IDAHO CODE, TO DIRECT THE DEPARTMENT OF HEALTH AND WELFARE TO APPLY FOR FEDERAL WAIVERS FOR SPECIFIC REVISIONS TO THE STATE MEDICAID PROGRAM.

**HOUSE BILL NO. 667**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-2140, IDAHO CODE, TO REQUIRE CERTAIN DISABILITY INSURANCE CONTRACTS TO PROVIDE COVERAGE FOR SPECIAL MEDICAL FORMULAS AND EARLY INTERVENTION SERVICES UP TO A SPECIFIED BENEFIT LIMIT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-2210, IDAHO CODE, TO REQUIRE CERTAIN GROUP DISABILITY INSURANCE CONTRACTS AND BLANKET DISABILITY INSURANCE CONTRACTS TO PROVIDE COVERAGE FOR SPECIAL MEDICAL FORMULAS AND EARLY INTERVENTION SERVICES UP TO A SPECIFIED BENEFIT LIMIT; AMENDING SECTION 41-3437, IDAHO CODE, TO REQUIRE CERTAIN SUBSCRIBER CONTRACTS TO PROVIDE COVERAGE FOR SPECIAL MEDICAL FORMULAS AND EARLY INTERVENTION SERVICES UP TO A SPECIFIED BENEFIT LIMIT; AMENDING SECTION 41-3923, IDAHO CODE, TO REQUIRE MANAGED CARE ORGANIZATION PLANS TO PROVIDE CERTAIN COVERAGE FOR SPECIAL MEDICAL FORMULAS AND EARLY INTERVENTION SERVICES UP TO A SPECIFIED BENEFIT LIMIT AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 41-4023, IDAHO CODE, TO REQUIRE CERTAIN SELF-FUNDED PLANS TO PROVIDE CERTAIN COVERAGE FOR SPECIAL MEDICAL FORMULAS AND EARLY INTERVENTION SERVICES UP TO A SPECIFIED BENEFIT LIMIT AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 668**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO MEDICAID; AMENDING CHAPTER 14, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-1404, IDAHO CODE, TO PROVIDE FOR THE INVESTIGATION AND PROSECUTION OF MEDICAID FRAUD BY THE OFFICE OF THE ATTORNEY GENERAL, TO PROVIDE FOR THE ADOPTION OF PROCEDURES, TO PROVIDE FOR THE COLLECTION OF OVERPAYMENTS, TO PROVIDE FOR THE EMPLOYMENT OF NECESSARY PERSONNEL, TO PROVIDE FOR REPORTING, TO PROVIDE A DEFINITION AND TO PROVIDE FOR RULEMAKING AUTHORITY; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 669**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO MENTAL ILLNESS; AMENDING SECTION 39-4501, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING MEDICAL ATTENDANCE UPON THE MENTALLY ILL; AMENDING SECTION 66-317, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE "DIRECTOR OF A FACILITY" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-318, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE AUTHORITY TO ADMIT VOLUNTARY PATIENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-320, IDAHO CODE, TO REFERENCE VOLUNTARY PATIENTS ADMITTED FOR CERTAIN PURPOSES RELATED TO MENTAL ILLNESS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-324, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE AUTHORITY TO RECEIVE INVOLUNTARY PATIENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 66-326, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO A DETENTION WITHOUT A HEARING AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 66-601, IDAHO CODE, TO REVISE A CODE REFERENCE.

**HOUSE BILL NO. 670**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO CLEAN INDOOR AIR; AMENDING SECTION 39-5502, IDAHO CODE, TO REVISE THE DEFINITION OF "PUBLIC PLACE" TO INCLUDE BOWLING ALLEYS; AND AMENDING SECTION 39-5503, IDAHO CODE, TO REMOVE BOWLING ALLEYS FROM THE LIST OF EXCEPTIONS TO THE PROHIBITION ON SMOKING IN A PUBLIC PLACE.

**HOUSE BILL NO. 671**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO SCHOOL DISTRICT ELECTIONS; AMENDING SECTION 33-403C, IDAHO CODE, TO ALLOW EACH CANDIDATE TO AUTHORIZE A WATCHER TO OBSERVE THE CONDUCT OF THE ELECTION, TO PERMIT CHALLENGERS AND WATCHERS TO WORK IN SHIFTS, TO PROVIDE FOR WATCHERS AT SCHOOL DISTRICT ELECTIONS WHICH ARE OTHER THAN FOR THE ELECTION OF OFFICERS, TO REMOVE THE REQUIREMENT THAT SUCH WATCHERS NOT ABSENT THEMSELVES UNTIL THE POLLS CLOSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-406, IDAHO CODE, TO REMOVE THE REQUIREMENT THAT AN ELECTOR BE ABSENT FROM THE DISTRICT OR UNABLE BECAUSE OF PHYSICAL DISABILITY OR BLINDNESS TO VOTE BY ABSENTEE BALLOT AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 672**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO ELECTION PROCEDURES; AMENDING SECTION 34-304, IDAHO CODE, TO PROVIDE FOR WATCHERS TO OBSERVE THE CONDUCT OF AN ELECTION, TO ALLOW PRO AND CON PERSONS TO BE AT POLLING PLACES FOR THE PURPOSE OF CHALLENGING VOTERS AND OBSERVING THE CONDUCT OF AN ELECTION AND TO PROVIDE PROCEDURES; AMENDING SECTION 34-418, IDAHO CODE, TO PROVIDE FOR UTILIZATION OF THE STATEWIDE VOTER REGISTRATION SYSTEM FOR NOTIFYING REGISTRATION OFFICIALS OR THE COUNTY CLERK WHERE THE ELECTOR WAS PREVIOUSLY REGISTERED SO THAT THE PRIOR REGISTRATION MAY BE CANCELED; AMENDING SECTION 34-432, IDAHO CODE, TO DELETE LANGUAGE ALLOWING AN ELECTOR TO REQUEST A CHANGE IN THE INFORMATION ON HIS REGISTRATION CARD; AMENDING SECTION 34-437B, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL SUPPLY TO A REQUESTING SCHOOL BOARD A LIST OF REGISTERED ELECTORS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 673**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO LIQUOR LICENSES; AMENDING SECTION 23-904, IDAHO CODE, TO PROVIDE FOR LIQUOR LICENSE FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-957, IDAHO CODE, TO PROVIDE THAT THERE IS NO PROHIBITION TO THE ISSUANCE OF LIQUOR LICENSES TO THE OWNER, OPERATOR OR LESSEE OF BEVERAGE, LODGING OR DINING FACILITIES LOCATED WITHIN THE BOUNDARIES OF A YEAR-ROUND RESORT, TO PROVIDE THAT THERE IS NO PROHIBITION TO THE ISSUANCE OF LIQUOR LICENSES TO THE OWNER, OPERATOR OR LESSEE OF A GOLF COURSE, SKI RESORT, CROSS-COUNTRY SKIING FACILITY OR WATERFRONT RESORT LOCATED WITHIN THE BOUNDARIES OF A YEAR-ROUND RESORT, TO PROVIDE FOR NONTRANSFERABILITY OF LIQUOR LICENSES OUTSIDE THE YEAR-ROUND RESORT, TO PROVIDE FOR FEES AND TO DEFINE "YEAR-ROUND RESORT"; AND AMENDING SECTION 23-903, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

**HOUSE BILL NO. 674**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1401, IDAHO CODE, TO CLARIFY THE PURPOSE AND POLICY OF THE FIRE PROTECTION DISTRICT LAW; AMENDING SECTION 31-1403, IDAHO CODE, TO PROVIDE FOR COSTS OF

PUBLICATION AND ELECTION RELATING TO PETITIONS FOR ORGANIZATION OF FIRE DISTRICTS; AMENDING SECTION 31-1405, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PUBLICATION OF NOTICE OF ELECTION; AMENDING SECTION 31-1408, IDAHO CODE, TO REQUIRE OATHS FOR APPOINTED OFFICERS, TO CLARIFY PROVISIONS RELATING TO FIRE PROTECTION BOARD COMPOSITION AND TO PROVIDE FOR OATHS OF FIRE PROTECTION COMMISSIONERS AND APPOINTED OFFICERS; AMENDING SECTION 31-1408A, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1409, IDAHO CODE, TO PROVIDE FOR TERMS OF OFFICE FOR FIRE PROTECTION COMMISSIONERS AND TO PROVIDE FOR THE FILLING OF VACANCIES OF FIRE PROTECTION COMMISSIONERS; AMENDING SECTION 31-1410, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ELECTION OF COMMISSIONERS, TO REVISE PROVISIONS RELATING TO FIRE DISTRICT SUBDISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1411, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ANNEXATION AND TO PROVIDE FOR THE ANNEXATION OF TERRITORY LOCATED WITHIN AN EXISTING FIRE PROTECTION DISTRICT INTO ANOTHER FIRE PROTECTION DISTRICT; AMENDING SECTION 31-1411A, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO PETITIONS OBJECTING TO CONSOLIDATION, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1411B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO ELECTIONS FOR THE CONSOLIDATION OF DISTRICTS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 31-1412, IDAHO CODE, TO PROVIDE ADDITIONAL PROCEDURAL REQUIREMENTS FOR ANNEXATION, TO REVISE PROVISIONS RELATING TO ANNEXATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1413, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE THAT THE BOARD SHALL ACT ON LISTS OF BILLS PRESENTED BY THE SECRETARY AND TO PROVIDE FOR THE APPLICABILITY OF SPECIFIED LAWS TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1414, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1415, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR AND TO REVISE CORPORATE POWERS AND DUTIES OF THE BOARD OF FIRE PROTECTION COMMISSIONERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1416A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1417, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1417A, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR AND REVISE PROVISIONS RELATING TO THE SALE, CONVEYANCE AND DISPOSITION OF PROPERTY OF FIRE PROTECTION

DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 31-1418, IDAHO CODE, RELATING TO FIRE PROTECTION BOARD COMMISSIONER COMPENSATION AND EXPENSES; AMENDING CHAPTER 14, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-1421, IDAHO CODE, TO PROVIDE FOR COMPENSATION AND BENEFITS FOR FIRE PROTECTION COMMISSIONERS, TO PROVIDE FOR EXPENSES OF FIRE PROTECTION COMMISSIONERS, TO PROVIDE FOR COMPENSATION AND BENEFITS FOR OFFICERS, AGENTS AND EMPLOYEES AND TO PROVIDE FOR LIABILITY OF THE FIRE PROTECTION DISTRICT FOR THE ACTS AND OMISSIONS OF CERTAIN PERSONS; AMENDING SECTION 31-1419A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1420, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1421, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1422, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1423, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR AND TO REVISE PROVISIONS RELATING TO THE HANDLING OF DISTRICT FUNDS; AMENDING SECTION 31-1424, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1424A, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTION 31-1425, IDAHO CODE, RELATING TO DUTIES OF FIRE PROTECTION DISTRICT TREASURERS, REPEALING SECTION 31-1426, IDAHO CODE, RELATING TO WARRANTS, REPEALING SECTION 31-1427, IDAHO CODE, RELATING TO WITHDRAWALS FROM FIRE PROTECTION DISTRICTS, REPEALING SECTION 31-1428, IDAHO CODE, RELATING TO HEARINGS OF PETITIONS FOR WITHDRAWAL FROM DISTRICTS AND DISTRIBUTION OF ASSETS AND REPEALING SECTION 31-1430, IDAHO CODE, RELATING TO COOPERATION AND RECIPROCATING USE OF FIRE FIGHTING FORCES AND APPARATUS OF DISTRICTS AND CITIES; AMENDING CHAPTER 14, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-1430, IDAHO CODE, TO PROVIDE FOR THE COOPERATION AND RECIPROCATING USE OF FIREFIGHTING FORCES AND APPARATUS OF DISTRICTS AND POLITICAL SUBDIVISIONS AND MUNICIPALITIES AND TO PROVIDE FOR FEES AND LIENS; REPEALING SECTION 31-1430A, IDAHO CODE, RELATING TO COOPERATION BETWEEN FIRE PROTECTION DISTRICTS IN IDAHO AND FIRE PROTECTION DISTRICTS AND MUNICIPALITIES OF OTHER STATES; AMENDING SECTION 31-1430B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO CONTRACTS BETWEEN FIRE PROTECTION DISTRICTS AND INDIVIDUAL PROPERTY OWNERS OUTSIDE OF THE DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1431, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 31-1432, IDAHO CODE, RELATING TO THE

DEPOSIT OF COSTS AND REPEALING SECTION 31-1433, IDAHO CODE, RELATING TO INTEREST ON UNPAID WARRANTS AND LIMITATIONS ON AMOUNTS OF WARRANTS; AMENDING SECTION 31-1434, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1435, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO THE DISSOLUTION OF FIRE PROTECTION DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1436, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1437, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1438, IDAHO CODE, TO REDESIGNATE THE SECTION; AND AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 675**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO TEEN EARLY INTERVENTION; AMENDING SECTION 16-1617, IDAHO CODE, TO PERMIT TEEN EARLY INTERVENTION COUNSELORS TO PARTICIPATE ON INTERAGENCY MULTIDISCIPLINARY TEAMS; AMENDING SECTION 16-2403, IDAHO CODE, TO DEFINE "TEENS AT RISK"; AMENDING SECTION 16-2404, IDAHO CODE, TO PROVIDE FOR CONTRACTING BY THE DEPARTMENT OF HEALTH AND WELFARE WITH SCHOOL DISTRICTS FOR TEEN EARLY INTERVENTION COUNSELORS; AMENDING CHAPTER 24, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-2404A, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT TO EMPLOY TEEN EARLY INTERVENTION COUNSELORS, TO PROVIDE QUALIFICATIONS FOR SUCH COUNSELORS, TO PROVIDE PROCEDURES FOR EVALUATING APPLICATIONS FROM SCHOOL DISTRICTS, TO CREATE THE TEEN EARLY INTERVENTION FUND AND TO REQUIRE THE DEPARTMENT TO GATHER DATA ON PROGRAM EFFECTIVENESS; AND AMENDING SECTION 20-511A, IDAHO CODE, TO PERMIT COURTS TO INCLUDE TEEN EARLY INTERVENTION COUNSELORS ON SCREENING TEAMS.

**HOUSE BILL NO. 676**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY TAXATION; REPEALING SECTION 63-602FF, IDAHO CODE, RELATING TO PARTIAL EXEMPTION FOR PARCELS OF LAND IN A RURAL HOME SITE DEVELOPMENT PLAT; AMENDING SECTION 63-604, IDAHO CODE, TO ALLOW LAND LESS THAN FIVE ACRES TO BE CLASSIFIED AS LAND ACTIVELY DEVOTED TO AGRICULTURE IF CERTAIN CIRCUMSTANCES OCCUR, TO PROVIDE THAT PLATTING LAND ACTIVELY DEVOTED TO AGRICULTURE DOES NOT ALONE CAUSE THE LAND TO

LOSE ITS ACTIVELY DEVOTED TO AGRICULTURE STATUS AND TO PROVIDE AN ADDITIONAL DEFINITION; AMENDING SECTION 63-602K, IDAHO CODE, TO REVISE A DEFINITION; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**HOUSE BILL NO. 677**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO BUILDING PERMITS; AMENDING SECTION 39-4112, IDAHO CODE, TO AUTHORIZE SCHOOL DISTRICTS TO IMPOSE AN IMPACT FEE ON NEW RESIDENTIAL CONSTRUCTION WITHIN THE DISTRICT, TO PROVIDE THAT THE IMPACT FEE BE COLLECTED WHEN A BUILDING PERMIT IS ISSUED AND TO PROVIDE PROCEDURES; AND AMENDING SECTION 33-601, IDAHO CODE, TO ALLOW THE ADOPTION OF A MOTION TO PROVIDE FOR THE COLLECTION OF AN IMPACT FEE WHEN BUILDING PERMITS ARE ISSUED WITHIN THE SCHOOL DISTRICT.

**HOUSE BILL NO. 678**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO SCHOOL LEVIES; AMENDING SECTION 33-802, IDAHO CODE, TO REDUCE THE MAINTENANCE AND OPERATION LEVY, TO REVISE HOW MAXIMUM SCHOOL MAINTENANCE AND OPERATION LEVIES ARE CALCULATED FOR TAX YEAR 2007 AND THEREAFTER AND TO PROVIDE FOR A BUDGET STABILIZATION LEVY FOR CERTAIN DISTRICTS; AMENDING SECTION 33-1002, IDAHO CODE, TO REDUCE THE LOCAL DISTRICT'S CONTRIBUTION, TO PROVIDE FOR CALCULATION OF THE NUMBER, TO REQUIRE SCHOOL DISTRICTS TO REDUCE THEIR LOCAL DISTRICT CONTRIBUTION TO BE ELIGIBLE FOR EDUCATION SUPPORT PROGRAM DISTRIBUTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1002D, IDAHO CODE, TO PROVIDE ONGOING PROPERTY TAX RELIEF AND TO PROVIDE THAT MONEYS IN THE FUND SHALL BE STATE DISCRETIONARY FUNDS; AMENDING CHAPTER 68, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6804, IDAHO CODE, TO PROVIDE FOR THE TRANSFER OF EXCESS REVENUES OF THE GENERAL FUND UPON CERTAIN CIRCUMSTANCES OCCURRING AND TO PROVIDE FOR TRANSFERS TO THE PUBLIC SCHOOL INCOME FUND; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

**HOUSE BILL NO. 679**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE SALES AND USE TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3641, IDAHO CODE, TO IMPOSE AN ADDITIONAL ONE-HALF CENT

SALES AND USE TAX, TO PROVIDE FOR STATE TAX COMMISSION AUTHORITY AND TO PROVIDE FOR DEPOSIT OF MONEYS IN THE GENERAL FUND; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 680**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY TAXES; AMENDING CHAPTER 7, TITLE 63, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 63-712, 63-713, 63-714, 63-715, 63-716, 63-717, 63-718, 63-719, 63-720 AND 63-721, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR DEFINITIONS, TO PROVIDE FOR APPLICATION FOR DEFERRAL OF PROPERTY TAX, TO PROVIDE FOR PROCEDURES AND APPEALS, TO PROVIDE FOR A DEFERRAL OF PROPERTY TAXES AND INTEREST AND LIENS RELATING TO THE DEFERRAL, TO PROVIDE FOR REIMBURSEMENT BY THE STATE TAX COMMISSION OF LOCAL TAXES DEFERRED AND TO PROVIDE A LIMIT TO THE DEFERRAL AND PAYMENT OF TAXES NOT DEFERRED, TO PROVIDE FOR EVENTS TERMINATING THE DEFERRAL AND TO PROVIDE FOR PAYMENT OF DEFERRED TAXES AND INTEREST AND TO PROVIDE FOR DISTRIBUTION AND APPROPRIATION OF PAYMENTS RECEIVED, TO PROVIDE FOR A TAX DEED IN THE EVENT OF FAILURE TO PAY DEFERRED TAXES, TO PROVIDE FOR RECOVERY OF AMOUNTS SUBJECT TO RECOVERY AND TO PROVIDE A MISDEMEANOR PENALTY FOR KNOWINGLY FILING A FALSE CLAIM; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE DISTRIBUTION FOR REIMBURSEMENT PAYMENTS FOR PROPERTY TAX RELIEF AND TAX DEFERRALS; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**HOUSE JOINT RESOLUTION NO. 5**  
**BY LOCAL GOVERNMENT COMMITTEE**  
A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 14, ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO RIGHT OF EMINENT DOMAIN, TO CLARIFY THAT THE MATERIAL RESOURCES OF THE STATE ARE THE NATURAL MATERIAL RESOURCES OF THE STATE, AND TO PROVIDE THAT THE TAKING OF PRIVATE PROPERTY FOR THE USE, TRANSFER TO, OR BENEFIT OF OTHER PRIVATE PARTIES IS HEREBY EXPRESSLY DECLARED NOT TO BE A PUBLIC USE FOR WHICH EMINENT DOMAIN IS AUTHORIZED, EXCEPT FOR SUCH USES NECESSARY TO THE COMPLETE DEVELOPMENT OF THE NATURAL MATERIAL RESOURCES OF THE STATE AS SPECIFIED IN THE FIRST PARAGRAPH OF SECTION 14, ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, OR TO PROVIDE PUBLIC UTILITIES; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING

THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**H 656, H 657, H 658, H 659, H 660, H 661, H 662, H 663, H 664, H 665, H 666, H 667, H 668, H 669, H 670, H 671, H 672, H 673, H 674, H 675, H 676, H 677, H 678, H 679, H 680,** and **HJR 5** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1299** and **S 1258**, by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

**S 1315**, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

**S 1317**, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**HCR 34**, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**H 601**, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

**H 446, H 447, and H 448**, by Business Committee, were read the second time by title and filed for third reading.

**H 533, H 535, and H 536**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

Mr. Deal asked unanimous consent that **H 468** be returned to the State Affairs Committee. There being no objection, it was so ordered.

There being no objection, the House advanced to the Twelfth Order of Business.

**Consideration of General Orders**

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

### Report of the Committee of the Whole House

February 13, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 463** and **H 534** and report them back without recommendation, amended as follows:

#### HOUSE AMENDMENT TO H 463

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 17, delete "pending lease" and insert: "unladen weight"; and in line 20, delete "pending lease" and insert: "unladen weight".

##### CORRECTION TO TITLE

On page 1, in line 3, delete "PENDING LEASE" and insert: "UNLADEN WEIGHT"; and in line 4, delete "A PENDING LEASE" and insert: "AN UNLADEN WEIGHT".

#### HOUSE AMENDMENT TO H 534

##### AMENDMENT TO THE BILL

On page 2 of the printed bill, following line 4, insert: "SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

##### CORRECTIONS TO TITLE

On page 1, in line 3, delete "AND"; and in line 5, following "FELONIES" insert: "; AND DECLARING AN EMERGENCY".

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Ms. Jaquet.

Whereupon the Speaker declared the report adopted.

**H 463**, as amended, and **H 534**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that all bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Denney moved that the House adjourn until 11:30 a.m., Tuesday, February 14, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:59 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### THIRTY-SEVENTH LEGISLATIVE DAY TUESDAY, FEBRUARY 14, 2006

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Katelyn Holzer, Page.

### Approval of Journal

February 14, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-sixth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 13, 2006

Mr. Speaker:

I transmit herewith **S 1304** and **S 1301** which have passed the Senate.

WOOD, Secretary

**S 1304** and **S 1301** were filed for first reading.

**Report of Standing Committees**

February 13, 2006

February 14, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 39, HCR 40, HCR 41, HJM 15, H 656, H 657, H 658, H 659, H 660, H 661, H 662, H 663, H 664, H 665, H 666, H 667, H 668, H 669, H 670, H 671, H 672, H 673, H 674, H 675, H 676, H 677, H 678, H 679, H 680,** and **HJR 5** and House Amendments to **H 463** and **H 534**.

FIELD(18), Chairman

**HCR 39, H 659, H 660,** and **H 661** were referred to the Transportation and Defense Committee.

**HCR 40, HCR 41, HJM 15, H 662, H 663, H 664, H 666, H 667, H 668, H 669,** and **H 670** were referred to the Health and Welfare Committee.

**H 656** and **H 657** were referred to the Local Government Committee.

**H 658, H 678, H 679,** and **H 680** were referred to the Revenue and Taxation Committee.

**H 665** was referred to the Business Committee.

**H 671, H 672, H 673,** and **H 674** were referred to the State Affairs Committee.

**H 675** was referred to the Judiciary, Rules, and Administration Committee.

**HJR 5** was held at the Desk.

**H 676** and **H 677** were filed for second reading.

February 14, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 405** and **H 406**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 405** and **H 406**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 14, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 463**, as amended, and **H 534**, as amended.

FIELD(18), Chairman

**H 463**, as amended, and **H 534**, as amended, were filed for first reading of engrossed bills.

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 547** and recommend that it do pass.

BARRACLOUGH, Chairman

**H 547** was filed for second reading.

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 579, H 580,** and **H 530** and recommend that they do pass.

FIELD(18), Chairman

**H 579, H 580,** and **H 530** were filed for second reading.

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 520, H 521, H 585,** and **H 586** and recommend that they do pass.

BLACK, Chairman

**H 520, H 521, H 585,** and **H 586** were filed for second reading.

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 578, H 648,** and **H 649** and recommend that they do pass.

SCHAEFER, Chairman

**H 578, H 648,** and **H 649** were filed for second reading.

February 14, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 443, H 471,** and **H 457** and recommend that they do pass.

CROW, Chairman

**H 443, H 471,** and **H 457** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 42**

**BY STATE AFFAIRS COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING LEGISLATIVE FINDINGS, RESTATING THE LEGISLATURE'S SUPPORT FOR THE RESTORATION, PRESERVATION AND MAINTENANCE OF THE STATE CAPITOL BUILDING, REQUESTING AND AUTHORIZING THE IDAHO CAPITOL COMMISSION TO MODIFY ITS MASTER PLAN FOR THE RESTORATION OF THE STATE



CAPITOL BUILDING TO PROVIDE FOR CERTAIN LISTED MODIFICATIONS AND IMPROVEMENTS, AUTHORIZING AND APPROVING THE DEPARTMENT OF ADMINISTRATION TO ENTER INTO AN AGREEMENT OR AGREEMENTS WITH THE IDAHO STATE BUILDING AUTHORITY, UNDER SUCH TERMS AND CONDITIONS AS MAY BE REASONABLE AND NECESSARY, TO PROVIDE FINANCING AND TO RESTORE AND REFURBISH THE STATE CAPITOL BUILDING AND CONSTITUTING PRIOR LEGISLATIVE APPROVAL IN ACCORDANCE WITH SECTION 67-6410, IDAHO CODE, AND SUPPORTING AND RECOMMENDING A DESIGN AND CONSTRUCTION SCHEDULE THAT WILL ALLOW THE RESTORATION OF THE STATE CAPITOL BUILDING TO BEGIN FOLLOWING THE 2007 LEGISLATIVE SESSION, AND TO BE COMPLETED PRIOR TO THE BEGINNING OF THE 2010 LEGISLATIVE SESSION.

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

WHEREAS, the State Capitol Building is the most vital and preeminent public building in Idaho and a symbol of Idaho's sovereignty; and

WHEREAS, the restoration, preservation and maintenance of the State Capitol Building represents a vital public interest; and

WHEREAS, to ensure the State Capitol Building's long history and legacy, the Idaho Capitol Commission was created by the 1998 Legislature with a vision of restoring the State Capitol Building to its original splendor; and

WHEREAS, the Idaho Capitol Commission, pursuant to Section 67-1608, Idaho Code, has developed a comprehensive, multiyear Master Plan for the restoration of the State Capitol Building that would address modifications, improvements and preservation; and

WHEREAS, the Legislature in 2001 adopted House Concurrent Resolution No. 21 supporting the Master Plan approved by the Capitol Commission for the comprehensive restoration and refurbishment of the State Capitol Building; and

WHEREAS, in the intervening years the need for an expansion of the State Capitol Building to accommodate larger public hearing rooms has coincided with the Legislature's desire to maintain the State Capitol Building as a working Capitol; and

WHEREAS, a task force appointed by and consisting of majority and minority legislative leadership has met throughout the interim in 2005 to examine numerous alternatives for providing additional public hearing rooms and related office space to meet current and future needs, and to obtain information relating to building designs, projected costs, architectural integrity, site geotechnical analysis, phased development of the Capitol Mall, adjacent office space, and relocation options during the State Capitol restoration; and

WHEREAS, the task force has recommended an approach to restoration and expansion of the State Capitol Building that will accommodate the needs for public hearing rooms and maintain Idaho's Capitol Building as a working Capitol Building into the future without compromising the Capitol's architectural integrity and uniqueness; and

WHEREAS, the Legislature and the Governor intend that the Capitol restoration move forward without delay.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature restates its support for the restoration, preservation and maintenance of the State Capitol Building.

BE IT FURTHER RESOLVED that the Legislature requests and authorizes the Idaho Capitol Commission to modify its Master Plan for the restoration of the State Capitol Building to provide for the following modifications and improvements:

(1) The construction of one-story garden level atrium additions at the east and west ends of the State Capitol Building of approximately thirty-three thousand (33,000) square feet each, designed to accommodate large, state-of-the-art public hearing rooms, adjacent committee and staff office space and corridors for Legislator access and egress in each atrium addition.

(2) Provisions to allow future connectivity between the State Capitol Building and its garden level atrium wings with other adjoining state buildings on the Capitol Mall.

(3) New high-speed elevators at the east and west ends of the existing State Capitol Building sufficient to connect legislative chambers and offices with the new atrium additions and also to provide emergency access and egress from the upper floors of the State Capitol Building.

(4) A reassessment and reconfiguration of the Master Plan's assignment of space throughout the Capitol Building and any other necessary design changes to accommodate the atrium additions and high-speed elevators, offices within the building for legislative staff, and the relocation of legislative hearing rooms and attendant offices.

BE IT FURTHER RESOLVED that the Legislature authorizes and approves the Department of Administration to enter into an agreement or agreements with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary, to provide financing and to restore and refurbish the State Capitol Building, and that this resolution shall constitute prior legislative approval in accordance with Section 67-6410, Idaho Code.

BE IT FURTHER RESOLVED that the Legislature supports and recommends that the Idaho Capitol Commission, the Department of Administration and the Idaho State Building Authority pursue a design and construction schedule that will allow the restoration of the State Capitol Building to begin following the 2007 legislative session, and to be completed prior to the beginning of the 2010 legislative session.

#### **HOUSE CONCURRENT RESOLUTION NO. 43**

##### **BY STATE AFFAIRS COMMITTEE**

##### **A CONCURRENT RESOLUTION**

STATING LEGISLATIVE FINDINGS, RESTATING THE LEGISLATURE'S SUPPORT FOR THE RESTORATION, PRESERVATION AND MAINTENANCE OF THE STATE CAPITOL BUILDING, REQUESTING AND AUTHORIZING THE IDAHO CAPITOL COMMISSION TO MODIFY ITS MASTER PLAN FOR THE RESTORATION OF THE STATE CAPITOL BUILDING TO PROVIDE FOR CERTAIN LISTED MODIFICATIONS AND IMPROVEMENTS, AUTHORIZING AND APPROVING THE DEPARTMENT OF

ADMINISTRATION TO ENTER INTO AN AGREEMENT OR AGREEMENTS WITH THE IDAHO STATE BUILDING AUTHORITY, UNDER SUCH TERMS AND CONDITIONS AS MAY BE REASONABLE AND NECESSARY, TO PROVIDE FINANCING AND TO RESTORE AND REFURBISH THE STATE CAPITOL BUILDING AND CONSTITUTING PRIOR LEGISLATIVE APPROVAL IN ACCORDANCE WITH SECTION 67-6410, IDAHO CODE, AND SUPPORTING AND RECOMMENDING A DESIGN AND CONSTRUCTION SCHEDULE THAT WILL ALLOW THE RESTORATION OF THE STATE CAPITOL BUILDING TO BEGIN FOLLOWING THE 2007 LEGISLATIVE SESSION, AND TO BE COMPLETED PRIOR TO THE BEGINNING OF THE 2010 LEGISLATIVE SESSION.

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

WHEREAS, the State Capitol Building is the most vital and preeminent public building in Idaho and a symbol of Idaho's sovereignty; and

WHEREAS, the restoration, preservation and maintenance of the State Capitol Building represents a vital public interest; and

WHEREAS, to ensure the State Capitol Building's long history and legacy, the Idaho Capitol Commission was created by the 1998 Legislature with a vision of restoring the State Capitol Building to its original splendor; and

WHEREAS, the Idaho Capitol Commission, pursuant to Section 67-1608, Idaho Code, has developed a comprehensive, multiyear Master Plan for the restoration of the State Capitol Building that would address modifications, improvements and preservation; and

WHEREAS, the Legislature in 2001 adopted House Concurrent Resolution No. 21 supporting the Master Plan approved by the Capitol Commission for the comprehensive restoration and refurbishment of the State Capitol Building; and

WHEREAS, in the intervening years the need for an expansion of the State Capitol Building to accommodate larger public hearing rooms has coincided with the Legislature's desire to maintain the State Capitol Building as a working Capitol; and

WHEREAS, a task force appointed by and consisting of majority and minority legislative leadership has met throughout the interim in 2005 to examine numerous alternatives for providing additional public hearing rooms and related office space to meet current and future needs, and to obtain information relating to building designs, projected costs, architectural integrity, site geotechnical analysis, phased development of the Capitol Mall, adjacent office space, and relocation options during the State Capitol restoration; and

WHEREAS, the task force has recommended an approach to restoration and expansion of the State Capitol Building that will accommodate the needs for public hearing rooms and maintain Idaho's Capitol Building as a working Capitol Building into the future without compromising the Capitol's architectural integrity and uniqueness; and

WHEREAS, the Legislature and the Governor intend that the Capitol restoration move forward without delay.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate

concurring therein, that the Legislature restates its support for the restoration, preservation and maintenance of the State Capitol Building.

BE IT FURTHER RESOLVED that the Legislature requests and authorizes the Idaho Capitol Commission to modify its Master Plan for the restoration of the State Capitol Building to provide for the following modifications and improvements:

(1) The construction of a one-story underground addition on the south side of the State Capitol Building, under the grand stairway, of approximately thirty thousand (30,000) square feet, designed to accommodate additional public hearing rooms and legislative office space.

(2) A reassessment and reconfiguration of the Master Plan's assignment of space throughout the Capitol Building and any other necessary design changes, to accommodate the addition of a south side addition to the Capitol Building, offices within the building for legislative staff, and any relocation of legislative hearing rooms and offices.

BE IT FURTHER RESOLVED that the Legislature authorizes and approves the Department of Administration to enter into an agreement or agreements with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary, to provide financing and to restore and refurbish the State Capitol Building, and that this resolution shall constitute prior legislative approval in accordance with Section 67-6410, Idaho Code.

BE IT FURTHER RESOLVED that the Legislature supports and recommends that the Idaho Capitol Commission, the Department of Administration and the Idaho State Building Authority pursue a design and construction schedule that will allow the restoration of the State Capitol Building to begin following the 2007 legislative session, and to be completed prior to the beginning of the 2010 legislative session.

**HOUSE CONCURRENT RESOLUTION NO. 44  
BY STATE AFFAIRS COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING LEGISLATIVE FINDINGS, RESTATING THE LEGISLATURE'S SUPPORT FOR THE RESTORATION, PRESERVATION AND MAINTENANCE OF THE STATE CAPITOL BUILDING, REQUESTING AND AUTHORIZING THE IDAHO CAPITOL COMMISSION TO MODIFY ITS MASTER PLAN FOR THE RESTORATION OF THE STATE CAPITOL BUILDING TO PROVIDE FOR CERTAIN LISTED MODIFICATIONS AND IMPROVEMENTS, AUTHORIZING AND APPROVING THE DEPARTMENT OF ADMINISTRATION TO ENTER INTO AN AGREEMENT OR AGREEMENTS WITH THE IDAHO STATE BUILDING AUTHORITY, UNDER SUCH TERMS AND CONDITIONS AS MAY BE REASONABLE AND NECESSARY, TO PROVIDE FINANCING AND TO RESTORE AND REFURBISH THE STATE CAPITOL BUILDING AND CONSTITUTING PRIOR LEGISLATIVE APPROVAL IN ACCORDANCE WITH SECTION 67-6410, IDAHO CODE, AND SUPPORTING AND RECOMMENDING A DESIGN AND CONSTRUCTION SCHEDULE THAT WILL ALLOW THE RESTORATION OF THE STATE CAPITOL BUILDING TO BEGIN FOLLOWING THE 2007 LEGISLATIVE

SESSION, AND TO BE COMPLETED PRIOR TO THE BEGINNING OF THE 2010 LEGISLATIVE SESSION.

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

WHEREAS, the State Capitol Building is the most vital and preeminent public building in Idaho and a symbol of Idaho's sovereignty; and

WHEREAS, the restoration, preservation and maintenance of the State Capitol Building represents a vital public interest; and

WHEREAS, to ensure the State Capitol Building's long history and legacy, the Idaho Capitol Commission was created by the 1998 Legislature with a vision of restoring the State Capitol Building to its original splendor; and

WHEREAS, the Idaho Capitol Commission, pursuant to Section 67-1608, Idaho Code, has developed a comprehensive, multiyear Master Plan for the restoration of the State Capitol Building that would address modifications, improvements and preservation; and

WHEREAS, the Legislature in 2001 adopted House Concurrent Resolution No. 21 supporting the Master Plan approved by the Capitol Commission for the comprehensive restoration and refurbishment of the State Capitol Building; and

WHEREAS, in the intervening years the need for an expansion of the State Capitol Building to accommodate larger public hearing rooms has coincided with the Legislature's desire to maintain the State Capitol Building as a working Capitol; and

WHEREAS, a task force appointed by and consisting of majority and minority legislative leadership has met throughout the interim in 2005 to examine numerous alternatives for providing additional public hearing rooms and related office space to meet current and future needs, and to obtain information relating to building designs, projected costs, architectural integrity, site geotechnical analysis, phased development of the Capitol Mall, adjacent office space, and relocation options during the State Capitol restoration; and

WHEREAS, the task force has recommended an approach to restoration and expansion of the State Capitol Building that will accommodate the needs for public hearing rooms and maintain Idaho's Capitol Building as a working Capitol Building into the future without compromising the Capitol's architectural integrity and uniqueness; and

WHEREAS, the Legislature and the Governor intend that the Capitol restoration move forward without delay.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature restates its support for the restoration, preservation and maintenance of the State Capitol Building.

BE IT FURTHER RESOLVED that the Legislature requests and authorizes the Idaho Capitol Commission to modify its Master Plan for the restoration of the State Capitol Building to provide for the following modifications and improvements:

(1) The construction of one-story garden level atrium additions at the east and west ends of the State Capitol Building of approximately thirty-three thousand (33,000) square feet each, designed to accommodate large public hearing rooms, adjacent

committee and staff office space and corridors for Legislator access and egress in each atrium addition.

(2) The construction of a one-story underground addition on the south side of the State Capitol Building, under the grand stairway, of approximately thirty thousand (30,000) square feet, designed to accommodate additional public hearing rooms and legislative office space.

(3) Provisions to allow future connectivity between the State Capitol Building and its garden level atrium wings with other adjoining state buildings on the Capitol Mall.

(4) New high-speed elevators at the east and west ends of the existing State Capitol Building sufficient to connect legislative chambers and offices with the new atrium additions and also to provide emergency access and egress from the upper floors of the State Capitol Building.

(5) A reassessment and reconfiguration of the Master Plan's assignment of space throughout the Capitol Building and any other necessary design changes, to accommodate the addition of atrium additions and high-speed elevators, offices within the building for legislative staff, and the relocation of legislative hearing rooms and offices.

BE IT FURTHER RESOLVED that the Legislature authorizes and approves the Department of Administration to enter into an agreement or agreements with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary, to provide financing and to restore and refurbish the State Capitol Building, and that this resolution shall constitute prior legislative approval in accordance with Section 67-6410, Idaho Code.

BE IT FURTHER RESOLVED that the Legislature supports and recommends that the Idaho Capitol Commission, the Department of Administration and the Idaho State Building Authority pursue a design and construction schedule that will allow the restoration of the State Capitol Building to begin following the 2007 legislative session, and to be completed prior to the beginning of the 2010 legislative session.

**HCR 42, HCR 43, and HCR 44** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 681  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO PUBLIC SCHOOLS; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-131, IDAHO CODE, TO RESTRICT VENDING MACHINES AND VENDING MACHINE PRODUCTS IN PUBLIC SCHOOLS, TO DEFINE TERMS AND TO LIMIT APPLICATION.

**HOUSE BILL NO. 682  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO SCHOLARSHIPS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 63-2702,

IDAHO CODE, TO PROVIDE FOR DISTRIBUTION OF THE PROCEEDS OF THE LICENSE TAX ON ELECTRICITY TO BE DISTRIBUTED TO THE CENTER FOR ADVANCED ENERGY STUDIES SCHOLARSHIP FUND INSTEAD OF THE GENERAL ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4316, IDAHO CODE, TO CREATE THE CENTER FOR ADVANCED ENERGY STUDIES SCHOLARSHIP FUND, TO PROVIDE MONEYS FOR THE FUND, TO PROVIDE PROCEDURES FOR PROVIDING SCHOLARSHIPS, TO PROVIDE DUTIES OF THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO AND TO PROVIDE FOR INTEREST ON MONEYS INVESTED FROM THE FUND TO BE RETURNED TO THE FUND; AND AMENDING SECTION 33-3714, IDAHO CODE, TO CLARIFY THAT THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO MAY ACCEPT GRANTS AND GIFTS ON BEHALF OF A SCHOLARSHIP FUND.

**HOUSE BILL NO. 683**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO CERTIFICATION OF TEACHERS; AMENDING SECTION 33-1201, IDAHO CODE, TO REVISE CERTIFICATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 684**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO THE IDAHO COMMISSION FOR LIBRARIES; AMENDING THE HEADING FOR CHAPTER 25, TITLE 33, IDAHO CODE; AMENDING SECTION 33-2501, IDAHO CODE, TO STATE A PURPOSE AND TO ESTABLISH A COMMISSION FOR LIBRARIES; AMENDING SECTION 33-2502, IDAHO CODE, TO PROVIDE FOR THE BOARD OF LIBRARY COMMISSIONERS; AMENDING SECTION 33-2503, IDAHO CODE, TO ASSIGN POWERS TO THE BOARD AND TO PROVIDE CORRECT TERMINOLOGY; REPEALING SECTION 33-2504, IDAHO CODE; AMENDING CHAPTER 25, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2504, IDAHO CODE, TO PROVIDE FOR THE EMPLOYMENT OF AND POWERS OF A QUALIFIED STATE LIBRARIAN; AMENDING SECTIONS 33-2505, 33-2506, 33-2611 AND 33-2612, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTIONS 33-2613, 33-2614, 33-2616 AND 33-2617, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2618, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 33-2619, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTIONS 33-2702 33-2703, 33-2705 AND 33-2706, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY;

AMENDING SECTION 33-2707, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTIONS 33-2708, 33-2709 AND 33-2711, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTIONS 33-2716 AND 33-2717, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 33-2718, 33-2724, 33-2726, 33-4803 AND 63-3029A, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AND AMENDING SECTION 67-5205, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 685**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3029C, IDAHO CODE, TO PROVIDE FOR AN INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS MADE TO THE LEARNING LAB, INC., OR ITS FOUNDATION; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**HOUSE BILL NO. 686**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO TAXATION; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622SS, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM TAXATION FOR CERTAIN FEES AND MEMBERSHIP DUES RELATED TO NONPROFIT HUNTING OR SHOOTING SPORTS; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**HOUSE BILL NO. 687**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE SALES AND USE TAX; AMENDING SECTION 63-3622R, IDAHO CODE, TO PROVIDE THAT THE SALE OR PURCHASE OF A GLIDER KIT SHALL BE EXEMPT FROM THE SALES AND USE TAX WHEN THE GLIDER KIT WILL BE USED TO ASSEMBLE A GLIDER KIT VEHICLE, WHICH WILL BE IMMEDIATELY REGISTERED UNDER THE INTERNATIONAL REGISTRATION PLAN OR SIMILAR PROPORTIONAL OR PRO RATA REGISTRATION SYSTEM.

**HOUSE BILL NO. 688**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO STATE INCOME TAX CREDITS; AMENDING SECTION 63-3029C, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS MADE BY A TAXPAYER TO A PROJECT SAFE PLACE LOCATED WITHIN THE STATE OF IDAHO; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**H 681, H 682, H 683, H 684, H 685, H 686, H 687,** and **H 688** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1304** and **S 1301**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

#### First Reading of Engrossed Bills

**H 463**, as amended, by Transportation and Defense Committee, was introduced, read the first time by title and filed for second reading.

**H 534**, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title and filed for second reading.

#### Second Reading of Bills and Joint Resolutions

**H 452** and **H 574**, by State Affairs Committee, were read the second time by title and filed for third reading.

**H 508**, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

#### Third Reading of Bills and Joint Resolutions

**H 414** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **H 414** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Nonini. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 414** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 415** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that **H 422** and **H 421** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

**H 556** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ring to open debate.

The question being, "Shall **H 556** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 556** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 577** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 577** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 577** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 15, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:09 p.m. BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### THIRTY-EIGHTH LEGISLATIVE DAY WEDNESDAY, FEBRUARY 15, 2006

House of Representatives

The House convened at 11 a.m., Mr. Denney in the Chair.

Roll call showed 65 members present.

Absent and excused -- Bedke, Black, LeFavour, Sali, Mr. Speaker. Total -- 5.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Katrina Smith, Page.

### Approval of Journal

February 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-seventh Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 14, 2006

Mr. Speaker:

I transmit herewith S 1247, S 1331, S 1327, S 1259, S 1338, S 1339, S 1341, S 1342, S 1343, S 1351, and S 1318 which have passed the Senate.

WOOD, Secretary

S 1247, S 1331, S 1327, S 1259, S 1338, S 1339, S 1341, S 1342, S 1343, S 1351, and S 1318 were filed for first reading.

### Report of Standing Committees

February 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 42, HCR 43, HCR 44, H 681, H 682, H 683, H 684, H 685, H 686, H 687, and H 688.**

FIELD(18), Chairman

**HCR 42, HCR 43, and HCR 44** were referred to the State Affairs Committee.

**H 681, H 682, H 683, and H 684** were referred to the Education Committee.

**H 685, H 686, H 687, and H 688** were referred to the Revenue and Taxation Committee.

February 14, 2006

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 559** and recommend that it do pass.

BARRETT, Chairman

**H 559** was filed for second reading.

February 14, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **HCR 39, H 561, H 603, H 604, and H 560** and recommend that they do pass.

WOOD, Chairman

**HCR 39, H 561, H 603, H 604, and H 560** were filed for second reading.

February 14, 2006

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 491, H 411, H 465, H 514, and H 466** and recommend that they do pass.

FIELD(18), Chairman

**H 491, H 411, H 465, H 514, and H 466** were filed for second reading.

February 14, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 480 and H 444** and report them back with amendments attached to be placed on General Orders for consideration.

CROW, Chairman

**H 480 and H 444** were placed on General Orders for consideration.

February 14, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **HCR 31** and recommend that it do pass.

BLOCK, Chairman

**HCR 31** was filed for second reading.

February 15, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 678**, **H 497**, **H 680**, **H 483**, and **H 484** and recommend that they do pass.

CROW, Chairman

**H 678**, **H 497**, **H 680**, **H 483**, and **H 484** were filed for second reading.

February 15, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 679** and report it back without recommendation.

CROW, Chairman

**H 679** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

House of Representatives  
State of Idaho

February 15, 2006

The Honorable Dell Raybould, Chairman  
Environment, Energy, and Technology Committee

Dear Representative Raybould:

I hereby designate the Environment, Energy, and Technology Committee a privileged committee for the purpose of introducing RS 15527C5 on Tuesday, February 14, 2006.

Sincerely,  
/s/ BRUCE NEWCOMB  
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 689 BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE AN ACT

RELATING TO A MORATORIUM ON CERTAIN COAL FIRED POWER PLANTS; AMENDING TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 17, TITLE 61, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE A MORATORIUM ON THE PERMITTING OR LICENSING FOR CONSTRUCTION OF CERTAIN COAL FIRED POWER PLANTS AND TO PROVIDE FOR A REPORT; DECLARING AN EMERGENCY AND PROVIDING A SUNSET DATE.

#### HOUSE BILL NO. 690 BY EDUCATION COMMITTEE AN ACT

RELATING TO THE SCHOOL FACILITIES IMPROVEMENT ACT; PROVIDING LEGISLATIVE FINDINGS AND INTENT; AMENDING SECTION 6-2212, IDAHO CODE, TO PROVIDE A REFERENCE TO THE APPOINTING AUTHORITY OF THE STATE BOARD OF EDUCATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-905, IDAHO CODE, TO PROVIDE PROPER TERMINOLOGY, TO DELETE OBSOLETE LANGUAGE, TO PROVIDE FOR DISTRIBUTION OF ADDITIONAL MONEYS, TO REQUIRE USE OF PAYMENTS FROM THE SCHOOL DISTRICT BUILDING ACCOUNT AND TO DELETE CERTAIN REPORTING REQUIREMENTS; AMENDING SECTION 33-906, IDAHO CODE, TO REMOVE THE LIMITATION ON STATE FINANCIAL ASSISTANCE ONLY FOR THE INTEREST COST PORTION OF THE ANNUAL BOND INTEREST AND REDEMPTION PAYMENT; AMENDING SECTION 33-907, IDAHO CODE, TO PROVIDE CODE REFERENCES; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-909, IDAHO CODE, TO PROVIDE A PUBLIC SCHOOL FACILITIES COOPERATIVE FUNDING PROGRAM AND TO CREATE A PUBLIC SCHOOL FACILITIES COOPERATIVE FUND; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1018B, IDAHO CODE, TO PROVIDE FOR SCHOOL BUILDING MAINTENANCE MATCHING FUNDS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1019, IDAHO CODE, TO REQUIRE SCHOOL DISTRICTS TO ANNUALLY DEPOSIT AN AMOUNT EQUAL TO A MINIMUM OF TWO PERCENT OF THE REPLACEMENT VALUE OF SCHOOL BUILDINGS TO A SCHOOL BUILDING MAINTENANCE FUND LESS THE AMOUNT DEPOSITED FROM STATE FUNDS, TO PROVIDE FOR CALCULATION OF THE STATE'S APPROPRIATION, TO PROVIDE FOR A STATE APPROPRIATION, TO PROVIDE FOR USE OF THE FUND MONEYS AND TO PROVIDE DEFINITIONS; AMENDING SECTION 39-8011, IDAHO CODE, TO PROVIDE A

CONDITION UNDER WHICH THE ADMINISTRATOR SHALL SUBMIT AN APPLICATION TO THE PUBLIC SCHOOL FACILITIES COOPERATIVE FUND PANEL TO ABATE AN IDENTIFIED SAFETY HAZARD; AMENDING SECTION 63-2520, IDAHO CODE, TO PROVIDE THAT AN AMOUNT EQUAL TO THE ANNUAL GENERAL FUND APPROPRIATION FOR BOND LEVY EQUALIZATION SHALL BE ANNUALLY DISTRIBUTED TO THE GENERAL FUND; TRANSFERRING AND APPROPRIATING \$25,000,000 FROM THE GENERAL FUND TO THE PUBLIC SCHOOL FACILITIES COOPERATIVE FUND; AND PROVIDING NONSEVERABILITY WITH EXCEPTIONS.

**HOUSE BILL NO. 691  
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO PUBLIC SCHOOL BUILDINGS; AMENDING SECTION 33-301, IDAHO CODE, TO AUTHORIZE SCHOOL DISTRICTS TO LEASE REAL AND PERSONAL PROPERTY; AMENDING SECTION 33-601, IDAHO CODE, TO AUTHORIZE THE BOARD OF TRUSTEES TO LEASE SCHOOL BUILDINGS OR OTHER PROPERTY FOR SCHOOL PURPOSES AND TO AUTHORIZE AGREEMENTS FOR LEASE OF BUILDINGS AND PROPERTY WITH THE STATE BUILDING AUTHORITY; AMENDING SECTION 33-901, IDAHO CODE, TO AUTHORIZE SCHOOL PLANT FACILITIES RESERVE FUNDS TO BE USED FOR LEASES AND PAYMENT TO THE STATE BUILDING AUTHORITY, TO PROVIDE FOR ANNUAL DEPOSIT OF MONEYS INTO THE FUND BY DISTRICTS, TO PROVIDE FOR DETERMINATION OF VALUE OF BUILDINGS BY SCHOOL DISTRICTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-905, IDAHO CODE, TO AUTHORIZE THE STATE DEPARTMENT OF EDUCATION TO UTILIZE MONEYS IN THE SCHOOL DISTRICT BUILDING ACCOUNT FOR REPAYMENT OF PRESENT AND FUTURE VOTER APPROVED LEVIES, TO PROVIDE AUTHORITY TO MATCH SCHOOL DISTRICT FUNDS FOR BUILDINGS AND REPAIRS AND TO ALLOW PAYMENTS TO THE STATE BUILDING AUTHORITY; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-905A, IDAHO CODE, TO PROVIDE THE SCHOOL FACILITY LOTTERY FUND IN THE STATE TREASURY; AMENDING SECTION 33-906, IDAHO CODE, TO EXPAND THE BOND LEVY EQUALIZATION SUPPORT PROGRAM; AMENDING SECTION 33-1111, IDAHO CODE, TO AUTHORIZE THE SALE OF BONDS TO THE STATE BUILDING AUTHORITY; AMENDING SECTION 63-3638, IDAHO CODE, TO REMIT SALES TAX MONEYS TO THE SCHOOL DISTRICT BUILDING ACCOUNT; AMENDING SECTION 67-6402, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 67-6404, IDAHO CODE, TO PROVIDE A FURTHER DECLARATION OF POLICY; AMENDING SECTION 67-6409, IDAHO CODE, TO PROVIDE ADDITIONAL POWERS OF THE STATE BUILDING AUTHORITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6410, IDAHO CODE, TO PROVIDE THAT LEGISLATIVE APPROVAL IS

NOT REQUIRED WHEN A BUILDING IS A SCHOOL BUILDING AND UPON CERTAIN CONDITIONS; AMENDING SECTION 67-7434, IDAHO CODE, TO REVISE HOW LOTTERY DIVIDENDS ARE DISTRIBUTED; AMENDING CHAPTER 80, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-8006A, IDAHO CODE, TO PROVIDE DUTIES OF THE ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY AND THE DEPARTMENT OF EDUCATION REGARDING SCHOOL BUILDINGS, SAFETY AND REPAIR; APPROPRIATING MONEYS FROM THE GENERAL FUND TO THE SCHOOL DISTRICT BUILDING ACCOUNT; AND PROVIDING SEVERABILITY.

**H 689, H 690, and H 691** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1247**, by Brandt, was introduced, read the first time by title, and held at the Desk.

**S 1331, S 1327, and S 1318**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1259**, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

**S 1338, S 1339, S 1341, S 1342, and S 1343**, by Health and Welfare Committee, were introduced, read the first time by title, and referred to the Health and Welfare Committee.

**S 1351**, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 676, H 677, H 443, H 471, and H 457**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**H 547**, by Education Committee, was read the second time by title and filed for third reading.

**H 579, H 580, H 530, and H 534**, as amended, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

**H 520, H 521, H 585, and H 586**, by Business Committee, were read the second time by title and filed for third reading.

**H 578, H 648, and H 649**, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.



**H 463**, as amended, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**H 415** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. Ellsworth to open debate.

Pursuant to Rule 38(3), Mr. Smylie disclosed a conflict of interest regarding **H 415**.

The question being, "Shall **H 415** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Bedke, Black, LeFavour, Mitchell, Sali, Schaefer, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Acting Speaker declared **H 415** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 476** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Ring to open debate.

The question being, "Shall **H 476** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer,

Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Black, LeFavour, Mitchell, Sali, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Acting Speaker declared **H 476** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 454** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 454** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 62.

NAYS -- None.

Absent and excused -- Bedke, Black, LeFavour, Mitchell, Raybould, Sali, Wood, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Acting Speaker declared **H 454** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HCR 34** was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **HCR 34** be adopted?"

Whereupon the Acting Speaker declared **HCR 34** adopted by voice vote and ordered the resolution transmitted to the Senate.

**H 601** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Ms. Jacobson to open debate.

The question being, "Shall **H 601** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Loertscher, Martinez, Mathews, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 57.

NAYS -- Clark, Crow, Lake, McGeachin, Moyle, Smith(24), Stevenson. Total -- 7.

Absent and excused -- Bedke, Black, LeFavour, Mitchell, Sali, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Acting Speaker declared **H 601** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 446** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 446** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Black, LeFavour, Mitchell, Sali, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Acting Speaker declared **H 446** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 447** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 447** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Bedke, Black, Deal, LeFavour, Mitchell, Sali, Stevenson, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Acting Speaker declared **H 447** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 448** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 448** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Bedke, Black, Deal, LeFavour, Mitchell, Sali, Stevenson, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Acting Speaker declared **H 448** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 533** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 533** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 59.

NAYS -- Pasley-Stuart, Ringo, Smith(30). Total -- 3.

Absent and excused -- Bedke, Black, Deal, LeFavour, Mitchell, Sali, Stevenson, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Acting Speaker declared **H 533** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, February 16, 2006. Seconded by Mr. Sayler. Motion carried.

Whereupon the Acting Speaker declared the House adjourned at 12:04 p.m.

LAWRENCE DENNEY, Acting Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### THIRTY-NINTH LEGISLATIVE DAY THURSDAY, FEBRUARY 16, 2006

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Megan Lake, Page.

### Approval of Journal

February 16, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-eighth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 15, 2006

Mr. Speaker:

I return herewith enrolled **H 405** and **H 406** which have been signed by the President.

WOOD, Secretary

Enrolled **H 405** and **H 406** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 15, 2006

Mr. Speaker:

I return herewith **HJR 2** which has passed the Senate.

WOOD, Secretary

**HJR 2** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 16, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 689**, **H 690**, and **H 691**.

FIELD(18), Chairman

**H 689** was referred to the Environment, Energy, and Technology Committee.

**H 690** and **H 691** were referred to the Education Committee.

February 14, 2006

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **S 1255** and recommend that it do pass.

RAYBOULD, Chairman

**S 1255** was filed for second reading.

February 15, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 570, H 571, H 591, and H 592** and recommend that they do pass.

DEAL, Chairman

**H 570, H 571, H 591, and H 592** were filed for second reading.

February 15, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 548, H 549, H 550, and H 554** and recommend that they do pass.

COLLINS, Vice Chairman

**H 548, H 549, H 550, and H 554** were filed for second reading.

February 15, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 524, H 525, H 526, H 527, H 528, H 529, and H 639** and recommend that they do pass.

STEVENSON, Chairman

**H 524, H 525, H 526, H 527, H 528, H 529, and H 639** were filed for second reading.

February 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 582, H 430, H 431, H 581, and H 432** and recommend that they do pass.

FIELD(18), Chairman

**H 582, H 430, H 431, H 581, and H 432** were filed for second reading.

February 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 589** and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(18), Chairman

**H 589** was placed on General Orders for consideration.

February 15, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 647** and recommend that it do pass.

SCHAEFER, Chairman

**H 647** was filed for second reading.

There being no objection, the House advanced to the Twelfth Order of Business.

### Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

### Report of the Committee of the Whole House

February 16, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 480, H 444, and H 589** and report them back without recommendation, amended as follows:

### HOUSE AMENDMENTS TO H 480

#### AMENDMENTS TO SECTION 1

On page 2 of the printed bill, delete lines 3 through 5 and insert: "submitting a petition that has been signed by residents of the district to the governing board of the district equal to or exceeding ten percent (10%) of the number of voters voting at the last election of the taxing district. The petition shall be in substantially the following form:"; delete lines 44 through 46 and insert:

"(b) Budget limitation elections may be initiated either by the number of residents of the district equal to or exceeding ten percent (10%) of the number of voters voting at the last election of the taxing district or the district's governing board. No more than one (1) budget limitation election may be held in any one (1) year.";

and delete line 47 and insert:

"(7) If sixty-six and two-thirds percent (66 2/3%) or more of the persons voting at the budget limitation election".

#### AMENDMENT TO SECTION 2

On page 3, delete lines 25 and 26 and insert:

"(d) In the case of school districts, the restriction imposed in section 33-802, Idaho Code, in the case of counties for indigent assistance, the restriction imposed in section 31-863, Idaho Code; or".

#### CORRECTIONS TO TITLE

On page 1, in line 6 following "YEAR" insert: "WITH EXCEPTIONS"; and delete line 7, and insert: "IDAHO CODE, TO PROVIDE A RESTRICTION IMPOSED BY A STATUTE FOR INDIGENT ASSISTANCE,".

**HOUSE AMENDMENT TO H 444**

## AMENDMENT TO SECTION 2

On page 3 of the printed bill, in line 19, delete "2006" and insert: "2005".

**HOUSE AMENDMENT TO H 589**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 28, delete "(a)(5)" and insert: "(a)(4)".

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**H 480**, as amended, **H 444**, as amended, and **H 589**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Seventh Order of Business.

**Motions, Memorials, and Resolutions****HOUSE JOINT MEMORIAL NO. 16  
BY STATE AFFAIRS COMMITTEE**

## A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the state of Idaho is home to a large number of species considered to be threatened or endangered and many citizens of Idaho are directly affected by actions taken under the provisions of the Endangered Species Act; and

WHEREAS, the citizens of Idaho are performing many voluntary measures to help in the conservation and recovery of species which are or may become listed as threatened or endangered; and

WHEREAS, the Endangered Species Act as structured has not created meaningful incentives to engage private landowners in conservation and has failed to achieve its ultimate aim in the recovery of endangered species; and

WHEREAS, United States Senator Mike Crapo has introduced Senate Bill 2110, Collaboration for the Recovery of Endangered Species Act (CRESA); and

WHEREAS, CRESA will focus on species recovery, prioritize recovery efforts, expand the role of states for managing listed species, and compensate landowners for their efforts in species protection.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we support the efforts of Senator Mike Crapo to reform and improve the Endangered Species Act through the enactment of CRESA, and promote species conservation and preservation within the state of Idaho and the United States of America.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HJM 16** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions****HOUSE BILL NO. 692****BY REVENUE AND TAXATION COMMITTEE**

## AN ACT

RELATING TO MOTOR FUEL TAXES AND FEES; AMENDING SECTION 63-2407, IDAHO CODE, TO PROVIDE THAT ON AND AFTER ADOPTION OF A RENEWABLE FUEL STANDARD BY STATUTE AND IMPLEMENTATION OF THAT STANDARD, THE DEDUCTION FROM THE FUELS TAX SHALL APPLY TO THOSE FUELS NOT SPECIFICALLY INCLUDED IN THE RENEWABLE FUEL STANDARD; AND AMENDING SECTION 41-4903, IDAHO CODE, TO FURTHER DEFINE "PETROLEUM" OR "PETROLEUM PRODUCTS."

**HOUSE BILL NO. 693****BY REVENUE AND TAXATION COMMITTEE**

## AN ACT

RELATING TO THE TAX ON TOBACCO PRODUCTS; AMENDING SECTION 63-2552, IDAHO CODE, TO PROVIDE THAT THE TAX ON CIGARS SHALL NOT EXCEED FIFTY CENTS PER CIGAR, TO REMOVE ARCHAIC LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 63-2552A, IDAHO CODE, TO PROVIDE THAT THE TAX ON CIGARS SHALL NOT EXCEED FIFTY CENTS PER CIGAR AND TO REMOVE ARCHAIC LANGUAGE.

**HOUSE BILL NO. 694****BY STATE AFFAIRS COMMITTEE**

## AN ACT

RELATING TO PUBLIC UTILITY PROPERTY NOT PROVIDING UTILITY SERVICE; AMENDING SECTION 61-502A, IDAHO CODE, TO PROVIDE THAT, EXCEPT

UPON ITS FINDING THAT THE PUBLIC INTEREST WILL BE SERVED THEREBY, THE PUBLIC UTILITIES COMMISSION IS PROHIBITED IN ANY ORDER FROM SETTING RATES FOR ANY UTILITY THAT GRANTS A RETURN ON CONSTRUCTION WORK IN PROGRESS OR ON PROPERTY HELD FOR FUTURE USE AND WHICH IS NOT CURRENTLY USED AND USEFUL IN PROVIDING UTILITY SERVICE, TO DELETE REFERENCE TO SHORT-TERM CONSTRUCTION WORK IN PROGRESS AND TO PROVIDE IF THE COMMISSION SETS RATES FOR ANY UTILITY INCLUDING A RETURN ON PROPERTY HELD FOR FUTURE USE AND SUBSEQUENTLY DETERMINES THAT SUCH PROPERTY IS NOT NEEDED TO PROVIDE UTILITY SERVICE, THEN THE COMMISSION SHALL DETERMINE WHETHER ANY GAIN OR LOSS OCCURRING FROM THE SALE OR OTHER DISPOSITION OF THE PROPERTY MAY BE INCLUDED IN THE UTILITY'S RATES.

**HOUSE BILL NO. 695**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE EMERGENCY COMMUNICATIONS FEE; AMENDING SECTION 31-4804, IDAHO CODE, TO PROVIDE THAT THE FEE MAY BE USED FOR THE MANAGEMENT, MAINTENANCE AND OPERATION OF HARDWARE AND SOFTWARE APPLICATIONS AND TO REFERENCE DISPATCHING FOR PURPOSES OF GENERAL FUNDING PAYMENTS.

**HOUSE BILL NO. 696**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO DEVELOPMENT OF ENERGY SYSTEMS BY COUNTIES; AMENDING SECTION 31-869, IDAHO CODE, TO AUTHORIZE COUNTIES TO ESTABLISH, CREATE, DEVELOP, ACQUIRE, OWN, MAINTAIN AND OPERATE OR CONTRACT FOR THE OWNERSHIP, OPERATION AND MAINTENANCE OF CERTAIN ELECTRICAL GENERATION PLANTS NOT TO EXCEED TWENTY-FIVE MEGAWATTS IN CAPACITY WHICH USE AS A FUEL SOURCE LANDFILL GAS, WOOD WASTE OR OTHER BIOMASS FUELS, TO PROVIDE THAT ALL THE ELECTRICITY PRODUCED FROM THE ELECTRICAL GENERATION FACILITY SHALL BE SOLD BY THE COUNTY AT WHOLESALE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 697**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE TAXATION OF CERTAIN TOBACCO PRODUCTS; AMENDING SECTION 63-2551, IDAHO CODE, TO DEFINE "MOIST SNUFF" AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-2552, IDAHO CODE, TO PROVIDE THE RATE OF TAXATION FOR TOBACCO PRODUCTS OTHER THAN

MOIST SNUFF, TO PROVIDE FOR DISTRIBUTION OF REVENUES AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 63-2552A, IDAHO CODE, RELATING TO AN ADDITIONAL TAX IMPOSED ON TOBACCO PRODUCTS AND REPEALING SECTION 63-2564, IDAHO CODE, RELATING TO DISTRIBUTION OF TAX REVENUES FROM THE TOBACCO PRODUCTS TAX; AMENDING CHAPTER 25, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2552A, IDAHO CODE, TO PROVIDE THAT MOIST SNUFF SHALL BE TAXED AT THE RATE OF ONE DOLLAR PER OUNCE OF MOIST SNUFF AND TO PROVIDE FOR DISTRIBUTION OF TAX REVENUES ON MOIST SNUFF.

**HOUSE BILL NO. 698**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO SCHOLARSHIPS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4316, IDAHO CODE, TO PROVIDE ELIGIBILITY CRITERIA FOR SCHOLARSHIPS FOR DRUG, ALCOHOL AND TOBACCO FREE STUDENTS, TO PROVIDE THAT DRUG, ALCOHOL AND TOBACCO FREE STUDENTS SHALL REMAIN DRUG, ALCOHOL AND TOBACCO FREE, TO PROVIDE PROCEDURES, TO PROVIDE THE AMOUNT AND LENGTH OF THE AWARD FOR DRUG, ALCOHOL AND TOBACCO FREE STUDENTS, TO PROVIDE FOR REPORTS, TO PROVIDE FOR RULES AND TO DEFINE TERMS.

**H 692, H 693, H 694, H 695, H 696, H 697, and H 698** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 559**, by Local Government Committee, was read the second time by title and filed for third reading.

**HCR 39, H 561, H 603, H 604, and H 560**, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

**H 491, H 411, H 465, H 514, and H 466**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

**HCR 31**, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**H 678, H 497, H 680, H 483, H 484, and H 679**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**H 535** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mitchell to open debate.

The question being, "Shall **H 535** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Crow. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 535** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 536** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **H 536** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Crow. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 536** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 534**, as amended, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**H 534**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) to open debate.

The question being, "Shall **H 534**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bell. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 534**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 677**, **H 676**, and **H 508** be placed immediately following **H 421** on the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Friday, February 17, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:56 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**FORTIETH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 17, 2006**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused -- Miller. Total -- 1.  
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Tiffani Sessions, Page.

**Approval of Journal**

February 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-ninth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

**Report of Standing Committees**

February 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 16, H 692, H 693, H 694, H 695, H 696, H 697, and H 698** and House Amendments to **H 480, H 444, and H 589**.

FIELD(18), Chairman

**H 692** was referred to the Transportation and Defense Committee.

**H 693** and **H 697** were referred to the Revenue and Taxation Committee.

**H 694** and **H 695** were referred to the State Affairs Committee.

**H 696** was referred to the Environment, Energy, and Technology Committee.

**H 698** was referred to the Education Committee.

**HJM 16** was filed for second reading.

February 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJR 2**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HJR 2**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 480**, as amended, **H 444**, as amended, and **H 589**, as amended.

FIELD(18), Chairman

**H 480**, as amended, **H 444**, as amended, and **H 589**, as amended, were filed for first reading of engrossed bills.

February 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 405** and **H 406** to the Governor at 11:55 a.m., as of this date, February 16, 2006.

FIELD(18), Chairman

February 16, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 458, H 459, H 461, and H 473** and recommend that they do pass.

CROW, Chairman

**H 458, H 459, H 461, and H 473** were filed for second reading.

February 16, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 606, H 659, and S 1264** and recommend that they do pass.

WOOD, Chairman

**H 606, H 659, and S 1264** were filed for second reading.

February 16, 2006

Mr. Speaker:

We, your COMMITTEE ON APPROPRIATIONS, report that we have had under consideration **H 575** and recommend that it do pass.

BELL, Chairman

**H 575** was filed for second reading.



February 16, 2006

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 490** and **H 493** and recommend that they do pass.

FIELD(18), Chairman

**H 490** and **H 493** were filed for second reading.

February 16, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 499**, **H 564**, and **H 566** and recommend that they do pass.

BLOCK, Chairman

**H 499**, **H 564**, and **H 566** were filed for second reading.

February 17, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 555** and recommend that it do pass.

DEAL, Chairman

**H 555** was filed for second reading.

February 17, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HCR 32** and **HCR 33** and recommend that they do pass.

BARRACLOUGH, Chairman

**HCR 32** and **HCR 33** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 45 BY REVENUE AND TAXATION COMMITTEE A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND PROCLAIMING SEPTEMBER 14 AS MISSING PERSONS DAY.

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

WHEREAS, according to the Federal Bureau of Investigation's National Crime Information Center there were 876,213 missing person entries (juveniles and adults) in the year 2001, with an average of 2,001 children disappearing daily including children from the state of Idaho; and

WHEREAS, as of March 31, 2003, there were 97,297 active missing person cases in the United States and of those missing

approximately 54,194 were juveniles and 43,113 were reports of individuals eighteen and older and these statistics include citizens of the state of Idaho; and

WHEREAS, in response to these alarming trends, nonprofit organizations such as Project Jason, Center for Hope and the Carole Sund/Carrington Memorial Reward Foundation were founded for the purpose of educating the public in an effort to prevent future abductions and disappearances and to provide assistance to families of the missing; and

WHEREAS, all missing persons deserve to be searched for, regardless of their age; and

WHEREAS, citizens, media and law enforcement must be made aware of the plight of missing persons regardless of their age; and

WHEREAS, our awareness, support, efforts and search for missing persons must continue; and

WHEREAS, every missing person is someone's son or daughter, father or mother, brother or sister, husband or wife; and

WHEREAS, the state of Idaho is committed to the safety and well-being of all its citizens, both children and adults.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we hereby proclaim September 14 as Missing Persons Day, and the song "The Room We Never Go In" shall be commemorated as the song for Missing Persons Day and do hereby urge all citizens to take due note of the observance.

**HCR 45** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 699 BY EDUCATION COMMITTEE AN ACT

RELATING TO COMMUNITY COLLEGES; AMENDING SECTION 33-2101, IDAHO CODE, TO PROVIDE FOR FIVE COMMUNITY COLLEGE AREAS IN THE STATE, TO SPECIFY COUNTIES IN THE AREAS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2102, IDAHO CODE, TO PROVIDE FOR A STATE COMMUNITY COLLEGE SYSTEM; REPEALING SECTION 33-2103, IDAHO CODE, RELATING TO MINIMUM REQUIREMENTS TO FORM A JUNIOR COLLEGE DISTRICT, REPEALING SECTION 33-2104, IDAHO CODE, RELATING TO FORMATION OF JUNIOR COLLEGE DISTRICTS, REPEALING SECTION 33-2105, IDAHO CODE, RELATING TO ADDITION OF TERRITORY TO JUNIOR COLLEGE DISTRICTS, REPEALING SECTION 33-2107A, IDAHO CODE, RELATING TO ESTABLISHMENT AND OPERATION OF THIRD AND FOURTH YEAR COLLEGE CURRICULUM IN JUNIOR COLLEGE DISTRICTS, REPEALING SECTION 33-2107B, IDAHO

CODE, RELATING TO POWERS OF DISTRICTS AND REPEALING SECTION 33-2107C, IDAHO CODE, RELATING TO DEFINITION OF URBAN AREA DISTRICTS EMPOWERED TO CREATE UPPER DIVISIONS; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2103, IDAHO CODE, TO CONFIRM NORTH IDAHO COLLEGE AND COLLEGE OF SOUTHERN IDAHO AND TO CREATE THE COMMUNITY COLLEGE DIVISION OF LEWIS-CLARK STATE COLLEGE; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2104, IDAHO CODE, TO RECOGNIZE AND CONFIRM EASTERN IDAHO COMMUNITY COLLEGE; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2105, IDAHO CODE, TO ESTABLISH SOUTHWESTERN IDAHO COMMUNITY COLLEGE; AMENDING SECTION 33-2106, IDAHO CODE, TO PROVIDE FOR TRUSTEES OF COMMUNITY COLLEGES THAT LEVY A PROPERTY TAX AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2106A, IDAHO CODE, TO PROVIDE FOR AN ELECTION FOR CONTINUATION OF PROPERTY TAX LEVIES WITHIN THE COMMUNITY COLLEGE DISTRICTS FOR NORTH IDAHO COLLEGE AND COLLEGE OF SOUTHERN IDAHO; AMENDING SECTION 33-2107, IDAHO CODE, TO PROVIDE GENERAL POWERS AND DUTIES OF THE BOARD OF TRUSTEES OF EACH COMMUNITY COLLEGE THAT IS AUTHORIZED TO LEVY A PROPERTY TAX AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2107A, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OF A BOARD OF TRUSTEES OF COMMUNITY COLLEGES NOT AUTHORIZED TO LEVY A PROPERTY TAX; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2107B, IDAHO CODE, TO PROVIDE GENERAL POWERS OF THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE THAT DOES NOT LEVY A PROPERTY TAX; AMENDING SECTION 33-2108, IDAHO CODE, TO PROVIDE THAT ALL COMMUNITY COLLEGES ARE PUBLIC CORPORATIONS; AMENDING SECTION 33-2109, IDAHO CODE, TO CLARIFY THAT THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE THAT IS AUTHORIZED TO LEVY A PROPERTY TAX SHALL ELECT A PRESIDENT OF THE COLLEGE; AMENDING SECTION 33-2109A, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2110, IDAHO CODE, TO PROVIDE TUITION FOR ALL COMMUNITY COLLEGES; AMENDING SECTION 33-2110A, IDAHO CODE, TO PROVIDE FOR TUITION FOR OUT OF DISTRICT OR OUT OF AREA IDAHO STUDENTS AND TO PROVIDE FOR COUNTY TAXES TO PAY FOR THE TUITION; AMENDING SECTION 33-2110B, IDAHO CODE, TO REVISE RESIDENCY PROVISIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2111, IDAHO CODE, TO CLARIFY THAT PROPERTY TAXES MAY BE LEVIED IN THE TWO COMMUNITY

COLLEGE DISTRICTS IF APPROVED BY THE VOTERS OF THE DISTRICT AT THE NOVEMBER 2006 ELECTION; AMENDING SECTION 33-2112, IDAHO CODE, TO AUTHORIZE A GYMNASIUM AND GROUNDS LEVY BY A COMMUNITY COLLEGE DISTRICT THAT IS AUTHORIZED TO LEVY A PROPERTY TAX; AMENDING SECTION 33-2139, IDAHO CODE, TO CREATE THE STATE COMMUNITY COLLEGE FUND IN THE STATE TREASURY; AMENDING SECTION 33-2141, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2142, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2144, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2145, IDAHO CODE, TO PROVIDE FOR CALCULATION OF SALES TAX MONEYS THAT SHALL BE REMITTED TO THE COMMUNITY COLLEGE FUND AND TO PROVIDE FOR A DECREASE IN THE AMOUNT IF A COMMUNITY COLLEGE VOTES TO RETAIN ITS PROPERTY TAX LEVY; AND AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR REMITTANCE OF SALES TAX MONEYS TO THE COMMUNITY COLLEGE FUND.

**H 699** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

#### Second Reading of Bills and Joint Resolutions

**S 1255**, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

**H 570**, **H 571**, **H 591**, and **H 592**, by State Affairs Committee, were read the second time by title and filed for third reading.

**H 548**, **H 549**, **H 550**, and **H 554**, by Business Committee, were read the second time by title and filed for third reading.

**H 524**, **H 525**, **H 526**, **H 527**, **H 528**, **H 529**, and **H 639**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

**H 582**, **H 430**, **H 431**, **H 581**, and **H 432**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

**H 647**, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Ninth Order of Business.

### First Reading of Engrossed Bills

**H 480**, as amended, and **H 444**, as amended, by Revenue and Taxation Committee, were introduced, read the first time by title and filed for second reading.

**H 589**, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title and filed for second reading.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

Mr. Lake asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 422**, **H 421**, **H 676**, **H 508**, **H 680**, **H 678**, **H 679**, and **H 480**, as amended. There being no objection, it was so ordered.

**H 422** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 422** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Miller. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 422** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 421** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 421** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett,

Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total--69.

NAYS -- Andrus. Total -- 1.

Paired Vote:

AYE -- Miller. NAY -- Andrus.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 421** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 677** be placed on General Orders for consideration. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **H 680**, **H 678**, and **H 679** be placed immediately following **H 508** on the Third Reading Calendar. There being no objection, it was so ordered.

**H 676** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 676** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Miller. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 676** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 508** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 508** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Hart(Jacobson), Harwood, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Nonini, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Skippen, Stevenson, Wills, Wood, Mr. Speaker. Total -- 42.

NAYS -- Bastian, Black, Block, Boe, Bradford, Edmunson, Garrett, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Raybould, Ringo, Rusche, Saylor, Shepherd(2), Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Trail. Total -- 27.

Absent and excused -- Miller. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 508** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 680** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 680** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Eskridge, Smith(24). Total -- 2.

Absent and excused -- Miller. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 680** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 678** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 678** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henderson, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(24), Stevenson, Wills, Wood, Mr. Speaker. Total -- 52.

NAYS -- Bastian, Boe, Edmunson, Henbest, Jaquet, Kemp, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Ringo, Skippen, Smith(30), Smylie, Snodgrass, Trail. Total -- 17.

Absent and excused -- Miller. Total -- 1.

Paired Votes:

AYE -- Moyle. NAY -- Smylie.

AYE -- Collins. NAY -- Martinez.

AYE -- Rydalch. NAY -- Boe.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 678** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 679** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 679** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Eskridge, Field(18), Field(23), Garrett, Henderson, Lake, Loertscher, McGeachin, Nielsen, Raybould, Ring, Roberts, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(24), Stevenson, Trail, Wills. Total -- 37.

NAYS -- Barrett, Bastian, Bayer, Black, Clark, Crow, Denney, Edmunson, Ellsworth, Hart(Jacobson), Harwood, Henbest, Jaquet, Kemp, LeFavour, Martinez, Mathews, McKague, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Ringo, Rydalch, Sali, Skippen, Smith(30), Snodgrass, Mr. Speaker. Total -- 30.

Absent and excused -- Miller, Smylie, Wood. Total -- 3.

Paired Votes:

AYE -- Field(18). NAY -- Rydalch.

AYE -- Collins. NAY -- Martinez.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 679** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 480**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 480**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Mathews, McGeachin, McKague, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Clark, Martinez, Miller, Rydalch, Smylie, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 480**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 480**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23),

Garrett, Hart(Jacobson), Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Mathews, McGeachin, McKague, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- Boe, Jaquet, Martinez, Pasley-Stuart, Ringo, Rusche, Smith(30). Total -- 7.

Absent and excused -- Miller. Total -- 1.

Paired Votes:

AYE -- Rydalch. NAY -- Smith(30).

AYE -- Wood. NAY -- Rusche.

AYE -- Smylie. NAY -- Martinez.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 480**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 20, 2006. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Monday, February 20, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:25 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### FORTY-THIRD LEGISLATIVE DAY MONDAY, FEBRUARY 20, 2006

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Ellie Wladyka, Page.

**Approval of Journal**

February 16, 2006

February 20, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fortieth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

February 17, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 405 and H 406**

/s/ Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

February 17, 2006

Mr. Speaker:

I transmit herewith **SJM 118, S 1319, S 1320, S 1322, S 1323, S 1324, S 1326, and S 1328** which have passed the Senate.

WOOD, Secretary

**SJM 118, S 1319, S 1320, S 1322, S 1323, S 1324, S 1326, and S 1328** were filed for first reading.

**Report of Standing Committees**

February 20, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 45** and **H 699**.

FIELD(18), Chairman

**HCR 45** was referred to the Judiciary, Rules, and Administration Committee.

**H 699** was referred to the Education Committee.

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 472** and report it back with amendments attached to be placed on General Orders for consideration.

CROW, Chairman

**H 472** was placed on General Orders for consideration.

February 17, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 544** and **H 576** and recommend that they do pass.

STEVENSON, Chairman

**H 544** and **H 576** were filed for second reading.

February 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 627, H 628, H 629, H 631, and H 634** and recommend that they do pass.

FIELD(18), Chairman

**H 627, H 628, H 629, H 631, and H 634** were filed for second reading.

February 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 630** and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(18), Chairman

**H 630** was placed on General Orders for consideration.

February 20, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 685** and recommend that it do pass.

CROW, Chairman

**H 685** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**SJM 118**, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Environment, Energy, and Technology Committee.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 700  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO APPROPRIATIONS FOR THE DEPARTMENT OF JUVENILE CORRECTIONS; AMENDING SECTION 1, CHAPTER 318, LAWS OF 2005, TO REVISE THE APPROPRIATION MADE TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2006; AMENDING SECTION 2, CHAPTER 318, LAWS OF 2005, TO PROVIDE ADDITIONAL AUTHORIZED FULL-TIME EQUIVALENT POSITIONS FOR THE DEPARTMENT OF JUVENILE CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 701  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

RELATING TO APPROPRIATIONS FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION/STATE DEPARTMENT OF EDUCATION; AMENDING SECTION 1, CHAPTER 382, LAWS OF 2005, TO REVISE THE APPROPRIATION MADE TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION/STATE DEPARTMENT OF EDUCATION; AMENDING SECTION 2, CHAPTER 382, LAWS OF 2005, TO PROVIDE ADDITIONAL AUTHORIZED FULL-TIME EQUIVALENT POSITIONS FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION/STATE DEPARTMENT OF EDUCATION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 702  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO POSTSECONDARY EDUCATION SCHOLARSHIPS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4318, IDAHO CODE, TO STATE LEGISLATIVE INTENT, TO CREATE AN IDAHO OPPORTUNITY SCHOLARSHIP PROGRAM, TO PROVIDE FOR PROCEDURES, TO CREATE AN IDAHO OPPORTUNITY SCHOLARSHIP FUND IN THE STATE TREASURY WITH A ONE TIME APPROPRIATION OF TEN MILLION DOLLARS AND TO DEFINE TERMS.

**HOUSE BILL NO. 703  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO POSTSECONDARY EDUCATION LOANS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4316, IDAHO CODE, TO STATE LEGISLATIVE INTENT, TO CREATE AN IDAHO OPPORTUNITY LOAN PROGRAM, TO PROVIDE FOR PROCEDURES, TO CREATE AN IDAHO

OPPORTUNITY LOAN FUND IN THE STATE TREASURY WITH A ONE TIME APPROPRIATION OF FIVE MILLION DOLLARS AND TO DEFINE TERMS.

**HOUSE BILL NO. 704  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO POSTSECONDARY EDUCATION LOANS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4317, IDAHO CODE, TO STATE LEGISLATIVE INTENT, TO CREATE AN IDAHO NEEDS-BASED MATH AND SCIENCE LOAN PROGRAM, TO PROVIDE FOR PROCEDURES, TO PROVIDE FOR LOAN FORGIVENESS, TO CREATE AN IDAHO NEEDS-BASED MATH AND SCIENCE LOAN FUND IN THE STATE TREASURY WITH A ONE TIME APPROPRIATION OF FIVE MILLION DOLLARS AND TO DEFINE TERMS.

**HOUSE BILL NO. 705  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO COOPERATIVE SERVICE AGENCIES; AMENDING SECTION 33-317, IDAHO CODE, TO PROVIDE THAT A COOPERATIVE SERVICE AGENCY MAY REQUEST ITS MEMBER SCHOOL DISTRICTS TO AUTHORIZE A LEVY NOT TO EXCEED ONE-TENTH OF ONE PERCENT FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING COOPERATIVE SERVICE AGENCY FACILITIES, TO PROVIDE FOR CONTINUATION OF THE LEVY FOR ADDITIONAL TEN-YEAR PERIODS UPON APPROVAL OF DISTRICT ELECTORS, TO PROVIDE FOR ADMINISTRATION AND ACCOUNTING OF MONEYS RECEIVED AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 706  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO SALES TAX; AMENDING SECTION 63-36220, IDAHO CODE, TO EXEMPT FROM TAXATION SALES TO OR PURCHASES BY NONPROFIT ORGANIZATIONS OFFERING FREE DENTAL CLINIC SERVICES TO CHILDREN AND TO MAKE A TECHNICAL CORRECTION; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**H 700, H 701, H 702, H 703, H 704, H 705, and H 706** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1319, S 1320, S 1322, S 1323, S 1324, S 1326, and S 1328**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**HJM 16** and **H 555**, by State Affairs Committee, were read the second time by title and filed for third reading.

**H 458, H 459, H 461, H 473, and H 444**, as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**H 606** and **H 659**, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

**S 1264**, by Transportation Committee, was read the second time by title and filed for third reading.

**H 575**, by Appropriations Committee, was read the second time by title and filed for third reading.

**H 490** and **H 493**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

**H 499, H 564, and H 566**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

**HCR 32** and **HCR 33**, by Education Committee, were read the second time by title and filed for third reading.

**H 589**, as amended, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

At this time, the Speaker put the House at ease.

**MEMORIAL SERVICE**

Opening Remarks ..... Representative Bob Nonini

Choral Performance ..... Sweet Adelines  
Jerrie Beyrodt, Director

Remarks ..... Representative John Rusche

“How Great Thou Art”  
Katelyn Westergard

“Amazing Grace”  
Hannah Alexander

Benediction ..... Representative Robert Ring

**A HOUSE MEMORIAL**

WHEREAS, Representative Louis J. Horvath, Jr. has passed on since the close of the First Regular Session of the Fifty-eighth Idaho Legislature; and

WHEREAS, the late Representative Horvath served in this House, in the interest of Benewah, Kootenai, and Shoshone Counties during the Forty-fourth through the Fifty-second Legislatures covering the years 1977 through 1994.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-eighth Legislature draw public attention by this Memorial to the life and works of Louis J. Horvath, Jr.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-eighth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Horvath family.

Representative George Saylor paid tribute to the former Representative Horvath.

**A HOUSE MEMORIAL**

WHEREAS, Representative Paul C. Keeton has passed on since the close of the First Regular Session of the Fifty-eighth Idaho Legislature; and

WHEREAS, the late Representative Keeton served in this House, in the interest of Nez Perce County during the Forty-sixth through the Forty-eighth, and the Fifty-second Legislatures covering the years 1981 through 1986 and 1993 through 1994.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-eighth Legislature draw public attention by this Memorial to the life and works of Paul C. Keeton.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-eighth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Keeton family.

Representative Mike Mitchell and Speaker Bruce Newcomb paid tribute to the former Representative Keeton.

**A HOUSE MEMORIAL**

WHEREAS, Representative Jack C. Kennevick has passed on since the close of the First Regular Session of the Fifty-eighth Idaho Legislature; and

WHEREAS, the late Representative Kennevick served in this House, in the interest of Ada County during the Forty-first through the Forty-ninth Legislatures covering the years 1971 through 1988.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-eighth Legislature draw public attention by this Memorial to the life and works of Jack C. Kennevick.



BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-eighth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Kenneville family.

Representative Anne Pasley-Stuart paid tribute to the former Representative Kenneville.

#### A HOUSE MEMORIAL

WHEREAS, Representative Emerson Smock has passed on since the close of the First Regular Session of the Fifty-eighth Idaho Legislature; and

WHEREAS, the late Representative Smock served in this House, in the interest of Ada County during the Forty-eighth through the Fiftieth Legislatures covering the years 1985 through 1990.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-eighth Legislature draw public attention by this Memorial to the life and works of Emerson Smock.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-eighth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Smock family.

Representative Margaret Henbest paid tribute to the former Representative Smock.

#### A HOUSE MEMORIAL

WHEREAS, Representative Larry C. Watson has passed on since the close of the First Regular Session of the Fifty-eighth Idaho Legislature; and

WHEREAS, the late Representative Watson served in this House, in the interest of Benewah, Kootenai, and Shoshone Counties during the Fifty-fourth Legislature covering the years 1997 through 1998.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-eighth Legislature draw public attention by this Memorial to the life and works of Larry C. Watson.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-eighth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to

spread this Memorial upon the Journal of the House, and to forward copies to the members of the Watson family.

Representative Mary Lou Shepherd paid tribute to the former Representative Watson.

#### A HOUSE MEMORIAL

WHEREAS, Representative Patricia L. McDermott has passed on since the close of the First Regular Session of the Fifty-eighth Idaho Legislature; and

WHEREAS, the late Representative McDermott served in this House, in the interest of Bannock and Power Counties during the Fortieth through the Fiftieth Legislatures covering the years 1969 through 1990.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-eighth Legislature draw public attention by this Memorial to the life and works of Patricia L. McDermott.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-eighth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the McDermott family.

Representative Elaine Smith paid tribute to the former Representative McDermott.

#### A HOUSE MEMORIAL

WHEREAS, Representative Ralph Lacy has passed on since the close of the First Regular Session of the Fifty-eighth Idaho Legislature; and

WHEREAS, the late Representative Lacy served in this House, in the interest of Bannock County during the Forty-sixth Legislature covering the years 1981 through 1983.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-eighth Legislature draw public attention by this Memorial to the life and works of Ralph Lacy.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-eighth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Lacy family.

Representative Elmer Martinez paid tribute to the former Representative Lacy.

#### A HOUSE MEMORIAL

WHEREAS, Representative Sylvia McKeeth has passed on since the close of the First Regular Session of the Fifty-eighth Idaho Legislature; and

WHEREAS, the late Representative McKeeth served in this House, in the interest of Ada County during the Fifty-second through the Fifty-third Legislatures covering the years 1993 through 1996.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-eighth Legislature draw public attention by this Memorial to the life and works of Sylvia McKeeth.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-eighth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the McKeeth family.

Representative Max Black paid tribute to the former Representative McKeeth.

#### A HOUSE MEMORIAL

WHEREAS, Representative Wendell C. Miller has passed on since the close of the First Regular Session of the Fifty-eighth Idaho Legislature; and

WHEREAS, the late Representative Miller served in this House, in the interest of Butte, Bingham, and Bonneville Counties during the Forty-second through the Forty-fifth Legislatures covering the years 1973 through 1980.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-eighth Legislature draw public attention by this Memorial to the life and works of Wendell C. Miller.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-eighth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Miller family.

Representative Ann Rydalch paid tribute to the former Representative Miller.

#### A HOUSE MEMORIAL

WHEREAS, Representative Gordon Hollifield has passed on since the close of the First Regular Session of the Fifty-eighth Idaho Legislature; and

WHEREAS, the late Representative Hollifield served in this House, in the interest of Camas, Jerome, Lincoln, and Gooding Counties during the Forty-third through the Forty-seventh Legislatures covering the years 1975 through 1984.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-eighth Legislature draw public attention by this Memorial to the life and works of Gordon Hollifield.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-eighth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Hollifield family.

Representative Bert Stevenson paid tribute to the former Representative Hollifield.

#### A HOUSE MEMORIAL

WHEREAS, Representative Allan F. Larsen has passed on since the close of the First Regular Session of the Fifty-eighth Idaho Legislature; and

WHEREAS, the late Representative Larsen served in this House, in the interest of Bannock, Bingham, Bear Lake, Butte, Caribou, Franklin, Oneida, and Power Counties during the Thirty-ninth through the Forty-fourth, and the Fifty-second through the Fifty-third Legislatures covering the years 1967 through 1978, and 1993 through 1996.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-eighth Legislature draw public attention by this Memorial to the life and works of Allan F. Larsen.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-eighth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Larsen family.

Representative Dennis Lake paid tribute to the former Representative Larsen.

Prior to going at ease, the House was at the Eleventh Order.

#### Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Denney moved that the House adjourn until 10 a.m., Tuesday, February 21, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:58 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**FORTY-FOURTH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 21, 2006**

House of Representatives

The House convened at 10 a.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Michael Kelsey, Page.

**Approval of Journal**

February 21, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-third Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that William T. "Bill" Sali, State Representative, District 21, House Seat A, Ada County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Terry S. Sali, of Kuna, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, JAMES E. RISCH, Acting Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint

Terry S. Sali, Acting State Representative, District 21, House Seat A, Ada County, State of Idaho, for a term commencing on February 21, 2006, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 21st day of February in the year of our Lord two thousand and six, and of the Independence of the United States of America, the two hundred and thirtieth year.

/s/ JAMES E. RISCH  
Acting Governor

/s/ BEN YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker Pro Tem announced the oath of office had previously been administered to Mrs. Sali.

February 20, 2006

Mr. Speaker:

I return herewith enrolled **HJR 2** which has been signed by the President.

WOOD, Secretary

Enrolled **HJR 2** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

**Report of Standing Committees**

February 21, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 700, H 701, H 702, H 703, H 704, H 705, and H 706**.

FIELD(18), Chairman

**H 702, H 703, and H 704** were referred to the Education Committee.

**H 705 and H 706** were referred to the Revenue and Taxation Committee.

**H 700 and H 701** were filed for second reading.

February 20, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 671 and H 672** and recommend that they do pass.

DEAL, Chairman

**H 671 and H 672** were filed for second reading.

February 20, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **HCR 40** and **HCR 41** and recommend that they do pass.

BLOCK, Chairman

**HCR 40** and **HCR 41** were filed for second reading.

February 20, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 613** and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

**H 613** was placed on General Orders for consideration.

February 20, 2006

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **HJM 12**, **H 513**, **H 410**, **H 412**, and **H 492** and recommend that they do pass.

FIELD(23), Chairman

**HJM 12**, **H 513**, **H 410**, **H 412**, and **H 492** were filed for second reading.

February 20, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 605**, **H 607**, **H 608**, and **H 609** and recommend that they do pass.

WOOD, Chairman

**H 605**, **H 607**, **H 608**, and **H 609** were filed for second reading.

February 20, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 562** and report it back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

**H 562** was placed on General Orders for consideration.

February 21, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 624** and recommend that it do pass.

BARRACLOUGH, Chairman

**H 624** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 46 BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION  
PROCLAIMING APRIL 19 AS PATRIOT'S DAY IN  
COMMEMORATION OF THE EVENTS OF APRIL 19, 1775.

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

WHEREAS, April 19, 1775, marks the date when the Massachusetts towns of Lexington and Concord were marched upon by British regulars in an effort to confiscate the munitions stored there for the local militia; and

WHEREAS, near the hour of 5 a.m., British troops numbering between six hundred and eight hundred men, encountered seventy-five patriots, under the command of Captain Parker, at Lexington Green, where Captain Parker ordered, "Stand your ground! Don't fire unless fired upon; but if they mean to have a war, let it begin here."; and

WHEREAS, the result was the "shot heard 'round the world" and by the day's end, the British troops had retreated from the field; and

WHEREAS, the events of this day were the spark that ignited the passions of the colonial patriots resulting in the American Revolutionary War and the founding of a great nation; and

WHEREAS, the states of Arkansas, Florida, Massachusetts, Missouri, Tennessee and Wisconsin celebrate April 19 as Patriot's Day each year, and in Maine and New Jersey, Patriot's Day is the third Monday in April; and

WHEREAS, Patriot's Day is an opportunity to focus on the historic nature of our revolution and the sacrifices endured over the course of a great eight-year struggle leading to our independence celebrated on the Fourth of July.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we proclaim April 19 of every year as Patriot's Day in the state of Idaho in commemoration of the opening events of the American Revolutionary War and the struggle through which the nation passed in its early days to be established as the great land of freedom in which we live today.

#### HOUSE CONCURRENT RESOLUTION NO. 47 BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION  
STATING LEGISLATIVE FINDINGS, RESTATING THE  
LEGISLATURE'S SUPPORT FOR THE RESTORATION,  
PRESERVATION AND MAINTENANCE OF THE STATE  
CAPITOL BUILDING, REQUESTING AND AUTHORIZING  
THE IDAHO CAPITOL COMMISSION TO MODIFY ITS  
MASTER PLAN FOR THE RESTORATION OF THE STATE  
CAPITOL BUILDING TO PROVIDE FOR CERTAIN LISTED  
MODIFICATIONS AND IMPROVEMENTS, AUTHORIZING  
AND APPROVING THE DEPARTMENT OF  
ADMINISTRATION TO ENTER INTO AN AGREEMENT OR  
AGREEMENTS WITH THE IDAHO STATE BUILDING  
AUTHORITY, UNDER SUCH TERMS AND CONDITIONS

AS MAY BE REASONABLE AND NECESSARY, TO PROVIDE FINANCING AND TO RESTORE AND REFURBISH THE STATE CAPITOL BUILDING AND CONSTITUTING PRIOR LEGISLATIVE APPROVAL IN ACCORDANCE WITH SECTION 67-6410, IDAHO CODE, AND SUPPORTING AND RECOMMENDING A DESIGN AND CONSTRUCTION SCHEDULE THAT WILL ALLOW THE RESTORATION OF THE STATE CAPITOL BUILDING TO BEGIN FOLLOWING THE 2007 LEGISLATIVE SESSION, AND TO BE COMPLETED PRIOR TO THE BEGINNING OF THE 2010 LEGISLATIVE SESSION.

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

WHEREAS, the State Capitol Building is the most vital and preeminent public building in Idaho and a symbol of Idaho's sovereignty; and

WHEREAS, the restoration, preservation and maintenance of the State Capitol Building represents a vital public interest; and

WHEREAS, to ensure the State Capitol Building's long history and legacy, the Idaho Capitol Commission was created by the 1998 Legislature with a vision of restoring the State Capitol Building to its original splendor; and

WHEREAS, the Idaho Capitol Commission, pursuant to Section 67-1608, Idaho Code, has developed a comprehensive, multiyear Master Plan for the restoration of the State Capitol Building that would address modifications, improvements and preservation; and

WHEREAS, the Legislature in 2001 adopted House Concurrent Resolution No. 21 supporting the Master Plan approved by the Capitol Commission for the comprehensive restoration and refurbishment of the State Capitol Building; and

WHEREAS, in the intervening years the need for an expansion of the State Capitol Building to accommodate larger public hearing rooms has coincided with the Legislature's desire to maintain the State Capitol Building as a working Capitol; and

WHEREAS, a task force appointed by and consisting of majority and minority legislative leadership has met throughout the interim in 2005 to examine numerous alternatives for providing additional public hearing rooms and related office space to meet current and future needs, and to obtain information relating to building designs, projected costs, architectural integrity, site geotechnical analysis, phased development of the Capitol Mall, adjacent office space, and relocation options during the State Capitol restoration; and

WHEREAS, the task force has recommended an approach to restoration and expansion of the State Capitol Building that will accommodate the needs for public hearing rooms and maintain Idaho's Capitol Building as a working Capitol Building into the future without compromising the Capitol's architectural integrity and uniqueness; and

WHEREAS, the Legislature and the Governor intend that the Capitol restoration move forward without delay.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature restates its support for the restoration, preservation and maintenance of the State Capitol Building.

BE IT FURTHER RESOLVED that the Legislature requests and authorizes the Idaho Capitol Commission to modify its Master Plan for the restoration of the State Capitol Building to provide for the following modifications and improvements:

(1) The construction of two-story garden level atrium additions at the east and west ends of the State Capitol Building of approximately fifty thousand (50,000) square feet each, designed to accommodate large, state-of-the-art public hearing rooms, adjacent committee and staff office space and corridors for Legislator access and egress in each atrium addition.

(2) Provisions to allow future connectivity between the State Capitol Building and its garden level atrium wings with other adjoining state buildings on the Capitol Mall.

(3) New high-speed elevators at the east and west ends of the existing State Capitol Building sufficient to connect legislative chambers and offices with the new atrium additions and also to provide emergency access and egress from the upper floors of the State Capitol Building.

(4) A reassessment and reconfiguration of the Master Plan's assignment of space throughout the Capitol Building and any other necessary design changes to accommodate the atrium additions and high-speed elevators, offices within the building for legislative staff, and the relocation of legislative hearing rooms and attendant offices.

BE IT FURTHER RESOLVED that the Legislature authorizes and approves the Department of Administration to enter into an agreement or agreements with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary, to provide financing and to restore and refurbish the State Capitol Building, and that this resolution shall constitute prior legislative approval in accordance with Section 67-6410, Idaho Code.

BE IT FURTHER RESOLVED that the Legislature supports and recommends that the Idaho Capitol Commission, the Department of Administration and the Idaho State Building Authority pursue a design and construction schedule that will allow the restoration of the State Capitol Building to begin following the 2007 legislative session, and to be completed prior to the beginning of the 2010 legislative session.

**HCR 46** and **HCR 47** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 707  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO ACTIONS AND EXPENDITURES BY LOBBYISTS; AMENDING SECTION 67-6601, IDAHO CODE, TO INCLUDE ATTEMPTING TO INFLUENCE EXECUTIVE OR ADMINISTRATIVE ACTIONS IN THE PURPOSE OF THE ACT; AMENDING SECTION 67-6602, IDAHO CODE, TO ADD THE DEFINITION OF "EXECUTIVE OFFICIAL," TO PROVIDE THAT THE DEFINITION OF "LOBBY" AND "LOBBYING" SHALL ALSO MEAN COMMUNICATING WITH AN EXECUTIVE OFFICIAL FOR THE PURPOSE OF

INFLUENCING THE CONSIDERATION, AMENDMENT, ADOPTION OR REJECTION OF ANY RULE OR RULEMAKING, OR ANY RATEMAKING DECISION, PROCUREMENT, CONTRACT, BID OR BID PROCESS, FINANCIAL SERVICES AGREEMENT OR BOND ISSUE AND TO PROVIDE THAT NEITHER "LOBBY" NOR "LOBBYING" INCLUDES COMMUNICATING WITH AN EXECUTIVE OFFICIAL FOR THE PURPOSE OF CARRYING OUT ONGOING NEGOTIATIONS FOLLOWING THE AWARD OF A BID OR A CONTRACT, COMMUNICATIONS INVOLVING ONGOING LEGAL WORK AND NEGOTIATIONS CONDUCTED BY AND WITH ATTORNEYS FOR EXECUTIVE AGENCIES, INTERACTIONS BETWEEN PARTIES IN LITIGATION OR OTHER CONTESTED MATTERS, OR COMMUNICATIONS AMONG AND BETWEEN MEMBERS OF THE LEGISLATURE AND EXECUTIVE OFFICIALS AND THEIR EMPLOYEES OR BY STATE EMPLOYEES WHILE ACTING IN THEIR OFFICIAL CAPACITY OR WITHIN THE COURSE AND SCOPE OF THEIR EMPLOYMENT; AMENDING SECTION 67-6618, IDAHO CODE, TO PROVIDE THAT APPEARANCES OR PARTICIPATION IN PUBLIC MEETINGS, PUBLIC HEARINGS OR PUBLIC PROCEEDINGS HELD OR INITIATED BY EXECUTIVE OFFICIALS OR THEIR EMPLOYEES SHALL BE EXEMPT FROM REGISTRATION AND REPORTING AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6619, IDAHO CODE, TO PROVIDE THAT LOBBYISTS COVERED UNDER THIS ACT WHOSE LOBBYING ACTIVITIES ARE CONFINED ONLY TO EXECUTIVE OFFICIALS SHALL BE REQUIRED TO FILE INTERIM PERIODIC REPORTS SEMIANNUALLY, TO INCLUDE EXECUTIVE OFFICIALS IN THE EXPENDITURE REPORTING REQUIREMENTS AND TO REQUIRE THAT SEMIANNUAL PERIODIC REPORTS CONTAIN THE SUBJECT MATTER OF ANY RULE, RATEMAKING DECISION, PROCUREMENT, CONTRACT, BID OR BID PROCESS, FINANCIAL SERVICES AGREEMENT OR BOND ISSUE WHICH THE LOBBYIST HAS BEEN ENGAGED IN SUPPORTING OR OPPOSING DURING THE REPORTING PERIOD AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 708**  
**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO HEALTH CARE DIRECTIVE REGISTRY; AMENDING SECTION 9-340C, IDAHO CODE, TO PROVIDE A HEALTH CARE DIRECTIVE REGISTRY EXCEPTION TO THE PUBLIC RECORDS ACT; AMENDING SECTION 39-4509, IDAHO CODE, TO DEFINE "HEALTH CARE DIRECTIVE"; AMENDING SECTION 39-4510, IDAHO CODE, TO PERMIT REGISTRATION OF A HEALTH CARE DIRECTIVE; AMENDING SECTION 39-4511, IDAHO CODE, TO PERMIT REGISTRATION OF A HEALTH CARE DIRECTIVE REVOCATION; AMENDING SECTION 39-4513, IDAHO CODE, TO PROVIDE IMMUNITIES; AMENDING CHAPTER 45, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-4515, IDAHO CODE, TO CREATE A HEALTH CARE DIRECTIVE REGISTRY IN

THE OFFICE OF THE SECRETARY OF STATE, TO PROVIDE FOR THE CONTENT OF THE INFORMATION TO BE INCLUDED IN THE REGISTRY, TO PERMIT REGISTRATION OF HEALTH CARE DIRECTIVES AND REVOCATIONS, TO PERMIT THE SECRETARY OF STATE TO CHARGE A FEE FOR REGISTRATION OF A HEALTH CARE DIRECTIVE, TO PROVIDE AND LIMIT DUTIES AND RESPONSIBILITIES OF THE SECRETARY OF STATE, TO PROVIDE A MEANS OF ACCESS TO THE REGISTRY, TO LIMIT ACCESS TO THE INFORMATION CONTAINED IN THE REGISTRY, TO LIMIT LIABILITY OF THE SECRETARY OF STATE AND THE STATE OF IDAHO AND TO CREATE A FUND TO SUPPORT, PROMOTE AND MAINTAIN THE REGISTRY; DECLARING AN EMERGENCY, PROVIDING EFFECTIVE DATES AND PROVIDING THAT THE SECRETARY OF STATE WILL ACCEPT REGISTRATION APPLICATIONS PURSUANT TO THIS ACT ON AND AFTER JANUARY 1, 2007.

**HOUSE BILL NO. 709**  
**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO REPORTING OF DEATHS; AMENDING SECTION 19-4301A, IDAHO CODE, TO REQUIRE PERSONS FINDING CERTAIN BODIES TO NOTIFY LAW ENFORCEMENT, TO REQUIRE LAW ENFORCEMENT TO NOTIFY THE CORONER, TO MAKE A GRAMMATICAL CHANGE AND TO PROVIDE PENALTIES.

**HOUSE BILL NO. 710**  
**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO NURSING HOME ADMINISTRATORS; AMENDING SECTION 54-1609, IDAHO CODE, TO REQUIRE SPECIFIED DOCUMENTATION FOR A NURSING HOME ADMINISTRATOR LICENSE ENDORSEMENT.

**HOUSE BILL NO. 711**  
**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO MUNICIPAL ELECTIONS; AMENDING SECTION 50-203, IDAHO CODE, TO REVISE TIMING DEADLINES FOR COMPENSATION CHANGES FOR CITY MAYORS AND CITY COUNCILMEN; REPEALING SECTION 50-413, IDAHO CODE, RELATING TO QUALIFICATIONS OF ELECTORS; AMENDING SECTION 50-431, IDAHO CODE, TO REVISE CANDIDATE FILING DEADLINES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-432, IDAHO CODE, TO REVISE CANDIDATE FILING DEADLINES AND TO CLARIFY PROCEDURES FOR VERIFICATION OF PETITION SIGNATURES; AMENDING CHAPTER 4, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-435, IDAHO CODE, TO PROVIDE FOR PUBLICATION OF NOTICE OF CANDIDATE FILING DEADLINES BY THE CITY CLERK; AMENDING SECTION 50-436, IDAHO CODE, TO REVISE DEADLINES FOR PUBLICATION OF NOTICES OF ELECTION, TO ADD THE LIST OF POLLING PLACES TO THE FIRST NOTICE OF ELECTION AND TO

PROVIDE THE NAME OF THE CITY IN THE SECOND NOTICE OF ELECTION; AMENDING SECTION 50-439, IDAHO CODE, TO REVISE THE DEADLINE FOR BALLOT PREPARATION AND TO CLARIFY PROCEDURES FOR COUNTING VOTES CAST FOR WRITE-IN CANDIDATES; AMENDING SECTION 50-440, IDAHO CODE, TO REVISE THE DEADLINES FOR PRINTING AND PUBLICATION OF SAMPLE BALLOTS; REPEALING SECTION 50-459, IDAHO CODE, RELATING TO MANNER OF VOTING; AMENDING CHAPTER 4, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-459, IDAHO CODE, TO PROVIDE FOR THE MANNER OF VOTING; REPEALING SECTION 50-479, IDAHO CODE, RELATING TO APPLICATION OF PERSUASIVE POLL REQUIREMENTS; AMENDING SECTION 50-612, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION AND TO REVISE DEADLINES FOR BALLOT PREPARATION AND PRINTING OF SAMPLE BALLOTS IN MAYORAL RUNOFF ELECTIONS; AND AMENDING SECTION 50-707B, IDAHO CODE, TO REVISE DEADLINES FOR BALLOT PREPARATION AND PRINTING OF SAMPLE BALLOTS IN CITY COUNCIL RUNOFF ELECTIONS.

**HOUSE BILL NO. 712**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO PROPRIETARY SCHOOLS; AMENDING SECTION 33-107, IDAHO CODE, TO REVISE AND CLARIFY THE POWERS OF THE STATE BOARD OF EDUCATION RELATING TO MAINTAINING REGISTERS OF POSTSECONDARY EDUCATIONAL INSTITUTIONS AND PROPRIETARY SCHOOLS APPROVED BY THE BOARD, TO DETERMINE ACCEPTANCE OF ACADEMIC CREDITS FOR PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2401, IDAHO CODE, TO REVISE THE DEFINITIONS OF "ACCREDITED," "AGENT," "COURSE OF STUDY," "DEGREE" AND "PROPRIETARY SCHOOL," TO DEFINE "COURSE" AND "POSTSECONDARY EDUCATIONAL INSTITUTION" AND TO DELETE THE DEFINITIONS OF "PERSON," "PRINCIPAL," "REGISTRANT" AND "STUDENT"; REPEALING SECTION 33-2402, IDAHO CODE, RELATING TO SCHOOLS AND COURSES EXEMPTED; AMENDING CHAPTER 24, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2402, IDAHO CODE, TO PROVIDE FOR REGISTRATION OF POSTSECONDARY EDUCATIONAL INSTITUTIONS AND ASSESSMENT OF AN ANNUAL REGISTRATION FEE; REPEALING SECTION 33-2403, IDAHO CODE, RELATING TO FEDERAL REQUIREMENTS AND STATE POSTSECONDARY REVIEW; AMENDING CHAPTER 24, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2403, IDAHO CODE, TO PROVIDE FOR REGISTRATION OF PROPRIETARY SCHOOLS AND ASSESSMENT OF AN ANNUAL REGISTRATION FEE; REPEALING SECTION 33-2404, IDAHO CODE, RELATING TO REGISTRATION; AMENDING SECTION 33-2405,

IDAHO CODE, TO PROVIDE PROPER TERMINOLOGY, TO ALLOW THE STATE BOARD OF EDUCATION TO SET BY RULE THE ANNUAL AGENT'S PERMIT FEE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-2406, IDAHO CODE, TO PROVIDE PROPER TERMINOLOGY, TO PROVIDE THAT COURSES OF A PROPRIETARY SCHOOL WILL NOT BE ACCEPTED FOR TRANSFER INTO ANY IDAHO PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTION AND TO REDESIGNATE THE SECTION; AMENDING SECTION 33-2407, IDAHO CODE, TO PROVIDE PROPER TERMINOLOGY, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-2408, IDAHO CODE, TO REVISE INFORMATION REQUIRED ON AN APPLICATION, TO PROVIDE PROPER TERMINOLOGY AND TO REDESIGNATE THE SECTION; AMENDING SECTION 33-2409, IDAHO CODE, TO PROVIDE PROPER TERMINOLOGY AND TO REDESIGNATE THE SECTION; AND AMENDING CHAPTER 24, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2409, IDAHO CODE, TO PROVIDE FOR ENFORCEMENT OF ANY VIOLATION OF THE PROVISIONS OF CHAPTER 24, TITLE 33, IDAHO CODE.

**HOUSE BILL NO. 713**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO ADULT CRIMINAL SEX OFFENDERS; AMENDING CHAPTER 83, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-8329, IDAHO CODE, TO PROHIBIT ACCESS TO SCHOOL CHILDREN BY ANY PERSON CURRENTLY REGISTERED OR REQUIRED TO REGISTER UNDER THE IDAHO SEX OFFENDER REGISTRATION ACT, TO PROVIDE EXCEPTIONS AND TO PROVIDE A PENALTY.

**H 707, H 708, H 709, H 710, H 711, H 712, and H 713** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 544** and **H 576**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

**H 627, H 628, H 629, H 631, and H 634**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

**H 685**, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

At this time, the Speaker took the Chair.

At this time, Mr. Denney introduced Senator Larry Craig, who spoke briefly to the Members of the House.

**H 452** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **H 452** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bayer, Bedke, Moyle, Roberts. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 452** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 574** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 574** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- Clark, Crow, Hart, Lake, McKague, Moyle, Raybould. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 574** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 547** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Rydalch to open debate.

The question being, "Shall **H 547** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Black, Ellsworth, Ring. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 547** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 579** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 579** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali(Sali), Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 53.

NAYS -- Anderson, Andrus, Barrett, Bayer, Crow, Eskridge, Hart, Harwood, LeFavour, Martinez, McKague, Moyle, Pasley-Stuart, Ringo, Saylor, Schaefer, Wood. Total -- 17.

Total -- 70.

Whereupon the Speaker declared **H 579** passed the House. Title was approved and the bill was ordered transmitted to the Senate.



**H 580** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 580** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- Schaefer. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 580** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 530** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ring to open debate.

The question being, "Shall **H 530** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- Barrett. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 530** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 520** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 520** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Harwood, McKague, Smith(24). Total -- 3.

Absent and excused -- Bell, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 520** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 521** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Edmunson to open debate.

The question being, "Shall **H 521** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

Absent and excused -- Bell. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 521** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 585** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 585** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Smith(24). Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 585** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 586** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 586** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- Barrett, Loertscher, Sali(Sali), Wood. Total -- 4.

Absent and excused -- Smith(24). Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 586** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Schaefer asked unanimous consent that he be allowed to change his vote on **H 580** from "NAY" to "AYE". There being no objection, it was so ordered, and the revised roll call for **H 580** resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

**H 578** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

The question being, "Shall **H 578** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood, Mr. Speaker. Total -- 55.

NAYS -- Barrett, Brackett, Chadderdon, Clark, Crow, Ellsworth, Hart, Henderson, Loertscher, McGeachin, Moyle, Raybould, Ring, Shirley, Stevenson. Total -- 15.

Total -- 70.

Whereupon the Speaker declared **H 578** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., Mr. Denney in the Chair.

Roll call showed 69 members present.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**H 648** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bradford to open debate.

The question being, "Shall **H 648** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- Barrett, Snodgrass, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 648** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 649** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Garrett to open debate.

The question being, "Shall **H 649** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- Barrett, Snodgrass, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 649** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 443** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 443** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Snodgrass, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 443** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 471** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Collins to open debate.

The question being, "Shall **H 471** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 471** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 457** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moyle to open debate.

The question being, "Shall **H 457** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 457** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 463**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Roberts to open debate.

The question being, "Shall **H 463**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 463**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 559** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Kemp to open debate.

The question being, "Shall **H 559** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 559** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HCR 39** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood and Mr. Mathews to open debate.

The question being, "Shall **HCR 39** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 39** adopted by voice vote and ordered the resolution transmitted to the Senate.

**H 561** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Roberts to open debate.

The question being, "Shall **H 561** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Smith(24), Mr. Speaker. Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 561** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 603** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **H 603** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Lake, Mr. Speaker. Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 603** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 604** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

The question being, "Shall **H 604** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 604** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 560** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wills and Mrs. Wood to open debate.

The question being, "Shall **H 560** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Schaefer, Mr. Speaker. Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 560** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 491** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Shirley to open debate.

The question being, "Shall **H 491** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali(Sali), Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Schaefer, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 491** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 411** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Brackett to open debate.

The question being, "Shall **H 411** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 411** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Wednesday, February 22, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:03 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

## FORTY-FIFTH LEGISLATIVE DAY WEDNESDAY, FEBRUARY 22, 2006

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jessi Cooper, Page.

### Approval of Journal

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-fourth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

### CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Steve Smylie, State Representative, District 15, House Seat B, Ada County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Lynn Luker, of Boise, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, JAMES E. RISCH, Acting Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Lynn Luker, Acting State Representative, District 15, House Seat B, State of Idaho, for a term commencing on February 22, 2006, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 21st day of February in the year of our Lord two thousand and six, and of the Independence of the United States of America, the two hundred and thirtieth year.

/s/ JAMES E. RISCH  
Acting Governor

/s/ BEN YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Luker.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that **HJM 16** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**HJM 16** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Edmunson to open debate.

The question being, "Shall **HJM 16** be adopted?"

Whereupon the Speaker declared **HJM 16** adopted by voice vote and ordered the memorial transmitted to the Senate.

At this time, Mr. Barraclough introduced Senator Mike Crapo, who spoke briefly to the Members of the House.

Mrs. Field(18) asked unanimous consent that **H 634** be placed on General Orders for consideration. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

### Consideration of Messages from the Governor and the Senate

February 21, 2006

Mr. Speaker:

I transmit herewith **SCR 123, S 1321, S 1335, S 1316, S 1268, S 1269, S 1271, and S 1272** which have passed the Senate.

WOOD, Secretary

**SCR 123, S 1321, S 1335, S 1316, S 1268, S 1269, S 1271, and S 1272** were filed for first reading.

February 21, 2006

Mr. Speaker:

I return herewith **HJM 10 and HJM 11** which have passed the Senate.

WOOD, Secretary

**HJM 10 and HJM 11** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 46, HCR 47, H 707, H 708, H 709, H 710, H 711, H 712, and H 713.**

FIELD(18), Chairman

**HCR 47, H 707, and H 711** were referred to the State Affairs Committee.

**H 709 and H 713** were referred to the Judiciary, Rules, and Administration Committee.

**H 710** was referred to the Health and Welfare Committee.

**H 712** was referred to the Education Committee.

**HCR 46 and H 708** were filed for second reading.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJR 2** to the Secretary of State at 11:11 a.m., as of this date, February 21, 2006.

FIELD(18), Chairman

February 21, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HJM 13** and recommend that it do pass.

BARRACLOUGH, Chairman

**HJM 13** was filed for second reading.

February 21, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 590 and H 621** and recommend that they do pass.

DEAL, Chairman

**H 590 and H 621** were filed for second reading.

February 21, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 475 and H 688** and recommend that they do pass.

CROW, Chairman

**H 475 and H 688** were filed for second reading.

February 21, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 551, H 584, and H 587** and recommend that they do pass. BLACK, Chairman

**H 551, H 584, and H 587** were filed for second reading.

February 21, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **HCR 36, HCR 37, H 636, H 546, H 637, and HJM 14** and recommend that it do pass. STEVENSON, Chairman

**HCR 36, HCR 37, H 636, H 546, H 637, and HJM 14** were filed for second reading.

February 21, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 583, H 632, and H 633** and recommend that they do pass. FIELD(18), Chairman

**H 583, H 632, and H 633** were filed for second reading.

February 21, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 519** and report it back with amendments attached to be placed on General Orders for consideration. FIELD(18), Chairman

**H 519** was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

House of Representatives  
State of Idaho

February 20, 2006

The Honorable Bert Stevenson, Chairman  
Resources and Conservation Committee

Dear Representative Stevenson:

I hereby designate the Resources and Conservation Committee a privileged committee for the purpose of introducing RS 16102 on Tuesday, February 21, 2006.

Sincerely,  
/s/ BRUCE NEWCOMB  
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

**HOUSE CONCURRENT RESOLUTION NO. 48  
BY STATE AFFAIRS COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE DEPARTMENT OF HEALTH AND WELFARE TO ELIMINATE PARTIAL CARE SERVICES FOR LOW-INCOME CHILDREN AND ADULTS WITHOUT SERIOUS MENTAL HEALTH DISORDERS AND TO LIMIT MEDICAID MENTAL HEALTH BENEFITS FOR LOW-INCOME CHILDREN WITHOUT SERIOUS EMOTIONAL DISTURBANCE AND WORKING-AGE ADULTS WITHOUT SEVERE AND PERSISTENT MENTAL ILLNESS, ENCOURAGING THE ESTABLISHMENT OF A HEALTH RISK ASSESSMENT FOR CERTAIN INDIVIDUALS, ENCOURAGING CONTINUING THE PROVISION OF INTENSIVE MENTAL HEALTH TREATMENT BENEFITS FOR CERTAIN INDIVIDUALS, ENCOURAGING THE EXPLORATION OF MODIFICATIONS OF MENTAL HEALTH BENEFITS FOR INDIVIDUALS WITH DISABILITIES OR SPECIAL HEALTH NEEDS AND REQUESTING A REPORT TO THE LEGISLATURE.

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

WHEREAS, the Medicaid Program in the state of Idaho is unsustainable in its current form and should be reformed so that eligibility, benefits and delivery systems match client health needs; and

WHEREAS, the United States Congress has indicated its support for additional flexibility in state management of Medicaid Programs as evidenced by the Medicaid-related provisions in the Deficit Reduction Omnibus Reconciliation Act of 2005; and

WHEREAS, the First Regular Session of the Fifty-eighth Idaho Legislature directed the Department of Health and Welfare to develop appropriate levels of mental health services to meet client needs, which may include limiting hours of service; and

WHEREAS, Idaho has existing systems of care for children with serious emotional disturbances and adults with severe and persistent mental illness that should be supported by Medicaid through design of appropriate benefits.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature of the State of Idaho encourages the Department of Health and Welfare to eliminate partial care services for low-income children and adults without serious mental health disorders, and to limit the Medicaid mental health benefits for low-income children without serious emotional disturbance and working-age adults without severe and persistent mental illness to twenty-six hours per year of outpatient mental health therapy services and to ten days per year of inpatient mental health care.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to establish a health risk assessment that provides meaningful diagnostic information about whether Medicaid-eligible children have serious emotional disturbances and whether Medicaid-eligible adults have severe and persistent mental illness.



BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to continue the provision of intensive mental health treatment benefits, without regard to the limitations set forth above, for Medicaid-eligible children diagnosed as having serious emotional disturbances and Medicaid-eligible adults diagnosed as having severe and persistent mental illness.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to continue to explore modifications of mental health benefits for individuals with disabilities or special health needs in order to be consistent with best clinical practices.

BE IT FURTHER RESOLVED that the Department of Health and Welfare is requested to report the results of such benefit changes to the First Regular Session of the Fifty-ninth Idaho Legislature along with recommendations for any further legislative actions.

**HOUSE CONCURRENT RESOLUTION NO. 49**

**BY STATE AFFAIRS COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE DEPARTMENT OF HEALTH AND WELFARE TO PROCEED WITH THE DEVELOPMENT AND DESIGN OF INTEGRATED PROGRAMS FOR FINANCING MEDICARE EXCLUDED PRESCRIPTION DRUGS COVERED UNDER IDAHO MEDICAID IN SUCH A WAY THAT CREATES A SEAMLESS DELIVERY SYSTEM FOR PRESCRIPTION DRUG BENEFITS FOR THOSE INDIVIDUALS DUALY ELIGIBLE FOR MEDICAID AND MEDICARE AND WHICH REDUCES PROGRAM COSTS AND REQUESTING A REPORT TO THE LEGISLATURE.

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

WHEREAS, the Medicaid Program in the state of Idaho is unsustainable in its current form and should be reformed so that eligibility, benefits and delivery systems match client health needs; and

WHEREAS, the Idaho Medicaid Program is required by federal law to cover certain services for low-income seniors and adults who are dually eligible for Medicaid and Medicare; and

WHEREAS, the Idaho Medicaid Program will continue to provide coverage for prescription drugs excluded from coverage under Medicare Part D prescription drug benefits; and

WHEREAS, the implementation of Medicare Part D prescription drug benefits under the federal Medicare Modernization Act has highlighted the need for improved coordination between the Medicaid and Medicare Programs.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Department of Health and Welfare is encouraged to proceed with the development of integrated programs for financing Medicare excluded prescription drugs covered under Idaho Medicaid.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to design such programs in a way that creates a seamless delivery system for

prescription drug benefits for those individuals dually eligible for Medicaid and Medicare, and which reduces overall program costs through the efficiencies gained through such integrated programs.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to continue to develop integrated programs for financing other Medicaid covered services for persons dually eligible for Medicaid and Medicare.

BE IT FURTHER RESOLVED that the Legislature acknowledges that such programs will require approval of the federal Centers for Medicare and Medicaid Services (CMS) prior to implementation.

BE IT FURTHER RESOLVED that the Department of Health and Welfare is requested to report the results of such programs to the First Regular Session of the Fifty-ninth Idaho Legislature along with recommendations for any further legislative action.

**HOUSE CONCURRENT RESOLUTION NO. 50**

**BY STATE AFFAIRS COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE DEPARTMENT OF HEALTH AND WELFARE TO ESTABLISH COST-SHARING IN THE FORM OF PREMIUMS FOR CERTAIN IDAHO MEDICAID PARTICIPANTS, ENCOURAGING THE DEPARTMENT OF HEALTH AND WELFARE TO PERMIT MEDICAID PARTICIPANTS TO PAY PART OR ALL OF THEIR PREMIUMS WITH FUNDS IN PERSONAL HEALTH ACCOUNTS ASSIGNED TO THE PARTICIPANTS AND HELD BY THE DEPARTMENT AND REQUESTING A REPORT TO THE LEGISLATURE.

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

WHEREAS, the Medicaid Program in the state of Idaho is unsustainable in its current form and should be reformed so that eligibility, benefits and delivery systems match client health needs; and

WHEREAS, individual contributions to the cost of coverage through premium payments may help encourage more individual responsibility over health care choices and dissuade "crowding out" of private coverage; and

WHEREAS, health insurance premium payments are a standard beneficiary cost-sharing mechanism employed by the private health financing sector; and

WHEREAS, limited Medicaid premiums may help to increase Medicaid participants' ability to understand and take advantage of future opportunities for private health insurance coverage; and

WHEREAS, graduated premium amounts according to participant poverty level ensure equity of program design.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature of the State of Idaho encourages the Department of Health and Welfare to implement limited premiums for Medicaid participants in the proposed state plan for low-income children and working-age adults.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to establish Medicaid cost-sharing premiums so that premiums for Medicaid participants who have family incomes above one hundred thirty-three percent and equal to or less than one hundred fifty percent of the federal poverty guideline should consist of not more than ten dollars per person per month and premiums for participants with family incomes above one hundred fifty percent and equal to or less than one hundred eighty-five percent of the federal poverty guideline should consist of not more than ten dollars per person per month for medical benefits and an additional five dollars per person per month for dental benefits.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to permit Medicaid participants to pay part or all of their premiums with funds in personal health accounts assigned to the participants and held by the Department of Health and Welfare.

BE IT FURTHER RESOLVED that the Department of Health and Welfare is requested to report the results of this program change to the First Regular Session of the Fifty-ninth Idaho Legislature along with recommendations for any further legislative action.

**HOUSE JOINT MEMORIAL NO. 17  
BY STATE AFFAIRS COMMITTEE**

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the judicial branch is one of three separate branches of government and with respect to the judiciary at the federal level, its powers arise from the Constitution of the United States and the consent of the governed; and

WHEREAS, the United States Supreme Court and lower federal courts, and most notoriously, the U.S. Court of Appeals for the Ninth Circuit, have repeatedly ruled inconsistently with the intent of the authors of the U.S. Constitution and in derogation of the founding traditions and principles of America; and

WHEREAS, federal judges and members of Congress swear an oath to uphold the Constitution of the United States; and

WHEREAS, Congress has a constitutional duty to require that these oaths be honored by federal judges.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urgently request the congressional delegation representing the state of Idaho in the Congress of the United States to end the era of judicial activism and to reestablish judicial accountability by supporting the passage of and becoming

cosponsors on Senate Bill 520, to curb the jurisdictions of federal courts which have shown contempt for the Constitution of the United States.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HOUSE PROCLAMATION NO. 6  
BY STATE AFFAIRS COMMITTEE**

A PROCLAMATION

HONORING THE CENTENNIAL OF LONGFELLOW  
ELEMENTARY SCHOOL.

We, the members of the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby proclaim:

WHEREAS, Longfellow Elementary School in Boise, Idaho, is named after the great American poet, Henry Wadsworth Longfellow; and

WHEREAS, Henry Wadsworth Longfellow's birthday is February 27th; and

WHEREAS, Longfellow Elementary School is currently celebrating its centennial, having opened its doors to the children of Boise's North End one hundred years ago, and having continuously provided quality education to generations of Idaho children since then.

NOW, THEREFORE, BE IT PROCLAIMED by the members of the House of Representatives assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, that we declare February 27, 2006, to be Longfellow Elementary School Day.

**HCR 48, HCR 49, HCR 50, HJM 17, and HP 6** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**SCR 123**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 714  
BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO THE POWERS AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF FINANCE; AMENDING SECTION 26-3105, IDAHO CODE, TO AUTHORIZE THE DIRECTOR TO PARTICIPATE IN THE ESTABLISHMENT AND IMPLEMENTATION OF A MULTISTATE AUTOMATED LICENSING SYSTEM FOR MORTGAGE BROKERS AND LENDERS AND INDIVIDUAL MORTGAGE LOAN ORIGINATORS, TO REQUIRE

CRIMINAL HISTORY RECORD CHECKS AND TO EXEMPT FROM INFORMATION AND PARTICIPATION REQUIREMENTS CERTAIN EMPLOYEES AND AGENTS.

**HOUSE BILL NO. 715**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 9-340C, IDAHO CODE, TO EXEMPT FROM DISCLOSURE CERTAIN RECORDS OF ACTIVE OR RETIRED SUPREME COURT JUSTICES, COURT OF APPEALS JUDGES AND DISTRICT AND MAGISTRATE JUDGES.

**HOUSE BILL NO. 716**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO CRIMINAL PROCEDURE; AMENDING SECTION 19-2604, IDAHO CODE, TO PROVIDE THAT A DEFENDANT MAY BE DISCHARGED OR A JUDGMENT AMENDED UPON A SHOWING RELATING TO THE DEFENDANT'S GRADUATION FROM A DRUG COURT PROGRAM OR MENTAL HEALTH COURT PROGRAM AND COMPLIANCE WITH ANY APPLICABLE PROBATION TERMS AND CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 717**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO LEGISLATIVE DISTRICT CENTRAL COMMITTEES; AMENDING SECTION 34-503, IDAHO CODE, TO PROVIDE THAT THE PRECINCT COMMITTEEMEN WITHIN EACH LEGISLATIVE DISTRICT SHALL MEET WITHIN THE LEGISLATIVE DISTRICT OR AT A CONVENIENT LOCATION IN A COUNTY CONTIGUOUS TO THE LEGISLATIVE DISTRICT, WITHIN ELEVEN DAYS AFTER THE PRIMARY ELECTION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 718**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 9-338, IDAHO CODE, TO PROVIDE A LIMITATION ON A FEE THAT MAY BE CHARGED, TO PROVIDE THAT STATISTICAL INFORMATION DESCRIPTIVE OF AN IDENTIFIABLE PERSON MAY BE DISCLOSED UNLESS PROHIBITED BY LAW, TO AUTHORIZE A PUBLIC AGENCY OR INDEPENDENT PUBLIC BODY CORPORATE AND POLITIC TO PROVIDE A COPY OF A PUBLIC RECORD IN ELECTRONIC FORM IF THE RECORD IS AVAILABLE IN ELECTRONIC FORM AND AN ELECTRONIC COPY IS SPECIFICALLY REQUESTED, TO PROVIDE THAT A REQUEST FOR AND DELIVERY OF A PUBLIC RECORD MAY BE CONDUCTED BY ELECTRONIC MAIL AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 9-339, IDAHO

CODE, TO PROVIDE AN EXCEPTION TO THE REQUIREMENT TO PROVIDE A PUBLIC RECORD WITHIN A SPECIFIED TIME; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 719**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO AUTOPSIES; AMENDING CHAPTER 2, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-277, IDAHO CODE, TO REQUIRE AUTOPSIES TO BE PERFORMED IN CERTAIN CASES IN WHICH CREUTZFELDT-JAKOB DISEASE IS SUSPECTED AND TO REQUIRE THAT THE FINDINGS OF SUCH AUTOPSIES BE REPORTED TO THE DEPARTMENT OF HEALTH AND WELFARE.

**HOUSE BILL NO. 720**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY TAXES; AMENDING SECTION 63-802, IDAHO CODE, TO REQUIRE MAILED NOTICES OF ELECTIONS TO PROPERTY TAXPAYERS WHEN A TAXING DISTRICT IS HOLDING AN ELECTION TO INCREASE PROPERTY TAXES AND TO PROVIDE FOR THE CONTENTS OF THE NOTICES.

**HOUSE BILL NO. 721**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
AN ACT

RELATING TO CHANGE IN POINT OF DIVERSION, PLACE OF USE, PERIOD OF USE OR NATURE OF USE OF WATER; AMENDING SECTION 42-108, IDAHO CODE, TO PROVIDE THAT LEGISLATIVE APPROVAL SHALL BE REQUIRED FOR ANY PERMANENT OR TEMPORARY CHANGE IN POINT OF DIVERSION, PERIOD OF USE, OR NATURE OF USE FOR ANY WATER RIGHT OR COMBINATION OF WATER RIGHTS WITH A DIVERSION RATE EQUAL TO OR GREATER THAN TWO CFS OR FOR A STORAGE VOLUME OF ONE THOUSAND FOUR HUNDRED FIFTY ACRE-FEET IF THE USE OF SUCH RIGHT(S) IS IN CONJUNCTION WITH THE COAL FIRED GENERATION OF ELECTRICITY WITH AN EXCEPTION, OR FIFTY CFS OR FOR A STORAGE VOLUME GREATER THAN FIVE THOUSAND ACRE-FEET FOR ANY OTHER USE, EXCEPT THAT ANY TEMPORARY CHANGE WITHIN THE STATE OF IDAHO FOR A PERIOD OF LESS THAN THREE YEARS MAY BE APPROVED BY THE DIRECTOR WITHOUT LEGISLATIVE APPROVAL; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 722**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO INSURANCE TRADE PRACTICES AND FRAUDS; AMENDING SECTION 41-1314, IDAHO CODE, TO PROVIDE THAT A LIFE INSURER, PROPERTY INSURER OR CASUALTY INSURER, OR PRODUCERS WHO ARE MARKETING LIFE INSURANCE, PROPERTY INSURANCE OR CASUALTY INSURANCE, SHALL NOT BE

PROHIBITED FROM PROVIDING TO A POLICYHOLDER OR PROSPECTIVE POLICYHOLDER OF LIFE, PROPERTY OR CASUALTY INSURANCE, INDUCEMENTS OF AN AGGREGATE VALUE OF FIFTY DOLLARS OR LESS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 723**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO COSMETOLOGY; AMENDING SECTION 54-802, IDAHO CODE, TO DEFINE "HAIRCUTTING" AND "HAIRCUTTER"; AMENDING SECTION 54-805, IDAHO CODE, TO SET FORTH REQUIREMENTS FOR A HAIRCUTTER LICENSE; AMENDING SECTION 54-808, IDAHO CODE, TO SET FORTH CURRICULUM AND TRAINING REQUIREMENTS FOR HAIRCUTTING; AMENDING SECTION 54-818, IDAHO CODE, TO PROVIDE FEES FOR HAIRCUTTER PERMITS AND EXAMINATIONS; AMENDING CHAPTER 8, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-824A, IDAHO CODE, TO PROVIDE SANITATION STANDARDS; AND AMENDING CHAPTER 8, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-837, IDAHO CODE, TO REQUIRE MINIMUM HOURS OF INSTRUCTION FOR STUDENT COSMETOLOGISTS RENDERING CHEMICAL SERVICES.

**HOUSE BILL NO. 724**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6506, IDAHO CODE, TO STRIKE AN EXCEPTION ALLOWING MEMBERS OF GOVERNING BOARDS TO TESTIFY OR PRESENT EVIDENCE IN PUBLIC HEARINGS OR SIMILAR PUBLIC PROCESSES IN WHICH THEY HAVE ACKNOWLEDGED NONPARTICIPATION IN THE MATTER DUE TO A CONFLICT OF INTEREST.

**H 714, H 715, H 716, H 717, H 718, H 719, H 720, H 721, H 722, H 723, and H 724** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1321 and S 1335**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1316**, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

**S 1268, S 1269, S 1271, and S 1272**, by Commerce and Human Resources Committee, were introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 700 and H 701**, by Appropriations Committee, were read the second time by title and filed for third reading.

**H 671 and H 672**, by State Affairs Committee, were read the second time by title and filed for third reading.

**HCR 40 and HCR 41**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

**HJM 12, H 513, H 410, H 412, and H 492**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

**H 605, H 607, H 608, and H 609**, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

**H 624**, by Education Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 465** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 465** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali(Sali), Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Ellsworth, Roberts, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 465** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 514** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 514** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Ellsworth. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 514** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 466** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 466** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Ellsworth, Raybould, Stevenson. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 466** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HCR 31** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **HCR 31** be adopted?"

Whereupon the Speaker declared **HCR 31** adopted by voice vote and ordered the resolution transmitted to the Senate.

**H 497** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Kemp to open debate.

The question being, "Shall **H 497** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- Cannon. Total -- 1.

Absent and excused -- Lake. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 497** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 483** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Crow to open debate.

The question being, "Shall **H 483** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8),

Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Lake. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 483** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 484** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

The question being, "Shall **H 484** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rydalch, Sali(Sali), Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie(Luker), Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- Boe, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Smith(30), Trail. Total -- 11.

Absent and excused -- Lake. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 484** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1255** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bastian to open debate.

The question being, "Shall **S 1255** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8),

Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Smith(24). Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1255** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Deal asked unanimous consent that **H 570** be returned to the State Affairs Committee. There being no objection, it was so ordered.

**H 571** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 571** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Nonini. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 571** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 591** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

Mr. Deal asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 591**. There being no objection, it was so ordered.

The question being, "Shall **H 591** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney,

Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Nonini. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 591** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 592** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 592** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Schaefer. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 592** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 548** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open debate.

Mr. Black asked unanimous consent that **H 548** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**H 549** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chadderdon to open debate.

The question being, "Shall **H 549** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Harwood, McKague. Total -- 2.

Absent and excused -- Lake. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 549** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 550** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 550** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 67.

NAYS -- Barrett, McKague, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 550** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 554** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **H 554** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 45.

NAYS -- Andrus, Barrett, Bayer, Bedke, Clark, Crow, Ellsworth, Hart, Harwood, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Roberts, Rydalch, Sali(Sali), Schaefer, Shepherd(8), Smith(24), Wood. Total -- 23.

Absent and excused -- Edmunson, Eskridge. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 554** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 524** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 524** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Harwood, Lake, McKague, Wood. Total -- 5.

Absent and excused -- Loertscher. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 524** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 525** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 525** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bradford, Loertscher. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 525** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 526** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **H 526** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- Barrett, Harwood, McKague, Wood. Total -- 4.

Absent and excused -- Bradford, Loertscher, Moyle. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 526** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 527** was read the third time at length, section by section, and placed before the House for final consideration.



At this time, the Speaker recognized Mr. Saylor to open debate.

The question being, "Shall **H 527** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bradford, Moyle. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 527** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 1 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

**H 528** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mitchell to open debate.

The question being, "Shall **H 528** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Nielsen,

Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Bayer, Bedke, Denney, Eskridge, Henbest, McGeachin, Moyle, Nonini, Roberts. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **H 528** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 529** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andrus to open debate.

The question being, "Shall **H 529** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Denney, Eskridge, McGeachin, Moyle, Roberts. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 529** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 639** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 639** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer,

Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Crow, Denney, Eskridge, Moyle, Roberts. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 639** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 582** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ring to open debate.

The question being, "Shall **H 582** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Deal, Ellsworth, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Loertscher, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali(Sali), Saylor, Shepherd(2), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills. Total -- 47.

NAYS -- Anderson, Barrett, Bayer, Boe, Collins, Crow, Hart, Lake, LeFavour, Martinez, McKague, Nonini, Roberts, Schaefer, Shepherd(8), Smith(24), Smylie(Luker), Wood, Mr. Speaker. Total -- 19.

Absent and excused -- Bedke, Denney, Edmunson, Eskridge. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 582** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 430** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

The question being, "Shall **H 430** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Ellsworth, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews,

McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Bayer, Crow, Hart, McKague, Moyle. Total -- 6.

Absent and excused -- Bedke, Edmunson, Eskridge. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 430** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 431** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bastian to open debate.

The question being, "Shall **H 431** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Edmunson, Eskridge. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 431** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 581** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **H 581** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal,

Denney, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Edmunson, Eskridge. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 581** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, February 23, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:03 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**FORTY-SIXTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 23, 2006**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused -- Black, Field (23), Wood. Total -- 3.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Emily Frecker, Page.

### Approval of Journal

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-fifth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 22, 2006

Mr. Speaker:

I transmit herewith **S 1270, S 1334, S 1345, S 1336, S 1312, S 1355, S 1365, S 1370, S 1363, S 1295, S 1360, S 1348, S 1362, S 1375, and S 1347** which have passed the Senate.

WOOD, Secretary

**S 1270, S 1334, S 1345, S 1336, S 1312, S 1355, S 1365, S 1370, S 1363, S 1295, S 1360, S 1348, S 1362, S 1375, and S 1347** were filed for first reading.

February 22, 2006

Mr. Speaker:

I return herewith **HCR 34** which has passed the Senate.

WOOD, Secretary

**HCR 34** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 48, HCR 49, HCR 50, HJM 17, HP 6, H 714, H 715, H 716, H 717, H 718, H 719, H 720, H 721, H 722, H 723, and H 724.**

FIELD(18), Chairman

**HCR 48, HCR 49, HCR 50, and H 719** were referred to the Health and Welfare Committee.

**HJM 17, H 715, and H 716** were referred to the Judiciary, Rules, and Administration Committee.

**H 714, H 722, and H 723** were referred to the Business Committee.

**H 718** was referred to the State Affairs Committee.

**H 720** was referred to the Revenue and Taxation Committee.

**H 721** was referred to the Resources and Conservation Committee.

**H 724** was referred to the Local Government Committee.

**HP 6** and **H 717** were filed for second reading.

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 10** and **HJM 11**.  
FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HJM 10** and **HJM 11**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 20, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 611** and report it back with amendments attached to be placed on General Orders for consideration.  
BLOCK, Chairman

**H 611** was placed on General Orders for consideration.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 485** and recommend that it do pass.  
CROW, Chairman

**H 485** was filed for second reading.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **S 1315** and recommend that it do pass.  
BARRETT, Chairman

**S 1315** was filed for second reading.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 656** and report it back with amendments attached to be placed on General Orders for consideration.  
BARRETT, Chairman

**H 656** was placed on General Orders for consideration.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 602** and **H 692** and recommend that they do pass.  
WOOD, Chairman

**H 602** and **H 692** were filed for second reading.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 610** and report it back without recommendation.  
WOOD, Chairman

**H 610** was filed for second reading.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 593**, **H 594**, and **H 599** and recommend that they do pass.  
FIELD(23), Chairman

**H 593**, **H 594**, and **H 599** were filed for second reading.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 615** and recommend that it do pass.  
BLOCK, Chairman

**H 615** was filed for second reading.

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 673**, **H 694**, and **H 695** and recommend that they do pass.  
DEAL, Chairman

**H 673**, **H 694**, and **H 695** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

House of Representatives  
State of Idaho

February 21, 2006

The Honorable JoAn Wood  
Chairman, Transportation and Defense Committee

Dear Representative Wood:

I hereby designate the Transportation and Defense Committee a privileged committee for the purpose of introducing RS 16095C1 on Thursday, February 22, 2006.

Sincerely,  
/s/ BRUCE NEWCOMB  
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

**HOUSE CONCURRENT RESOLUTION NO. 51  
BY STATE AFFAIRS COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE, ENCOURAGING THE DEPARTMENT OF HEALTH AND WELFARE TO CONTRACT WITH A LIMITED NUMBER OF PROVIDERS OF CERTAIN MEDICAID PRODUCTS AND SERVICES AND TO SEEK ADDITIONAL OPPORTUNITIES FOR CONSOLIDATED PURCHASING AND REQUESTING A REPORT TO THE LEGISLATURE.

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

WHEREAS, the Medicaid Program in the state of Idaho is unsustainable in its current form and should be reformed so that eligibility, benefits and delivery systems match client health needs; and

WHEREAS, limiting the number of contracts between the Idaho Department of Health and Welfare and suppliers of certain health-related products and services will increase the purchasing power of public funds and may provide opportunities to control quality; and

WHEREAS, selective contracting is a standard health management tool employed by the private health financing sector.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature of the State of Idaho encourages the Department of Health and Welfare to contract with a limited number of providers of certain Medicaid products and services including, but not limited to, dental services, transportation brokers and durable medical equipment such as incontinence supplies.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to seek additional opportunities for consolidated purchasing.

BE IT FURTHER RESOLVED that the Legislature acknowledges that this initiative will require approval of the federal Centers for Medicare and Medicaid Services (CMS) prior to implementation.

BE IT FURTHER RESOLVED that the Department of Health and Welfare is requested to report the results of such programs to the First Regular Session of the Fifty-ninth Idaho Legislature along with recommendations for any further legislative action.

**HOUSE CONCURRENT RESOLUTION NO. 52  
BY STATE AFFAIRS COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE DEPARTMENT OF HEALTH AND WELFARE TO PROCEED WITH DEVELOPMENT OF A LONG-TERM CARE OPTIONS COUNSELING PROGRAM AS PART OF THE PLANNED AGING RESOURCE CENTER INITIATIVE AND REQUESTING A REPORT TO THE LEGISLATURE.

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

WHEREAS, the Medicaid Program in the state of Idaho is unsustainable in its current form and should be reformed so that eligibility, benefits and delivery systems match client health needs; and

WHEREAS, Medicaid financed long-term care is one of the most expensive Medicaid benefits and contributes to rapidly increasing Medicaid costs; and

WHEREAS, the use of reverse mortgages and similar vehicles for seniors to finance their own long-term care promotes individual responsibility for long-term care costs and avoids the need for publicly funded support; and

WHEREAS, long-term care options counseling promotes alternatives to Medicaid financed long-term care and greater consistency of advice to Idaho seniors.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Department of Health and Welfare is encouraged to proceed with the development of a Long-Term Care Options Counseling Program.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to develop this program as part of the planned Aging Resource Center Initiative. The Legislature further encourages the Department of Health and Welfare to provide that, except for necessary personnel and operating costs excluded by the grant, this initiative be funded by a federal grant award.

BE IT FURTHER RESOLVED that the Department of Health and Welfare is requested to report the results of this program change to the First Regular Session of the Fifty-ninth Idaho Legislature along with recommendations for any further legislative action.

**HOUSE CONCURRENT RESOLUTION NO. 53  
BY STATE AFFAIRS COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE DEPARTMENT OF HEALTH AND WELFARE TO REQUIRE INDIVIDUALS ELIGIBLE FOR MEDICARE PARTS A, B AND D TO ENROLL IN MEDICARE AS A CONDITION OF ELIGIBILITY FOR THE IDAHO MEDICAID PROGRAM AND REQUESTING THE DEPARTMENT TO REPORT TO THE LEGISLATURE.

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

WHEREAS, the Medicaid Program in the state of Idaho is unsustainable in its current form and should be reformed so that eligibility, benefits and delivery systems match client health needs; and

WHEREAS, a number of Idaho Medicaid recipients who are eligible for Medicare coverage are not enrolled in the Medicare Program; and

WHEREAS, the state of Idaho will pay the Medicare premiums, deductibles and copayments (except for Part D) for these individuals with low income and/or special needs and who are eligible for Medicare; and

WHEREAS, there would be a reduction in the use of state general funds to provide, at a minimum, the same level of benefits for these individuals that they currently receive.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature of the State of Idaho encourages the Department of Health and Welfare to pursue changes in the Idaho Medicaid Program that would require individuals eligible for Medicare Parts A, B and D to enroll in Medicare as a condition of eligibility for the Idaho Medicaid Program.

BE IT FURTHER RESOLVED that the Department of Health and Welfare is requested to report the results of this encouraged program change to the First Regular Session of the Fifty-ninth Idaho Legislature along with recommendations for any further legislative action.

**HCR 51, HCR 52, and HCR 53** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Denney moved that the following persons be approved as attaches to serve the House of Representatives for and during the Second Regular Session of the Fifty-eighth Idaho Legislature. Seconded by Ms. Jaquet

Pages:

Kevin Andrus  
Laci Cameron  
Jessi Cooper  
Carl Dayton  
Emily Frecker

Michael Kelsey  
Brock Larsen  
Lyndsey Vincent  
Ellie Wladyka

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 725  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO JUNIOR COLLEGES; AMENDING THE CHAPTER HEADING OF CHAPTER 21, TITLE 33, IDAHO CODE; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2101, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF COMMUNITY COLLEGES BY THE STATE BOARD OF EDUCATION AND BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO; AMENDING SECTION 33-2101, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE PROPER TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-2101A, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO DELETE A CODE REFERENCE.

**HOUSE BILL NO. 726  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO INCOME TAX CREDITS; AMENDING SECTION 63-3029C, IDAHO CODE, TO PROVIDE A STATE INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS MADE TO PROJECT P.A.T.C.H., PLANNED ASSISTANCE FOR TROUBLED CHILDREN; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 727  
BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO TITLING OF SALVAGE VEHICLES; AMENDING SECTION 49-524, IDAHO CODE, TO DELETE THE AGE AND MARKET VALUE LIMITATIONS RELATING TO OBTAINING A SALVAGE CERTIFICATE OF OWNERSHIP FOR A SALVAGE VEHICLE; AND AMENDING SECTION 49-525, IDAHO CODE, TO PROVIDE A PROCEDURE FOR OBTAINING A BRANDED CERTIFICATE OF TITLE FOR A VEHICLE WHICH IS MORE THAN FIVE YEARS OLD AND WHICH HAS A KNOWN MARKET VALUE OF SIX THOUSAND DOLLARS OR LESS WHICH HAS BEEN DETERMINED TO BE A SALVAGE VEHICLE AND WHICH IS NOT REQUIRED TO BE INSPECTED BY THE IDAHO TRANSPORTATION DEPARTMENT.

**HOUSE BILL NO. 728  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO LAND REMEDIATION; AMENDING SECTION 39-7202, IDAHO CODE, TO PROVIDE ADDITIONAL LEGISLATIVE FINDINGS; AMENDING SECTION 39-7203, IDAHO CODE, TO DEFINE ADDITIONAL TERMS; AMENDING CHAPTER 72, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-7211, IDAHO CODE, TO PROVIDE FOR THE IDAHO COMMUNITY REINVESTMENT PILOT INITIATIVE, TO PROVIDE FOR THE IDAHO COMMUNITY REINVESTMENT PILOT INITIATIVE FUND, TO PROVIDE FOR FINANCIAL ASSISTANCE TO ELIGIBLE PROPERTY OWNERS CONDUCTING VOLUNTARY CLEANUP, TO PROVIDE LIMITATIONS ON THE FINANCIAL ASSISTANCE, TO PROVIDE FOR THE DEVELOPMENT OF ANNUAL PRIORITY LISTS FOR COMMUNITY REVITALIZATION PROJECTS BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY, TO PROVIDE FOR COMMUNITY INVESTMENT REBATE REQUESTS, REVIEWS AND CERTIFICATIONS AND TO PROHIBIT ELIGIBLE PROPERTY OWNERS THAT RECEIVE COMMUNITY INVESTMENT REBATES FROM RECEIVING A SPECIFIED PROPERTY TAX EXEMPTION; AND PROVIDING A CONTINGENT SUNSET DATE.

**H 725, H 726, H 727, and H 728** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1270, S 1334, S 1345, and S 1363**, by Commerce and Human Resources Committee, were introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

**S 1336 and S 1312**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1355 and S 1365**, by State Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

**S 1370**, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

**S 1295**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

**S 1360**, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

**S 1348 and S 1347**, by Transportation Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

**S 1362 and S 1375**, by Commerce and Human Resources Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**HCR 46, H 708, H 590, and H 621**, by State Affairs Committee, were read the second time by title and filed for third reading.

**HJM 13**, by Education Committee, was read the second time by title and filed for third reading.

**H 475 and H 688**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**H 551, H 584, and H 587**, by Business Committee, were read the second time by title and filed for third reading.

**HCR 36, HCR 37, H 636, H 546, H 637, and HJM 14**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

**H 583, H 632, and H 633**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mrs. Ellsworth asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Session. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that **H 548** retain its place on the Third Reading Calendar. There being no objection, it was so ordered.

**H 432** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **H 432** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderton, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bedke, Black, Brackett, Field(23), Henbest, Skippen, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 432** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 647** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett and Mrs. Pasley-Stuart to open debate.

The question being, "Shall **H 647** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderton, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen,

Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Black, Brackett, Field(23), Sali, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 647** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 458** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **H 458** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Black, Brackett, Field(23), Wood. Total -- 4.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 458** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 459** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 459** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Black, Block, Brackett, Deal, Field(23), Sali, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 459** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 461** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 461** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Black, Brackett, Deal, Field(23), Sali, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 461** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 473** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sayler to open debate.

The question being, "Shall **H 473** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2),



Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- Hart, Harwood, Loertscher. Total -- 3.

Absent and excused -- Black, Brackett, Deal, Field(23), Wood. Total -- 5.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 473** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 606** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open debate.

The question being, "Shall **H 606** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bilbao, Block, Boe, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Trail, Wills, Mr. Speaker. Total -- 50.

NAYS -- Bayer, Bedke, Bell, Bolz, Clark, Crow, Harwood, Lake, Mathews, McGeachin, Moyle, Roberts, Rusche, Smith(24), Stevenson. Total -- 15.

Absent and excused -- Black, Brackett, Field(23), Sali, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 606** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 659** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **H 659** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell,

Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Black, Brackett, Field(23), Lake, Sali, Smith(24), Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 659** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **S 1264** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**H 575** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 575** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Loertscher, Shepherd(8). Total -- 2.

Absent and excused -- Black, Brackett, Field(23), Nonini, Ring, Smith(24), Wood. Total -- 7.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 575** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 490** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 490** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford,

Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Brackett, Field(23), Roberts, Sali, Smith(24), Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 490** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 493** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pence to open debate.

The question being, "Shall **H 493** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Brackett, Clark, Deal, Field(23), Harwood, Sali, Smith(24), Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 493** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 499** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ring to open debate.

The question being, "Shall **H 499** pass?"

Roll call resulted as follows:

AYES -- Bell, Bilbao, Black, Boe, Bradford, Cannon, Deal, Field(18), Garrett, McGeachin, Miller, Pence, Ring, Sali, Shepherd(8), Shirley, Skippen, Snodgrass. Total -- 18.

NAYS -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Block, Bolz, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Raybould, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Smith(30), Smith(24), Smylie(Luker), Stevenson, Trail, Wills, Mr. Speaker. Total -- 49.

Absent and excused -- Brackett, Field(23), Wood. Total -- 3.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 499** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Denney moved that the House recess until 1 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

## RECESS

### Afternoon Session

The House reconvened at 1 p.m., Mr. Denney in the Chair.

Roll call showed 66 members present.

Absent and excused -- Brackett, Field (23), Sali, Wood. Total -- 4.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

## Third Reading of Bills and Joint Resolutions

**H 548**, having previously been read the third time at length, was placed before the House for final consideration.

The question being, "Shall **H 548** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Schaefer, Shepherd(2), Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills. Total -- 51.

NAYS -- Barrett, Clark, Hart, Harwood, Loertscher, Mathews, McGeachin, McKague, Nielsen, Roberts, Rydalch, Sali, Shepherd(8). Total -- 13.

Absent and excused -- Brackett, Crow, Field(23), Shirley, Wood, Mr. Speaker. Total -- 6.

Paired Vote:

AYE -- Miller. NAY -- Sali.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 548** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 564** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nielsen to open debate.

The question being, "Shall **H 564** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills. Total -- 65.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Brackett, Field(23), Wood, Mr. Speaker. Total -- 4.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 564** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 566** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Rusche to open debate.

The question being, "Shall **H 566** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood,

Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills. Total -- 62.

NAYS -- Barrett, McKague, Moyle, Sali. Total -- 4.

Absent and excused -- Brackett, Field(23), Wood, Mr. Speaker. Total -- 4.

Paired Vote:

AYE -- Loertscher. NAY -- Sali.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 566** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 555** be moved to the top of the Third Reading Calendar and retain its place for one Legislative Day. There being no objection, it was so ordered.

**HCR 32** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

The question being, "Shall **HCR 32** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 32** adopted by voice vote and ordered the resolution transmitted to the Senate.

**HCR 33** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail and Mr. Nielsen to open debate.

The question being, "Shall **HCR 33** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 33** adopted by voice vote and ordered the resolution transmitted to the Senate.

**H 444**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McKague to open debate.

The question being, "Shall **H 444**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood,

Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills. Total -- 63.

NAYS -- None.

Absent and excused -- Barraclough, Brackett, Deal, Field(23), Sali, Wood, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 444**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 589**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Ring to open debate.

The question being, "Shall **H 589**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barraclough, Brackett, Denney, Field(23), Sali, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 589**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 544** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Raybould to open debate.

The question being, "Shall **H 544** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher,

Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Raybould, Ring, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- LeFavour, Pence, Ringo, Smylie(Luker). Total -- 4.

Absent and excused -- Brackett, Field(23), Sali, Shepherd(8), Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 544** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 576** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **H 576** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(23), Schaefer, Wood. Total -- 5.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 576** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Friday, February 24, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:06 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### FORTY-SEVENTH LEGISLATIVE DAY FRIDAY, FEBRUARY 24, 2006

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused -- Boe, Denney, Sali. Total -- 3.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Lyndsey Vincent, Page.

### Approval of Journal

February 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-sixth Legislative Day and recommend that same be adopted as corrected. FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 23, 2006

Mr. Speaker:

I transmit herewith S 1364, S 1371, S 1383, S 1389, and S 1388 which have passed the Senate. WOOD, Secretary

S 1364, S 1371, S 1383, S 1389, and S 1388 were filed for first reading.

### Report of Standing Committees

February 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed HCR 51, HCR 52, HCR 53, H 725, H 726, H 727, and H 728.

FIELD(18), Chairman

HCR 51, HCR 52, and HCR 53 were referred to the Health and Welfare Committee.

H 725 was referred to the Education Committee.

H 726 was referred to the Revenue and Taxation Committee.

H 727 was referred to the Transportation and Defense Committee.

H 728 was referred to the Commerce and Human Resources Committee.

February 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled HCR 34.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled HCR 34, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration H 686 and H 687 and recommend that they do pass. CROW, Chairman

H 686 and H 687 were filed for second reading.

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration H 545, H 541, H 638, H 523, H 640, and HCR 38 and recommend that they do pass. STEVENSON, Chairman

H 545, H 541, H 638, H 523, H 640, and HCR 38 were filed for second reading.

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration H 433, H 522, H 538, H 539, and H 645 and recommend that they do pass. BLACK, Chairman

H 433, H 522, H 538, H 539, and H 645 were filed for second reading.

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration S 1301 and recommend that it do pass. FIELD(18), Chairman

S 1301 was filed for second reading.

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 450** and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(18), Chairman

**H 450** was placed on General Orders for consideration.

February 24, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **SCR 123** and recommend that it do pass.

DEAL, Chairman

**SCR 123** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE JOINT MEMORIAL NO. 18 BY EDUCATION COMMITTEE A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the success of all of America's students attending our nation's public schools is of great concern to the citizens of the United States; and

WHEREAS, many of these students arrive at our public school classrooms from myriad cultures and with no or extremely limited exposure to the English language; and

WHEREAS, it is self-evident that a student new to the English language is not proficient in reading or comprehending academic English; and

WHEREAS, the No Child Left Behind Act currently requires school districts to include in determinations of adequate yearly progress (AYP) the participation of all limited English proficient students, including those who have not been enrolled in school on a full-time basis for a sufficient period of time to develop skills that will assure the required tests are providing reliable information regarding these students' educational levels; and

WHEREAS, the No Child Left Behind Act also currently requires states to include all students in their annual academic assessments, including those with limited English proficiency, regardless of the length of time they have been attending public school; and

WHEREAS, Idaho's statewide assessment used to meet the provisions of the No Child Left Behind Act, the Idaho Standard Achievement Test, is administered in English; and

WHEREAS, it is demoralizing and frustrating for a student to be forced to take a test she or he cannot understand; and

WHEREAS, grade-level tests administered in English to beginning English language learners do not help teachers or school administrators understand the instructional needs of these students and do not provide an accurate portrayal of the performance of the school in which these students are enrolled.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge your support for and adoption of amendments proposed to the No Child Left Behind Act contained in H.R. 1177 which would:

(1) Allow states to exclude from AYP determinations the performance of any limited English proficient student who has not been enrolled in the state for three (3) full school years and whose parents and educators agree that such an exclusion is educationally appropriate for the student; and

(2) Allow states to exclude from the required annual academic assessment of student performance in mathematics, reading or language arts and science any limited English proficient student who has not been enrolled in the state for three (3) full school years and whose parents and educators agree that such an exclusion is educationally appropriate for the student.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HJM 18** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **SCR 123** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SCR 123** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2),

Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Barraclough, Bayer, Boc, Denney, Sali. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SCR 123** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

**SCR 123** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **SCR 123** be adopted?"

Whereupon the Speaker declared **SCR 123** adopted by voice vote and ordered the resolution returned to the Senate.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 729**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3004, IDAHO CODE, TO UPDATE REFERENCES TO THE INTERNAL REVENUE CODE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 730**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO INSURANCE; REPEALING SECTION 41-3427, IDAHO CODE, RELATING TO TAXATION AND ANNUAL REPORTS; AMENDING CHAPTER 34, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-3427, IDAHO CODE, TO SET FORTH PROVISIONS FOR THE PAYMENT OF PREMIUM TAX BY SERVICE CORPORATIONS; AMENDING SECTION 41-2854A, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING SUBSCRIBER CONTRACTS; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 731**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO INCOME TAX CREDITS FOR CHARITABLE CONTRIBUTIONS; AMENDING SECTION 63-3029C, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS MADE TO IDAHO DRUG FREE YOUTH, INC. OR ITS FOUNDATION.

**HOUSE BILL NO. 732**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO SALE OF PROPERTY ACQUIRED BY TAX DEED AND PROPERTY TAX DEFINITIONS; AMENDING SECTION 31-808, IDAHO CODE, TO PROVIDE FOR APPORTIONMENT OF PROCEEDS FROM THE SALE OF PROPERTY ACQUIRED BY TAX DEED TO INCLUDE A REMITTANCE TO THE RECORD OWNER OR OWNERS OR ANY PARTY IN INTEREST UPON WHOM A NOTICE OF A SALE WAS SERVED IN COMPLIANCE WITH LAW OF ANY AMOUNTS REMAINING AFTER DEDUCTION OF THE DELINQUENCY, LATE CHARGES, ACCRUED INTEREST, COSTS, FEES AND THE COSTS OF TRANSACTING THE SALE, TO PROVIDE A FEE TO THE COUNTY IF THE RECORD OWNER OR OWNERS HAD MADE NO REASONABLE ATTEMPT TO SATISFY THE DELINQUENCY AND TO PROVIDE FOR DISTRIBUTION OF FUNDS IF NO CLAIM IS RECEIVED WITHIN TWO YEARS AFTER THE DATE OF SALE OF THE PROPERTY; AND AMENDING SECTION 63-201, IDAHO CODE, TO REVISE THE DEFINITION OF "PARTY IN INTEREST."

**HOUSE BILL NO. 733**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO CONTRACTOR LICENSING; AMENDING SECTION 54-1003, IDAHO CODE, TO REQUIRE THAT LICENSE APPLICATIONS FOR ELECTRICIANS, ELECTRICAL CONTRACTORS, MASTER ELECTRICIANS, SPECIALTY ELECTRICIANS AND SPECIALTY ELECTRICAL CONTRACTORS BE ACCOMPANIED BY A BOND, TO SET AN AMOUNT FOR THE BOND, TO PROVIDE TERMS AND CONDITIONS, TO REQUIRE SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF LIABILITY INSURANCE, TO SET AN AMOUNT FOR SUCH INSURANCE AND TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF WORKER'S COMPENSATION INSURANCE, IF APPLICABLE; AMENDING SECTION 54-2606, IDAHO CODE, TO DELETE LANGUAGE RELATING TO BONDS, TO REQUIRE THAT LICENSE APPLICATIONS FROM PLUMBING CONTRACTORS BE ACCOMPANIED BY A BOND, TO SET AN AMOUNT FOR THE BOND, TO PROVIDE TERMS AND CONDITIONS, TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF LIABILITY INSURANCE, TO SET AN AMOUNT FOR SUCH INSURANCE AND TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF WORKER'S COMPENSATION INSURANCE, IF APPLICABLE; AND AMENDING SECTION 54-5007, IDAHO CODE, TO DELETE LANGUAGE RELATING TO BONDS, TO REQUIRE THAT LICENSE APPLICATIONS FROM HEATING, VENTILATION AND AIR CONDITIONING CONTRACTORS AND SPECIALTY CONTRACTORS BE ACCOMPANIED BY A BOND, TO SET AN AMOUNT FOR THE BOND, TO PROVIDE TERMS AND CONDITIONS, TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF LIABILITY INSURANCE,

TO SET THE AMOUNT FOR SUCH INSURANCE AND TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF WORKER'S COMPENSATION INSURANCE, IF APPLICABLE.

**HOUSE BILL NO. 734**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO MENTAL ILLNESS; AMENDING SECTION 39-4501, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING MEDICAL ATTENDANCE UPON THE MENTALLY ILL; AMENDING SECTION 66-317, IDAHO CODE, TO REVISE THE DEFINITION FOR "VOLUNTARY PATIENT" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-318, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE AUTHORITY TO ADMIT VOLUNTARY PATIENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-324, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE AUTHORITY TO RECEIVE INVOLUNTARY PATIENTS; AMENDING SECTION 66-326, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO A DETENTION WITHOUT A HEARING AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-341, IDAHO CODE, TO REVISE EXEMPTIONS FROM LIABILITY; AND AMENDING SECTION 66-601, IDAHO CODE, TO REVISE A CODE REFERENCE.

**HOUSE BILL NO. 735**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO URBAN RENEWAL; AMENDING SECTION 50-2018, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 736**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5214, IDAHO CODE, TO CLARIFY AN EXCEPTION RELATING TO THOSE DEEMED INCLUDED WITHIN AND SUBJECT TO ASSESSMENT BY GROUND WATER DISTRICTS; AMENDING SECTION 42-5232, IDAHO CODE, TO PROVIDE FOR CREDITS AND ADJUSTMENTS RELATING TO GROUND WATER DISTRICT MITIGATION OBLIGATIONS BY THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES BASED ON MITIGATION OR REPLACEMENT WATER PLANS OF CERTAIN NONIRRIGATORS; AMENDING SECTION 42-5244, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES MAY REQUIRE CERTAIN ACCOUNTINGS BY GROUND WATER DISTRICTS RELATING TO NONMEMBER PARTICIPANTS; AMENDING SECTION 42-5251, IDAHO CODE, TO CLARIFY PROVISIONS RELATING TO PETITIONS FOR EXCLUSION OF GROUND WATER IRRIGATION LANDS FROM GROUND WATER

DISTRICTS, TO PROVIDE FOR PETITIONS FOR EXCLUSION OF LANDS OF NONIRRIGATORS FROM GROUND WATER DISTRICTS AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 737**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE ADMINISTRATION OF GROUND WATER RIGHTS WITHIN THE EASTERN SNAKE RIVER PLAIN; AMENDING SECTION 3, CHAPTER 352, LAWS OF 2004, TO STRIKE A DATE, TO PROVIDE FOR NOTICE BY THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES TO HOLDERS OF CERTAIN JUNIOR GROUND WATER RIGHTS RELATING TO JOINING AND PARTICIPATING IN GROUND WATER DISTRICTS FOR MITIGATION PURPOSES AND TO AUTHORIZE THE DIRECTOR TO TAKE CERTAIN ACTION IN THE EVENT ANY OF THE JUNIOR PRIORITY GROUND WATER RIGHT HOLDERS ELECT NOT TO JOIN GROUND WATER DISTRICTS OR DO NOT HAVE APPROVED MITIGATION OR REPLACEMENT WATER PLANS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 738**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO HEALTH QUALITY PLANNING; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1054, IDAHO CODE, TO SET FORTH LEGISLATIVE INTENT, TO ESTABLISH THE HEALTH QUALITY PLANNING COMMISSION WITHIN THE DEPARTMENT OF HEALTH AND WELFARE, TO PROVIDE FOR COMMISSION MEMBERSHIP AND MEETINGS, TO SET FORTH PROVISIONS APPLICABLE TO FUNDING AND TO SET FORTH COMMISSION DUTIES.

**HOUSE BILL NO. 739**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1618, IDAHO CODE, TO PROVIDE FOR AN EXCEPTION TO PARTICIPATION IN THE DIRECT WRITING AND THE DIRECT MATHEMATICS ASSESSMENTS.

**H 729, H 730, H 731, H 732, H 733, H 734, H 735, H 736, H 737, H 738, and H 739** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1364**, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.



**S 1371**, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

**S 1383**, by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

**S 1389**, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

**S 1388**, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**HP 6, H 717, H 673, H 694, and H 695**, by State Affairs Committee, were read the second time by title and filed for third reading.

**H 485 and H 692**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**S 1315**, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

**H 602 and H 610**, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

**H 593, H 594, and H 599**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

**H 615**, by Health and Welfare Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**H 555** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 555** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Boe, Denney, Sali. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 555** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1264** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **S 1264** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Boe, Crow, Denney. Total -- 3.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1264** passed the House. Title was approved and the bill was ordered returned to the Senate.

**H 627** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **H 627** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Boe, Denney, Lake, Sali, Smith(24).

Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 627** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 628** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **H 628** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Loertscher, McKague, Mitchell, Schaefer, Wood. Total -- 6.

Absent and excused -- Boe, Denney, Smith(24). Total -- 3.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 628** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 629** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. LeFavour to open debate.

The question being, "Shall **H 629** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bastian, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark,

Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 50.

NAYS -- Barraclough, Barrett, Bayer, Bedke, Collins, Crow, Harwood, Lake, Loertscher, Mathews, McKague, Moyle, Raybould, Roberts, Schaefer, Shepherd(8), Wood. Total -- 17.

Absent and excused -- Boe, Denney, Smith(24). Total -- 3.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 629** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 631** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pence to open debate.

The question being, "Shall **H 631** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Boe, Denney, Sali, Smith(24). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 631** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 685** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 685** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Boe, Denney, Sali. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 685** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 700** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 700** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Boe, Denney. Total -- 2.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 700** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 701** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 701** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Boe, Denney. Total -- 2.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 701** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 671** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **H 671** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Boe, Denney, Sali. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 671** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 672** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **H 672** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Boe, Denney, Sali, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 672** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **HJM 12** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**HJM 12** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **HJM 12** be adopted?"

Whereupon the Speaker declared **HJM 12** adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 27, 2006. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Monday, February 27, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:04 p.m.

BRUCE NEWCOMB, Speaker

ATTEST: PAMM JUKER, Chief Clerk

## FIFTIETH LEGISLATIVE DAY MONDAY, FEBRUARY 27, 2006

House of Representatives

The House convened at 10:30 a.m., Mr. Denney in the Chair.

Roll call showed 68 members present.

Absent and excused -- Anderson, Brackett. Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Carl Dayton, Page.

### Approval of Journal

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-Seventh Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

### CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that William T. "Bill" Sali, State Representative, District 21, House Seat A, Ada County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Terry S. Sali, of Kuna, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, JAMES E. RISCH, Acting Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Terry S. Sali, Acting State Representative, District 21, House Seat A, Ada County, State of Idaho, for a term commencing on February 27, 2006, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 24th day of February in the year of our Lord two thousand and six, and of the Independence of the United States of America, the two hundred and thirtieth year.

/s/ JAMES E. RISCH  
Acting Governor  
/s/ BEN YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mrs. Sali.

February 24, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1255** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that the Speaker would sign enrolled **S 1255** and, when so signed, ordered it returned to the Senate.

February 24, 2006

Mr. Speaker:

I return herewith enrolled **HJM 10** and **HJM 11** which have been signed by the President.

WOOD, Secretary

Enrolled **HJM 10** and **HJM 11** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 24, 2006

Mr. Speaker:

I transmit herewith **S 1300**, as amended, **S 1314**, as amended, **S 1340**, as amended, **S 1399**, **S 1352**, **S 1353**, and **S 1374** which have passed the Senate.

WOOD, Secretary

**S 1300**, as amended, **S 1314**, as amended, **S 1340**, as amended, **S 1399**, **S 1352**, **S 1353**, and **S 1374** were filed for first reading.

February 24, 2006

Mr. Speaker:

I return herewith **H 413** and **H 434** which have passed the Senate.

WOOD, Secretary

**H 413** and **H 434** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

## Report of Standing Committees

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 18**, **H 729**, **H 730**, **H 731**, **H 732**, **H 733**, **H 734**, **H 735**, **H 736**, **H 737**, **H 738**, and **H 739**.

FIELD(18), Chairman

**HJM 18** and **H 739** were referred to the Education Committee.

**H 730**, **H 731**, and **H 732** were referred to the Revenue and Taxation Committee.

**H 733** was referred to the Business Committee.

**H 734** and **H 738** were referred to the Health and Welfare Committee.

**H 735** was referred to the Local Government Committee.

**H 736** and **H 737** were referred to the Resources and Conservation Committee.

**H 729** was filed for second reading.

February 24, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 567**, **H 614**, and **H 619** and recommend that they do pass.

BLOCK, Chairman

**H 567**, **H 614**, and **H 619** were filed for second reading.

February 24, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 565** and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

**H 565** was placed on General Orders for consideration.

February 24, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 727** and recommend that it do pass.

WOOD, Chairman

**H 727** was filed for second reading.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 707**, **H 711**, and **H 718** and recommend that they do pass.

DEAL, Chairman

**H 707**, **H 711**, and **H 718** were filed for second reading.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 684** and recommend that it do pass.

BARRACLOUGH, Chairman

**H 684** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 54 BY EDUCATION COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE RELATING TO THE BIOSCIENCES IN IDAHO, REQUESTING THE CREATION OF A TASK FORCE ON POTENTIAL TAX AND INVESTMENT INCENTIVES FOR THE BIOSCIENCES IN IDAHO AND PROVIDING FOR A REPORT.

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

WHEREAS, technology and the biosciences have become an increasingly important part of the Idaho economy and more than seventy percent of state export revenues come from technology products; and

WHEREAS, the biosciences have been identified as one of Idaho's core competency areas in technology; and

WHEREAS, all of the state's public universities have recognized and adopted the biosciences as a core area of emphasis and all of the state's colleges and universities have a collaborative grant program that supports biomedical research and cooperation among all entities; and

WHEREAS, the Idaho National Laboratory has expertise in the bioscience area that will provide support; and

WHEREAS, Idaho led the nation from 2001 through 2004 in the percentage increase in new National Institutes of Health grant support; and

WHEREAS, Idaho is on the development threshold of several bioscience technologies including biofuels which are important to the national economy;

WHEREAS, the state has a unique environment that provides opportunities in the biotechnology area in connection with our natural resource industries, and agriculture biotechnology could add value to crops and result in higher paying job opportunities for Idahoans; and

WHEREAS, the Idaho State Department of Agriculture has recognized the importance of and opportunities in the biosciences by launching a biotechnology task force; and

WHEREAS, biomedical research adds great public value to the future of healthcare in Idaho, and the state is well positioned to receive significant future grants; and

WHEREAS, there are myriad opportunities in the growing biosciences field worldwide with new companies creating high-salary jobs; and

WHEREAS, as other countries and states in the United States offer more tax and investment incentives for this expanding field and Idaho needs to remain competitive; and

WHEREAS, there are opportunities for our rural communities to increase jobs and expand economically through bioscience fields; and

WHEREAS, a Legislative Biotechnology Task Force met in 2005 and determined that a number of infrastructure deficiencies exist and need to be addressed to better enable and foster the state's biosciences sector; and

WHEREAS, it is critical that the state of Idaho create a supportive business climate so that the biosciences can thrive in Idaho by taking advantage of opportunities for tax and investment incentives in the biosciences to Idaho companies so they can create economic and employment opportunities for Idaho citizens and that such incentives should be conditioned on the creation of jobs in Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we respectfully request that a task force be convened by the Office of Science and Technology in the Idaho Department of Commerce and Labor to study specific tax and investment incentive proposals for the biosciences and report its findings to the First Regular Session of the Fifty-ninth Idaho Legislature by December 1, 2006.

**HCR 54** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 740 BY EDUCATION COMMITTEE AN ACT

RELATING TO COMMUNITY COLLEGES; AMENDING SECTION 33-2101, IDAHO CODE, TO PROVIDE FOR FIVE COMMUNITY COLLEGE AREAS IN THE STATE, TO SPECIFY COUNTIES IN THE AREAS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2102, IDAHO CODE, TO PROVIDE FOR A STATE COMMUNITY COLLEGE SYSTEM; REPEALING SECTION 33-2103, IDAHO CODE, RELATING TO MINIMUM REQUIREMENTS TO FORM A JUNIOR COLLEGE DISTRICT, REPEALING SECTION 33-2104, IDAHO CODE, RELATING TO FORMATION OF JUNIOR COLLEGE DISTRICTS, REPEALING SECTION 33-2105, IDAHO CODE, RELATING TO ADDITION OF TERRITORY TO JUNIOR

COLLEGE DISTRICTS, REPEALING SECTION 33-2107A, IDAHO CODE, RELATING TO ESTABLISHMENT AND OPERATION OF THIRD AND FOURTH YEAR COLLEGE CURRICULUM IN JUNIOR COLLEGE DISTRICTS, REPEALING SECTION 33-2107B, IDAHO CODE, RELATING TO POWERS OF DISTRICTS AND REPEALING SECTION 33-2107C, IDAHO CODE, RELATING TO DEFINITION OF URBAN AREA DISTRICTS EMPOWERED TO CREATE UPPER DIVISIONS; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2103, IDAHO CODE, TO CONFIRM NORTH IDAHO COLLEGE AND COLLEGE OF SOUTHERN IDAHO AND TO CREATE THE COMMUNITY COLLEGE DIVISION OF LEWIS-CLARK STATE COLLEGE; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2104, IDAHO CODE, TO RECOGNIZE AND CONFIRM EASTERN IDAHO COMMUNITY COLLEGE; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2105, IDAHO CODE, TO ESTABLISH SOUTHWESTERN IDAHO COMMUNITY COLLEGE; AMENDING SECTION 33-2106, IDAHO CODE, TO PROVIDE FOR TRUSTEES OF COMMUNITY COLLEGES THAT LEVY A PROPERTY TAX AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2106A, IDAHO CODE, TO PROVIDE FOR AN ELECTION FOR CONTINUATION OF PROPERTY TAX LEVIES WITHIN THE COMMUNITY COLLEGE DISTRICTS FOR NORTH IDAHO COLLEGE AND COLLEGE OF SOUTHERN IDAHO; AMENDING SECTION 33-2107, IDAHO CODE, TO PROVIDE GENERAL POWERS AND DUTIES OF THE BOARD OF TRUSTEES OF EACH COMMUNITY COLLEGE THAT IS AUTHORIZED TO LEVY A PROPERTY TAX AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2107A, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OF A BOARD OF TRUSTEES OF COMMUNITY COLLEGES NOT AUTHORIZED TO LEVY A PROPERTY TAX; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2107B, IDAHO CODE, TO PROVIDE GENERAL POWERS OF THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE THAT DOES NOT LEVY A PROPERTY TAX; AMENDING SECTION 33-2108, IDAHO CODE, TO PROVIDE THAT ALL COMMUNITY COLLEGES ARE PUBLIC CORPORATIONS; AMENDING SECTION 33-2109, IDAHO CODE, TO CLARIFY THAT THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE THAT IS AUTHORIZED TO LEVY A PROPERTY TAX SHALL ELECT A PRESIDENT OF THE COLLEGE; AMENDING SECTION 33-2109A, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2110, IDAHO CODE, TO PROVIDE TUITION FOR ALL COMMUNITY COLLEGES; AMENDING SECTION 33-2110A, IDAHO CODE, TO PROVIDE FOR TUITION FOR OUT OF DISTRICT OR OUT OF AREA IDAHO STUDENTS AND TO PROVIDE FOR COUNTY TAXES TO PAY FOR THE

TUITION; AMENDING SECTION 33-2110B, IDAHO CODE, TO REVISE RESIDENCY PROVISIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2111, IDAHO CODE, TO CLARIFY THAT PROPERTY TAXES MAY BE LEVIED IN THE TWO COMMUNITY COLLEGE DISTRICTS IF APPROVED BY THE VOTERS OF THE DISTRICT AT THE NOVEMBER 2006 ELECTION; AMENDING SECTION 33-2112, IDAHO CODE, TO AUTHORIZE A GYMNASIUM AND GROUNDS LEVY BY A COMMUNITY COLLEGE DISTRICT THAT IS AUTHORIZED TO LEVY A PROPERTY TAX; AMENDING SECTION 33-2139, IDAHO CODE, TO CREATE THE STATE COMMUNITY COLLEGE FUND IN THE STATE TREASURY; AMENDING SECTION 33-2141, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2142, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2144, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2145, IDAHO CODE, TO PROVIDE FOR CALCULATION OF SALES TAX MONEYS THAT SHALL BE REMITTED TO THE COMMUNITY COLLEGE FUND AND TO PROVIDE FOR A DECREASE IN THE AMOUNT IF A COMMUNITY COLLEGE VOTES TO RETAIN ITS PROPERTY TAX LEVY; AND AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR REMITTANCE OF SALES TAX MONEYS TO THE COMMUNITY COLLEGE FUND.

**HOUSE BILL NO. 741**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO TELECOMMUNICATIONS; AMENDING TITLE 62, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 14, TITLE 62, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO PROVIDE APPLICABILITY OF THE CHAPTER AND TO PROVIDE FOR REPEAL OF LAWS IN CONFLICT WITH THE CHAPTER, TO PROVIDE JURISDICTION AND AUTHORITY OF THE PUBLIC UTILITIES COMMISSION, TO PROVIDE FOR REGISTRATION CERTIFICATES, TO PROVIDE A REQUIREMENT FOR PRICE LIST FILING, TO PROVIDE FOR UNIVERSAL SERVICE, TO PROVIDE UNIVERSAL SERVICE RATES, TO PROVIDE PRICE RESTRICTIONS ON CERTAIN TELEPHONE CORPORATIONS, TO PROVIDE A UNIVERSAL SERVICE FUND, TO PROVIDE FOR UNIVERSAL SERVICE FUND SUPPORT, TO ALLOW BUNDLING, TO PROVIDE RESTRICTIONS ON TELECOMMUNICATIONS CARRIERS, TO PROVIDE RESTRICTIONS ON RESALE OF CERTAIN TELECOMMUNICATION SERVICES, TO PROVIDE RESTRICTIONS ON WITHDRAWAL OR DISCONTINUANCE OF SERVICE, TO PROVIDE A CARRIER OF LAST RESORT AND PUBLIC UTILITIES COMMISSION AUTHORITY, TO PROVIDE FOR PUBLIC UTILITIES COMMISSION AUTHORITY TO RESOLVE SUBSCRIBER COMPLAINTS, TO PROVIDE RESOLUTION

OF INTER-TELECOMMUNICATIONS CARRIER DISPUTES, TO PROVIDE FOR TELECOMMUNICATIONS CARRIER ANTITRUST LIABILITY, TO PROVIDE FOR PREEMPTION, TO PROVIDE FOR PROCEDURE BEFORE THE PUBLIC UTILITIES COMMISSION AND APPEALS, TO PROVIDE CIVIL PENALTIES FOR VIOLATION, TO PROVIDE FOR REGULATORY FEES AND TO PROVIDE SEVERABILITY; REPEALING CHAPTER 6, TITLE 62, IDAHO CODE, RELATING TO THE TELECOMMUNICATIONS ACT OF 1988, REPEALING SECTION 61-121, IDAHO CODE, RELATING TO THE DEFINITION OF TELEPHONE CORPORATION AND TELECOMMUNICATION SERVICE; REPEALING SECTION 61-622A, IDAHO CODE, RELATING TO PUBLIC UTILITIES COMMISSION AUTHORITY AND COST ALLOCATION FOR TELECOMMUNICATION SERVICE; AMENDING SECTION 61-526, IDAHO CODE, TO DELETE REFERENCE TO TELEPHONE CORPORATION; AMENDING SECTION 62-701, IDAHO CODE, TO PROVIDE COOPERATIVE OR MUTUAL NONPROFIT TELEPHONE COMPANIES' ABILITY TO USE HIGHWAYS; AMENDING SECTION 62-702, IDAHO CODE, TO PROVIDE REMEDIES TO TELECOMMUNICATIONS CARRIERS IF THEIR PROPERTY IS INJURED; AMENDING SECTION 26-2239, IDAHO CODE, TO PROVIDE AN EXEMPTION TO TELECOMMUNICATIONS CARRIERS FROM THE STATUTE REGULATING COLLECTION AGENCIES; AMENDING SECTION 48-1009, IDAHO CODE, TO PROVIDE A CORRECT STATUTORY CITATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 61-1302, IDAHO CODE, TO REVISE THE DEFINITION OF MESSAGE TELECOMMUNICATIONS SERVICE AND TELEPHONE CORPORATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 61-1305, IDAHO CODE, TO PROVIDE A CORRECT STATUTORY CITATION; AMENDING SECTION 63-201, IDAHO CODE, TO REVISE THE DEFINITION OF PUBLIC UTILITY; AND AMENDING SECTION 63-3027, IDAHO CODE, TO PROVIDE APPLICATION TO A TELECOMMUNICATIONS CARRIER AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 742**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO THE IDAHO DIGITAL LEARNING ACADEMY; AMENDING CHAPTER 55, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5509, IDAHO CODE, TO CLARIFY THAT THE IDAHO DIGITAL LEARNING ACADEMY IS A STATE DEPARTMENT FOR INSURANCE PURPOSES; AND DECLARING AN EMERGENCY.

**H 740**, **H 741**, and **H 742** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1300**, as amended, and **S 1399**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1314**, as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

**S 1340**, as amended, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

**S 1352** and **S 1353**, by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

**S 1374**, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 686** and **H 687**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**H 545**, **H 541**, **H 638**, **H 523**, **H 640**, and **HCR 38**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

**H 433**, **H 522**, **H 538**, **H 539**, and **H 645**, by Business Committee, were read the second time by title and filed for third reading.

**S 1301**, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that **HP 6** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**HP 6** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Speaker to open debate.

The question being, "Shall **HP 6** be adopted?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Bradford, Cannon, Chadderton, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour,



Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Anderson, Block, Brackett, Clark. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HP 6** adopted and ordered the proclamation filed in the Office of the Chief Clerk.

**HCR 40** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Ring to open debate.

The question being, "Shall **HCR 40** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 40** adopted by voice vote and ordered the resolution transmitted to the Senate.

**HCR 41** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

Ms. Henbest asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **HCR 41**. There being no objection, it was so ordered.

The question being, "Shall **HCR 41** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 41** adopted by voice vote and ordered the resolution transmitted to the Senate.

**H 513** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **H 513** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali(Sali), Saylor,

Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Brackett, Bradford, Crow, Roberts, Schaefer, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 513** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 410** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Andrus to open debate.

The question being, "Shall **H 410** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Pasley-Stuart. Total -- 1.

Absent and excused -- Anderson, Block, Brackett, Bradford, Crow, Schaefer, Shirley, Smith(24). Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 410** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 412** retain its place on the Third Reading Calendar. There being no objection, it was so ordered.

**H 492** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Andrus to open debate.

The question being, "Shall **H 492** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller,

Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 66.

NAYS -- None.

Absent and excused -- Anderson, Block, Brackett, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 492** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 605** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Mitchell to open debate.

The question being, "Shall **H 605** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bilbao, Black, Block, Boe, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wills. Total -- 48.

NAYS -- Andrus, Barrett, Bayer, Bedke, Bell, Bolz, Clark, Crow, Harwood, Lake, Loertscher, Mathews, Moyle, Roberts, Rusche, Shepherd(8), Smith(24), Stevenson, Wood. Total -- 19.

Absent and excused -- Brackett, McGeachin, Mr. Speaker. Total -- 3.

Paired Vote:

AYE -- Anderson. NAY -- Smith(24).

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 605** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 607** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen and Mr. Nonini to open debate.

The question being, "Shall **H 607** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews,

McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 55.

NAYS -- Andrus, Barrett, Clark, Crow, Lake, Loertscher, McGeachin, Moyle, Roberts, Shepherd(8), Smith(24), Stevenson, Wood. Total -- 13.

Absent and excused -- Black, Brackett. Total -- 2.

Paired Vote:

AYE -- Anderson. NAY -- Smith(24).

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 607** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 608** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moyle to open debate.

The question being, "Shall **H 608** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smylie, Snodgrass, Trail, Wills, Wood, Mr. Speaker. Total -- 59.

NAYS -- Bell, Clark, Lake, Mitchell, Roberts, Rusche, Shepherd(8), Smith(30), Smith(24), Stevenson. Total -- 10.

Absent and excused -- Brackett. Total -- 1.

Paired Vote:

AYE -- Anderson. NAY -- Smith(24).

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 608** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 609** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

The question being, "Shall **H 609** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Block, Bolz, Chadderdon, Clark, Collins, Crow,

Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Mitchell, Moyle, Nielsen, Raybould, Roberts, Rydalch, Sali(Sali), Schaefer, Shepherd(2), Shepherd(8), Smith(24), Stevenson, Wills, Wood. Total -- 42.

NAYS -- Bilbao, Black, Boe, Bradford, Cannon, Deal, Edmunson, Henbest, Jaquet, LeFavour, Martinez, Miller, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Sayler, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail. Total -- 25.

Absent and excused -- Anderson, Brackett, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 609** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 624** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Kemp to open debate.

The question being, "Shall **H 624** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 48.

NAYS -- Barrett, Bayer, Bedke, Clark, Field(23), Hart, Harwood, Henbest, Lake, Loertscher, McGeachin, McKague, Moyle, Raybould, Roberts, Sali(Sali), Smith(24), Wood. Total -- 18.

Absent and excused -- Anderson, Brackett, Mitchell, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 624** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HCR 46** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Barrett to open debate.

The question being, "Shall **HCR 46** be adopted?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson,

Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Anderson, Brackett, Crow. Total -- 3. Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 46** adopted and ordered the resolution transmitted to the Senate.

**H 708** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smylie to open debate.

The question being, "Shall **H 708** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Anderson, Brackett, Bradford, McKague. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 708** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HJM 13** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Barraclough to open debate.

The question being, "Shall **HJM 13** be adopted?"

Whereupon the Speaker Pro Tem declared **HJM 13** adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Moyle moved that the House recess until 1:15 p.m. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:15 p.m.

### RECESS

#### Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused -- Anderson. Total -- 1.  
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**H 590** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 590** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Barrett, McKague. Total -- 2.

Absent and excused -- Anderson, Bayer, Brackett, Crow, Henbest, Roberts, Trail. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 590** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 621** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Edmunson to open debate.

The question being, "Shall **H 621** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson,

Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- McKague. Total -- 1.

Absent and excused -- Anderson, Bayer, Brackett, Crow, Henbest, Roberts, Trail. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 621** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 475** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 475** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Cannon. Total -- 1.

Absent and excused -- Anderson, Trail. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 475** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 688** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sayler to open debate.

The question being, "Shall **H 688** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23),

Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Anderson, Trail. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 688** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 551** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **H 551** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 53.

NAYS -- Barrett, Bayer, Cannon, Crow, Harwood, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Sali(Sali), Schaefer, Wood. Total -- 15.

Absent and excused -- Anderson, Trail. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 551** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 584** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 584** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23),

Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- McKague. Total -- 1.

Absent and excused -- Anderson, Mitchell, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 584** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 587** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 587** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Anderson, Wood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 587** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HCR 36** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **HCR 36** be adopted?"

Whereupon the Speaker declared **HCR 36** adopted by voice vote and ordered the resolution transmitted to the Senate.

**HCR 37** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **HCR 37** be adopted?"

Whereupon the Speaker declared **HCR 37** adopted by voice vote and ordered the resolution transmitted to the Senate.

**H 636** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 636** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Snodgrass. Total -- 1.

Absent and excused -- Anderson, Bolz, Bradford, Moyle. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 636** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Snodgrass ask unanimous consent that he be allowed to change his vote on **H 636** from "NAY" to "AYE". Mr. Roberts objected.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Denney moved that the House adjourn until 10:30 a.m., Tuesday, February 28, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2 p.m.

BRUCE NEWCOMB, Speaker

ATTEST: PAMM JUKER, Chief Clerk

## FIFTY-FIRST LEGISLATIVE DAY TUESDAY, FEBRUARY 28, 2006

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Michael Kelsey, Page.

### Approval of Journal

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fiftieth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Twelfth Order of Business.

### Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

### Report of the Committee of the Whole House

February 28, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 472**, **H 630**, **H 613**, **H 562**, **H 634**, **H 611**, **H 656**, and **H 565** and report them back without recommendation, amended as follows:

### HOUSE AMENDMENT TO H 472

#### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 33, delete "but the" and delete lines 34 through 37 and insert: ". . .".

**HOUSE AMENDMENT TO H 630**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 12, following "threatens" insert: "on school grounds".

**HOUSE AMENDMENT TO H 613**

## AMENDMENTS TO SECTION 1

On page 2 of the printed bill, in line 33, delete "commonly known as"; and in line 34, delete "hydrocodone".

**HOUSE AMENDMENT TO H 562**

## AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 25, following "Code" insert: "except as provided in subsection (3) of this section"; in line 34, delete "vehicle or"; and in line 37, following "business" insert: "as long as the power unit is properly licensed under chapter 4, title 49, Idaho Code".

## CORRECTIONS TO TITLE

On page 1, in line 7, delete "VEHICLE OR"; and in line 10, following "BUSINESS" insert: "AS LONG AS THE POWER UNIT IS PROPERLY LICENSED UNDER CHAPTER 4, TITLE 49, IDAHO CODE".

**HOUSE AMENDMENT TO H 634**

## AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 17, delete "explanation,"; in line 18, delete "benevolence which are" and insert: "benevolence, including any accompanying explanation,"; in line 19, following "professional" insert: "to a patient or family member or friend of a patient"; and delete lines 25 through 27 and insert:

"(2) A statement of fault which is otherwise admissible and is part of or in addition to a statement identified in subsection (1) of this section shall be admissible."

**HOUSE AMENDMENT TO H 611**

## AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 10, delete "history and physical"; and in line 13, following "consultation" insert: "outside of an ongoing clinical relationship".

**HOUSE AMENDMENT TO H 656**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 38, delete "except that" and insert: "except that Provided however, in the event of a tie vote, the measure shall fail, and provided further,".

## CORRECTION TO TITLE

On page 1, in line 4, following "COMMISSION" insert: "AND TO PROVIDE FOR TIE VOTES".

**HOUSE AMENDMENT TO H 565**

## AMENDMENTS TO SECTION 2

On page 1 of the printed bill, in line 30, delete "(+)" and insert: "(1)"; and delete lines 36 through 40 and insert:

"(2) Any individual who holds a valid Idaho nursing home administrator's license and is in good standing according to the provisions of chapter 16, title 54, Idaho Code, ~~shall may~~ be deemed to meet the requirements for issuance of a residential care facility administrator's license and ~~shall may~~ be issued one, upon application and payment of appropriate fees."

## CORRECTION TO TITLE

On page 1, delete lines 5 and 6 and insert: "CODE, TO REVISE PROVISIONS APPLICABLE TO THE ISSUANCE OF A RESIDENTIAL CARE FACILITY ADMINISTRATOR'S LICENSE; AND AMENDING SEC-".

We have also had under consideration **H 677**, **H 519**, and **H 450**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**H 472**, as amended, **H 630**, as amended, **H 613**, as amended, **H 562**, as amended, **H 634**, as amended, **H 611**, as amended, **H 656**, as amended, and **H 565**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**H 677**, **H 519**, and **H 450** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Fourth Order of Business.

**Consideration of Messages from the Governor and the Senate**

Mrs. Field(18) asked unanimous consent that **H 519** be returned to the Judiciary, Rules, and Administration Committee. There being no objection, it was so ordered.

February 27, 2006

Mr. Speaker:

I return herewith enrolled **HCR 34** which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 34** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 27, 2006

Mr. Speaker:

I transmit herewith **S 1396, S 1385, S 1391, S 1403, S 1397,** and **S 1413** which have passed the Senate.

WOOD, Secretary

**S 1396, S 1385, S 1391, S 1403, S 1397,** and **S 1413** were filed for first reading.

February 27, 2006

Mr. Speaker:

I return herewith **H 435** and **H 451** which have passed the Senate.

WOOD, Secretary

**H 435** and **H 451** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

#### Report of Standing Committees

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 54, H 740, H 741,** and **H 742.**

FIELD(18), Chairman

**H 740** was referred to the Revenue and Taxation Committee.

**H 741** was referred to the State Affairs Committee.

**H 742** was referred to the Education Committee.

**HCR 54** was filed for second reading.

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 413** and **H 434.**

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 413** and **H 434,** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 10** and **HJM 11** to the Secretary of State at 11:37 a.m., as of this date, February 27, 2006.

FIELD(18), Chairman

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1364** and recommend it be referred to the Environment, Energy, and Technology Committee.

WOOD, Chairman

**S 1364** was referred to the Environment, Energy, and Technology Committee.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 693** and **H 706** and recommend that they do pass.

CROW, Chairman

**H 693** and **H 706** were filed for second reading.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1268, S 1269, S 1270, S 1271,** and **S 1272** and recommend that they do pass.

SCHAEFER, Chairman

**S 1268, S 1269, S 1270, S 1271,** and **S 1272** were filed for second reading.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 728** and recommend it be referred to the Revenue and Taxation Committee.

SCHAEFER, Chairman

**H 728** was referred to the Revenue and Taxation Committee.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 653** and **S 1256** and recommend that they do pass.

BLACK, Chairman

**H 653** and **S 1256** were filed for second reading.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 716, S 1302, S 1304,** and **S 1303** and recommend that they do pass.

FIELD(18), Chairman

**H 716, S 1302, S 1304,** and **S 1303** were filed for second reading.

February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 713** and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(18), Chairman

**H 713** was placed on General Orders for consideration.



February 27, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1258** and **S 1259** and recommend that they do pass.

STEVENSON, Chairman

**S 1258** and **S 1259** were filed for second reading.

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HCR 47** and recommend that it do pass.

DEAL, Chairman

**HCR 47** was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 743**

**BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO THE SCHOOL FACILITIES IMPROVEMENT ACT; PROVIDING LEGISLATIVE FINDINGS AND INTENT; AMENDING SECTION 6-2212, IDAHO CODE, TO PROVIDE REFERENCES TO THE APPOINTING AUTHORITY OF THE STATE BOARD OF EDUCATION AND TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND TO MAKE TECHNICAL CHANGES; AMENDING SECTION 33-905, IDAHO CODE, TO PROVIDE PROPER TERMINOLOGY, TO DELETE OBSOLETE LANGUAGE, TO PROVIDE FOR DISTRIBUTION OF ADDITIONAL MONEYS, TO REQUIRE USE OF PAYMENTS FROM THE SCHOOL DISTRICT BUILDING ACCOUNT AND TO DELETE CERTAIN REPORTING REQUIREMENTS; AMENDING SECTION 33-906, IDAHO CODE, TO REMOVE THE LIMITATION ON STATE FINANCIAL ASSISTANCE ONLY FOR THE INTEREST COST PORTION OF THE ANNUAL BOND INTEREST AND REDEMPTION PAYMENT AND TO PROVIDE FOR CERTAIN APPLICATION TO SCHOOL DISTRICTS WITH AN INDEX VALUE OF LESS THAN ONE AND ONE-HALF; AMENDING SECTION 33-907, IDAHO CODE, TO PROVIDE CODE REFERENCES; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-909, IDAHO CODE, TO PROVIDE A PUBLIC SCHOOL FACILITIES COOPERATIVE FUNDING PROGRAM AND TO CREATE A PUBLIC SCHOOL FACILITIES COOPERATIVE FUND; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1018B, IDAHO CODE, TO PROVIDE FOR SCHOOL BUILDING MAINTENANCE MATCHING FUNDS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY

THE ADDITION OF A NEW SECTION 33-1019, IDAHO CODE, TO REQUIRE SCHOOL DISTRICTS TO ANNUALLY DEPOSIT AN AMOUNT EQUAL TO A MINIMUM OF TWO PERCENT OF THE REPLACEMENT VALUE OF SCHOOL BUILDINGS TO A SCHOOL BUILDING MAINTENANCE FUND LESS THE AMOUNT DEPOSITED FROM STATE FUNDS, TO PROVIDE FOR CALCULATION OF THE STATE'S APPROPRIATION, TO PROVIDE FOR A STATE APPROPRIATION, TO PROVIDE FOR USE OF THE FUND MONEYS AND TO PROVIDE DEFINITIONS; AMENDING CHAPTER 80, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-8006A, IDAHO CODE, TO DIRECT THE ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY AND THE STATE DEPARTMENT OF EDUCATION TO DRAFT A BEST PRACTICES MAINTENANCE PLAN FOR SCHOOL BUILDINGS; AMENDING SECTION 39-8011, IDAHO CODE, TO PROVIDE A CONDITION UNDER WHICH THE ADMINISTRATOR SHALL SUBMIT AN APPLICATION TO THE PUBLIC SCHOOL FACILITIES COOPERATIVE FUND PANEL TO ABATE AN IDENTIFIED SAFETY HAZARD; AMENDING SECTION 63-2520, IDAHO CODE, TO PROVIDE THAT AN AMOUNT EQUAL TO THE ANNUAL GENERAL FUND APPROPRIATION FOR BOND LEVY EQUALIZATION SHALL BE ANNUALLY DISTRIBUTED TO THE GENERAL FUND; TRANSFERRING AND APPROPRIATING \$25,000,000 FROM THE GENERAL FUND TO THE PUBLIC SCHOOL FACILITIES COOPERATIVE FUND; AND PROVIDING NONSEVERABILITY WITH EXCEPTIONS.

**HOUSE BILL NO. 744**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO EXEMPTIONS FROM THE SALES AND USE TAX; AMENDING SECTION 63-36220, IDAHO CODE, TO PROVIDE THAT PROJECT P.A.T.C.H., PLANNED ASSISTANCE FOR TROUBLED CHILDREN, SHALL BE INCLUDED IN THE DEFINITION OF "HEALTH RELATED ENTITIES" AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 745**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029K, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE AN INCOME TAX CREDIT FOR LIVE ORGAN DONATION EXPENSES INCURRED BY A TAXPAYER AND PROVIDING A LIMIT, TO PROVIDE RULES AND TO PROVIDE CARRY FORWARD AUTHORITY.

**HOUSE BILL NO. 746**

**BY APPROPRIATIONS COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE; AMENDING

SECTION 1, CHAPTER 347, LAWS OF 2005, TO REVISE THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES IN THE PHYSICAL HEALTH SERVICES PROGRAM; AMENDING SECTION 3, CHAPTER 347, LAWS OF 2005, TO REVISE THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES IN THE EMERGENCY MEDICAL SERVICES PROGRAM; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 747**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE CATASTROPHIC HEALTH CARE COST FUND FOR FISCAL YEAR 2006; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 748**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR SERVICES FOR THE DEVELOPMENTALLY DISABLED IN THE COMMUNITY DEVELOPMENTAL DISABILITY SERVICES PROGRAM FOR FISCAL YEAR 2006; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 749**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO SCHOLARSHIPS; AMENDING SECTION 33-4304, IDAHO CODE, TO REVISE PUBLIC POLICY TO RECOGNIZE THE SHORTAGE OF TRAINED MATH AND SCIENCE TEACHERS AVAILABLE TO OUR SCHOOLS AND TO STATE THE INTENTION OF PROVIDING SCHOLARSHIPS TO ELIGIBLE INDIVIDUALS IF THEY AGREE TO TEACH MATH OR SCIENCE COURSES FOR A MINIMUM OF FOUR YEARS IN IDAHO SCHOOLS; AMENDING SECTION 33-4305, IDAHO CODE, TO REVISE PURPOSES; AMENDING SECTION 33-4306, IDAHO CODE, TO FURTHER DEFINE TERMS; AMENDING SECTION 33-4307, IDAHO CODE, TO PROVIDE GRANTS FOR CATEGORY C STUDENTS, TO PROVIDE REQUIREMENTS FOR CATEGORY C STUDENTS, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-4308, IDAHO CODE, TO PROVIDE THE MAXIMUM NUMBER OF GRANTS FOR CATEGORY C STUDENTS; AND AMENDING SECTION 63-3638, IDAHO CODE, TO REMIT TWENTY MILLION DOLLARS ANNUALLY TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO TO PAY FOR SCHOLARSHIPS IN MATHEMATICS AND SCIENCE FOR CATEGORY C STUDENTS.

**HOUSE BILL NO. 750**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO STUDENT HARASSMENT, INTIMIDATION AND BULLYING; AMENDING SECTION 33-205, IDAHO CODE, TO PROVIDE THAT SUPERINTENDENTS AND PRINCIPALS MAY TEMPORARILY SUSPEND PUPILS FOR STUDENT HARASSMENT, INTIMIDATION OR BULLYING; AMENDING SECTION 33-512, IDAHO CODE, TO PROVIDE ADDITIONAL POWERS AND DUTIES FOR BOARDS OF TRUSTEES; AND AMENDING CHAPTER 9, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-917A, IDAHO CODE, TO PROHIBIT STUDENT HARASSMENT, INTIMIDATION OR BULLYING OF ANOTHER STUDENT, TO DEFINE TERMS AND TO PROVIDE THAT ANY STUDENT WHO COMMITS OR CONSPIRES TO COMMIT AN ACT OF HARASSMENT, INTIMIDATION OR BULLYING SHALL BE GUILTY OF A MISDEMEANOR.

**HOUSE BILL NO. 751**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO POSTSECONDARY EDUCATION LOANS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4317, IDAHO CODE, TO STATE LEGISLATIVE INTENT, TO CREATE AN IDAHO MATH AND SCIENCE TEACHER LOAN PROGRAM, TO PROVIDE FOR PROCEDURES, TO PROVIDE FOR LOAN FORGIVENESS, TO CREATE AN IDAHO MATH AND SCIENCE TEACHER LOAN FUND IN THE STATE TREASURY WITH A ONE TIME APPROPRIATION OF FIVE MILLION DOLLARS AND TO DEFINE TERMS.

**HOUSE BILL NO. 752**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO THE IDAHO STATE BOARD OF EDUCATION; AMENDING SECTION 33-120, IDAHO CODE, TO PERMIT THE BOARD TO ADOPT RULES TO PROVIDE FOR A STUDENT INFORMATION MANAGEMENT SYSTEM; AMENDING SECTION 33-210, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 33-512, IDAHO CODE, TO REMOVE REFERENCE TO THE STUDENT INFORMATION MANAGEMENT SYSTEM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-515, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1001, IDAHO CODE, TO REMOVE THE DEFINITION FOR THE STUDENT INFORMATION MANAGEMENT SYSTEM AND FOR RELATED DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1004G, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 33-1204, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**H 743, H 744, H 745, H 746, H 747, H 748, H 749, H 750, H 751, and H 752** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1396**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

**S 1385** and **S 1391**, by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

**S 1403** and **S 1397**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1413**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**H 729**, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**H 567, H 614, and H 619**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

**H 727**, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

**H 707, H 711, and H 718**, by State Affairs Committee, were read the second time by title and filed for third reading.

**H 684**, by Education Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**H 412** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Brackett to open debate.

The question being, "Shall **H 412** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett,

Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Field(18). Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 412** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 485** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**H 485** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

Mr. Roberts asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 485**. There being no objection, it was so ordered.

The question being, "Shall **H 485** pass?"

Roll call resulted as follows:

AYES -- Andrus, Bayer, Bedke, Bilbao, Black, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Field(18), Garrett, Harwood, Lake, McGeachin, McKague, Miller, Nonini, Roberts, Rydalch, Schaefer, Shepherd(8), Skippen, Smith(24), Smylie, Snodgrass. Total -- 30.

NAYS -- Anderson, Barraclough, Barrett, Bastian, Bell, Block, Boe, Bolz, Brackett, Cannon, Eskridge, Field(23), Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Sali(Sali), Saylor, Shepherd(2), Shirley, Smith(30), Stevenson, Trail, Wills, Mr. Speaker. Total -- 39.

Absent and excused -- Wood. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 485** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Wednesday, March 1, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:26 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**FIFTY-SECOND LEGISLATIVE DAY  
WEDNESDAY, MARCH 1, 2006**

House of Representatives

The House convened at 10:30 a.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Brock Larsen, Page.

**Approval of Journal**

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-first Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

February 28, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1264** and **SCR 123** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that the Speaker would sign enrolled **S 1264** and **SCR 123** and, when so signed, ordered them returned to the Senate.

February 28, 2006

Mr. Speaker:

I transmit herewith **S 1337** and **S 1379** which have passed the Senate.

WOOD, Secretary

**S 1337** and **S 1379** were filed for first reading.

February 28, 2006

Mr. Speaker:

I return herewith **HJM 16** which has passed the Senate.

WOOD, Secretary

**HJM 16** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 743, H 744, H 745, H 746, H 747, H 748, H 749, H 750, H 751,** and **H 752** and House Ammendments to **H 472, H 630, H 613, H 562, H 634, H 611, H 656,** and **H 565.**

FIELD(18), Chairman

**H 743, H 749, H 750, H 751,** and **H 752** were referred to the Education Committee.

**H 744** and **H 745** were referred to the Revenue and Taxation Committee.

**H 746, H 747,** and **H 748** were filed for second reading.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 435** and **H 451.**

FIELD(18), Chairman

The Speaker Pro Tem announced that the Speaker would sign enrolled **H 435** and **H 451,** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 472,** as amended, **H 630,** as amended, **H 613,** as amended, **H 562,** as amended, **H 634,** as amended, **H 611,** as amended, **H 656,** as amended, and **H 565,** as amended.

FIELD(18), Chairman

**H 472,** as amended, **H 630,** as amended, **H 613,** as amended, **H 562,** as amended, **H 634,** as amended, **H 611,** as amended, **H 656,** as amended, and **H 565,** as amended, were filed for first reading of engrossed bills.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 34** to the Secretary of State at 11:48 a.m., as of this date, February 28, 2006.

FIELD(18), Chairman

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 724** and **S 1383** and recommend that they do pass.

BARRETT, Chairman

**H 724** and **S 1383** were filed for second reading.

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1348** and recommend that it do pass.

WOOD, Chairman

**S 1348** was filed for second reading.

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 515** and **H 596** and recommend that they do pass.

FIELD(23), Chairman

**H 515** and **H 596** were filed for second reading.

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 664** and recommend that it do pass.

BLOCK, Chairman

**H 664** was filed for second reading.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1260** and **S 1317** and recommend that they do pass.

DEAL, Chairman

**S 1260** and **S 1317** were filed for second reading.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 698** and **S 1316** and recommend that they do pass.

BARRACLOUGH, Chairman

**H 698** and **S 1316** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

House of Representatives  
State of Idaho

February 27, 2006

The Honorable JoAn Wood  
Chairman, Transportation and Defense Committee

Dear Representative Wood:

I hereby designate the Transportation and Defense Committee a privileged committee for the purpose of introducing RS 16147 on Tuesday, February 28, 2006.

Sincerely,  
/s/ BRUCE NEWCOMB  
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk

**HOUSE CONCURRENT RESOLUTION NO. 55****BY STATE AFFAIRS COMMITTEE**

## A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING PENDING RULES OF THE DIVISION OF BUILDING SAFETY GOVERNING ELECTRICAL SPECIALTY LICENSING.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Division of Building Safety governing electrical specialty licensing are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 07.01.04, rules of the Division of Building Safety governing electrical specialty licensing, adopted as a pending rule under Docket Number 07-0104-0502, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 56****BY TRANSPORTATION AND DEFENSE COMMITTEE**

## A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING PENDING RULES OF THE IDAHO TRANSPORTATION DEPARTMENT GOVERNING

**OVERLEGAL PERMITTEE RESPONSIBILITY AND TRAVEL RESTRICTIONS AND GOVERNING SALE OF NO LONGER USEFUL OR USABLE REAL PROPERTY.**

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho Transportation Department governing overlegal permittee responsibility and travel restrictions and governing sale of no longer useful or usable real property are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 39.03.11, rules of the Idaho Transportation Department governing overlegal permittee responsibility and travel restrictions, adopted as pending rules under Docket Number 39-0311-0501, the entire rulemaking docket, and IDAPA 39.03.45, rules of the Idaho Transportation Department governing sale of no longer useful or usable real property, adopted as pending rules under Docket Number 39-0345-501, the entire rulemaking docket, be, and the same are hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 57  
BY EDUCATION COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY RELATED TO COMMUNITY COLLEGES.

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

WHEREAS, the Legislature acknowledges the important role of community colleges in providing academic and professional-technical education as well as work force training; and

WHEREAS, we acknowledge the outstanding efforts of our current community colleges, North Idaho College and the College of Southern Idaho in providing these services; and

WHEREAS, we also acknowledge the many efforts of other higher education institutions in providing community college services; and

WHEREAS, we acknowledge the importance of a well trained and well educated work force as essential to Idaho's economy and the well-being of its citizens; and

WHEREAS, we acknowledge the relatively low percentage of Idaho high school graduates seeking higher education; and

WHEREAS, we acknowledge the need for expanded access to an affordable higher education or affordable work force training; and

WHEREAS, we also acknowledge the growing need for an expanded statewide community college system that is efficient, affordable and accessible; and

WHEREAS, there are significant issues of local control and of funding that are still unresolved and that need resolution; and

WHEREAS, at present there is no general consensus about how to best provide community college services and there are many important policy questions to be addressed.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a thorough assessment of the role and mission of community colleges in Idaho including their benefits and needs.

BE IT FURTHER RESOLVED that the committee shall involve and solicit input from representatives from all of the postsecondary educational institutions and the Office of the State Board of Education as well as high school administrators, school district superintendents and community colleges offering educational services in Idaho.

BE IT FURTHER RESOLVED that the committee shall comprehensively examine and make recommendations regarding Idaho community colleges' governance, funding strategies, role and missions, state appropriations distribution, cost comparisons of academic programs and differing tax burdens for community college districts' patrons. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Fifty-ninth Idaho Legislature.

**HOUSE CONCURRENT RESOLUTION NO. 58  
BY EDUCATION COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING LEGISLATIVE FINDINGS AND URGING THE ESTABLISHMENT AND PROMOTION OF PROGRAMS TO IMPROVE THE TRAINING OF ELEMENTARY SCHOOL TEACHERS IN THE DISCIPLINES OF MATHEMATICS AND SCIENCE.

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

WHEREAS, before there can be children with solid education credentials in mathematics and science, there must be teachers in the elementary schools who can impart the needed knowledge; and

WHEREAS, before there can be elementary school teachers with the required skill and training in mathematics and science to teach the children, there must be programs at the college and university level that will produce such teachers; and

WHEREAS, before there can be such mathematics and science educator programs, there must be the commitment to establish and promote such programs.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that Idaho's colleges and universities are urged to commit themselves to the establishment and promotion of programs to improve the training of elementary school teachers in the disciplines of mathematics and science so that Idaho's children may so benefit.

**HOUSE JOINT MEMORIAL NO. 19**  
**BY REVENUE AND TAXATION COMMITTEE**  
A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES  
OF THE UNITED STATES IN CONGRESS ASSEMBLED,  
AND TO THE CONGRESSIONAL DELEGATION  
REPRESENTING THE STATE OF IDAHO IN THE  
CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, in April 2005 the United States Department of Agriculture released a Draft Strategic Plan and Draft Program Standards for implementing a mandatory National Animal Identification System, commonly referred to as NAIS; and

WHEREAS, the NAIS is a national program intended to register premises where livestock are raised or held and to identify all agricultural animals and track them as they come into contact with, or are intermixed with, animals other than herdsmates from their premises of origin; and

WHEREAS, the USDA has set July 2006 as the target date for issuance of a proposed rule setting forth the requirements for NAIS premises registration, animal identification and animal tracking and, pursuant to the plan timetable, premises identification and individual animal identification will be mandatory as of January 1, 2008, provided however, the USDA could advance or delay this timetable; and

WHEREAS, there are numerous concerns regarding the NAIS program, including concerns relating to costs, confidentiality of information and liability; and

WHEREAS, although significant costs associated with the program are anticipated, costs have not been quantified and there are ongoing uncertainties regarding how the costs will be shared; and

WHEREAS, concerns relating to confidentiality exist in terms of which entities and agencies will have access to registration and identification data, how the data will be used, and whether the general public will have access to the data; and

WHEREAS, many in the agriculture industry have expressed concerns regarding the use of information by individuals for food

safety issues and that the traceability of food products would increase participants' risk of liability and financial loss from food safety issues for which they are not responsible; and

WHEREAS, given the uncertainties and risks associated with the NAIS program, residents of the state of Idaho oppose the program and oppose mandatory premises identification, individual animal identification and animal tracking.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the United States Department of Agriculture to forgo implementation of the NAIS program, or alternatively, to delay the issuance of the proposed rule which will set forth NAIS requirements now targeted for July 2006 to afford the public additional information relating to the proposed mandatory program and additional time for public comment.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HCR 55, HCR 56, HCR 57, HCR 58, and HJM 19** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 753**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO STANDARD FIRE POLICIES;  
AMENDING SECTION 41-2401, IDAHO CODE, TO SET  
FORTH NOTICE PROVISIONS APPLICABLE TO POLICY  
CANCELLATION BASED UPON NONPAYMENT OF  
PREMIUM.

**HOUSE BILL NO. 754**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO STATE INCOME TAX CREDITS;  
AMENDING SECTION 63-4402, IDAHO CODE, TO  
PROVIDE A DEFINITION OF "NEW PLANT AND  
BUILDING FACILITIES," TO REVISE THE DEFINITION OF  
"INVESTMENT IN NEW PLANT," TO REVISE THE  
DEFINITION OF "PROJECT PERIOD," TO REVISE THE  
DEFINITION OF "PROJECT SITE," AND TO REVISE THE  
DEFINITION OF "TAX INCENTIVE CRITERIA";  
AMENDING SECTION 63-4403, IDAHO CODE, TO REVISE  
DATES AND TO DECREASE THE MAXIMUM  
ALLOWABLE CREDIT FOR ANY ONE TAXABLE YEAR;  
AMENDING SECTION 63-4404, IDAHO CODE, TO REVISE  
DATES, TO PROVIDE THAT THE CREDIT ALLOWED  
SHALL BE RELATED TO NEW PLANT AND BUILDING  
FACILITIES AND TO MAKE A TECHNICAL CORRECTION;  
AMENDING SECTION 63-4405, IDAHO CODE, TO REVISE  
DATES FOR THE ADDITIONAL INCOME TAX CREDIT

FOR NEW JOBS; AMENDING SECTION 63-4408, IDAHO CODE, TO REVISE DATES FOR THE SALES TAX REBATE FOR NEW JOBS AND TO PROVIDE THAT THE REBATE SHALL BE RELATED TO NEW PLANT AND BUILDING FACILITIES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 755**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE BUDGET STABILIZATION FUND; AMENDING SECTION 57-814, IDAHO CODE, TO INCREASE THE MAXIMUM PERCENTAGE OF TOTAL GENERAL FUND RECEIPTS THAT MAY BE IN THE BUDGET STABILIZATION FUND AND TO PROVIDE THAT APPROPRIATIONS OF MONEYS FROM THE BUDGET STABILIZATION FUND IN ANY YEAR SHALL BE LIMITED TO FIFTY PERCENT OF THE INCREASED PERCENTAGE.

**HOUSE BILL NO. 756**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE SALES AND USE TAX; AMENDING SECTION 63-3622D, IDAHO CODE, TO PROVIDE TECHNICAL CORRECTIONS AND TO DELETE REFERENCE TO THE SALES AND USE TAX EXEMPTION FOR HEATING MATERIALS; AND AMENDING SECTION 63-3622JJ, IDAHO CODE, TO DELETE REFERENCE TO THE SALES AND USE TAX EXEMPTION FOR HEATING MATERIALS.

**HOUSE BILL NO. 757**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO EXEMPTIONS TO THE SALES AND USE TAX; AMENDING SECTION 63-3622O, IDAHO CODE, TO PROVIDE THAT DONATIONS TO, SALES TO OR PURCHASES BY THE ADVOCATES FOR SURVIVORS OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT, INC., A NONPROFIT CORPORATION, SHALL BE EXEMPT FROM THE SALES AND USE TAX AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 758**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

AMENDING THE CHARTER OF THE CITY OF BELLEVUE, TO AMEND CHAPTER III, SECTION 33, AS ADDED BY SECTION 2, CHAPTER 130, LAWS OF 1996, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; TO AMEND CHAPTER IV, ELECTIONS, SECTIONS 33, 34, 36, 37, 41, 42 AND 43 THEREOF TO PROVIDE FOR THE ELECTION DATES AND ELECTION PROCEDURES TO BE AS SET FORTH IN THE GENERAL LAWS OF THE STATE OF IDAHO APPLICABLE TO ELECTION OF CITY OFFICIALS, INCLUDING SUBSEQUENT AMENDMENTS THERETO; AND TO AMEND CHAPTER VI, SECTION 54, TO PROVIDE

QUORUM REQUIREMENTS AND REQUIREMENTS FOR PASSAGE OF ORDINANCES, RESOLUTIONS AND OTHER QUESTIONS.

**HOUSE BILL NO. 759**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO SCHOLARSHIPS; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-522, IDAHO CODE, TO PROVIDE FOR ESTABLISHMENT OF LOCAL NEEDS-BASED SCHOLARSHIP ENDOWMENT FUNDS BY LOCAL SCHOOL BOARDS OF TRUSTEES, TO PROVIDE FOR ANNUAL AWARDS OF NEEDS-BASED SCHOLARSHIPS TO ELIGIBLE STUDENTS, TO PROVIDE FOR ANNUAL CALCULATION OF THE AMOUNT OF EACH YEAR'S SCHOLARSHIPS AND TO PROVIDE DEFINITIONS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4319, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO CREATE A NEEDS-BASED SCHOLARSHIP PROGRAM, TO PROVIDE FOR DISTRIBUTIONS FROM THE FUND, TO CREATE AN IDAHO NEEDS-BASED SCHOLARSHIP FUND AND TO PROVIDE DEFINITIONS; AND APPROPRIATING MONEYS FROM THE GENERAL FUND TO THE IDAHO NEEDS-BASED SCHOLARSHIP FUND.

**H 753, H 754, H 755, H 756, H 757, H 758, and H 759** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1337**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1379**, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

**First Reading of Engrossed Bills**

**H 472**, as amended, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

**H 630**, as amended, and **H 634**, as amended, by Judiciary, Rules, and Administration Committee, were introduced, read the first time by title and filed for second reading.

**H 613**, as amended, **H 611**, as amended, and **H 565**, as amended, by Health and Welfare Committee, were introduced, read the first time by title and filed for second reading.

**H 562**, as amended, by Transportation and Defense Committee, was introduced, read the first time by title and filed for second reading.

**H 656**, as amended, by Local Government Committee, was introduced, read the first time by title and filed for second reading.



### Second Reading of Bills and Joint Resolutions

**HCR 54**, by Education Committee, was read the second time by title and filed for third reading.

**H 693** and **H 706**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**S 1268**, **S 1269**, **S 1270**, **S 1271**, and **S 1272**, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

**H 653**, by Business Committee, was read the second time by title and filed for third reading.

**S 1256**, **S 1302**, **S 1304**, and **S 1303**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**H 716** and **HCR 47**, by State Affairs Committee, were read the second time by title and filed for third reading.

**S 1258** and **S 1259**, by Resources and Environment Committee, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**H 546** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

The question being, "Shall **H 546** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- Edmunson, Trail, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 546** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 637** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Barraclough to open debate.

The question being, "Shall **H 637** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 64.

NAYS -- None.

Absent and excused -- Black, Edmunson, Field(18), Roberts, Trail, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 637** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **HJM 14** retain its place on the Third Reading Calendar until Monday March 6, 2006. There being no objection, it was so ordered.

**H 583** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 583** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Mitchell, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 583** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 632** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nonini to open debate.

The question being, "Shall **H 632** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 632** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 633** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Rusche to open debate.

The question being, "Shall **H 633** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 633** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 717** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Loertscher to open debate.

The question being, "Shall **H 717** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 717** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1315** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bayer to open debate.

The question being, "Shall **S 1315** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1315** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **H 602** be placed on General Orders. There being no objection, it was so ordered.

**H 692** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

At this time the Speaker took the Chair.

The question being, "Shall **H 692** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 692** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 610** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**H 593** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

The question being, "Shall **H 593** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Anderson, Eskridge, Jaquet, Saylor, Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 593** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 594** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 594** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Barrett, Loertscher, Mathews, Rydalch, Sali(Sali). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 594** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 599** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 599** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali(Sali), Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 599** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 615** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest and Mrs. Garrett to open debate.

Pursuant to Rule 38(3), Mrs. Garrett disclosed a conflict of interest regarding **H 615**.

The question being, "Shall **H 615** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderton, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 44.

NAYS -- Andrus, Barrett, Bayer, Bedke, Brackett, Bradford, Clark, Crow, Ellsworth, Hart, Harwood, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Nonini, Raybould, Roberts, Sali(Sali), Shepherd(8), Stevenson. Total -- 24.

Absent and excused -- Field(23), Wood. Total -- 2.

Paired Vote:

AYE -- Mitchell. NAY -- Moyle.  
(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 615** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Denney moved that the House adjourn until 10:30 a.m., Thursday, March 2, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:35 p.m.

BRUCE NEWCOMB, Speaker

ATTEST: PAMM JUKER, Chief Clerk

## FIFTY-THIRD LEGISLATIVE DAY THURSDAY, MARCH 2, 2006

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Field(18). Total -- 1.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Ellie Wladyka, Page.

### Approval of Journal

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-second Legislative Day and recommend that same be adopted as corrected.

SMITH(24), Vice Chairman

Mr. Smith(24) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 1, 2006

Mr. Speaker:

I return herewith enrolled **H 413** and **H 434** which have been signed by the President.

WOOD, Secretary

Enrolled **H 413** and **H 434** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 1, 2006

Mr. Speaker:

I transmit herewith **SJR 107** and **S 1373** which have passed the Senate.

WOOD, Secretary

**SJR 107** and **S 1373** were filed for first reading.

March 1, 2006

Mr. Speaker:

I return herewith **HCR 39** and **HCR 31** which have passed the Senate.

WOOD, Secretary

**HCR 39** and **HCR 31** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

March 1, 2006

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 55, HCR 56, HCR 57, HCR 58, HJM 19, H 753, H 754, H 755, H 756, H 757, H 758, and H 759.**

SMITH(24), Vice Chairman

**HCR 55 and H 753** were referred to the Business Committee.

**HJM 19** was referred to the Agricultural Affairs Committee.

**H 754, H 755, H 756, and H 757** were referred to the Revenue and Taxation Committee.

**H 758** was referred to the Local Government Committee.

**H 759** was referred to the Education Committee.

**HCR 56, HCR 57, and HCR 58** were filed for second reading.

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 16.**

SMITH(24), Vice Chairman

The Speaker announced he was about to sign enrolled **HJM 16**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HJM 18** and report it back with amendments attached to be placed on General Orders for consideration.

BARRACLOUGH, Chairman

**HJM 18** was placed on General Orders for consideration.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1299** and recommend that it do pass.

STEVENSON, Chairman

**S 1299** was filed for second reading.

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 650** and report it back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

**H 650** was placed on General Orders for consideration.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 646, H 652, H 655, H 722, and S 1360** and recommend that they do pass.

BLACK, Chairman

**H 646, H 652, H 655, H 722, and S 1360** were filed for second reading.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 714** and report it back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

**H 714** was placed on General Orders for consideration.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1334, S 1345, and S 1371** and recommend that they do pass.

SCHAEFER, Chairman

**S 1334, S 1345, and S 1371** were filed for second reading.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1300**, as amended, **S 1311, S 1312, and S 1336** and recommend that they do pass.

FIELD(18), Chairman

**S 1300**, as amended, **S 1311, S 1312, and S 1336** were filed for second reading.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 709** and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(18), Chairman

**H 709** was placed on General Orders for consideration.

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 474** and report it back with amendments attached to be placed on General Orders for consideration.

CROW, Chairman

**H 474** was placed on General Orders for consideration.

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 743** and recommend that it do pass.

BARRACLOUGH, Chairman

**H 743** was filed for second reading.

There being no objection, the House advanced to the Twelfth Order of Business.

#### Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Martinez. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

#### Report of the Committee of the Whole House

March 2, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 450**, **H 713**, and **H 602** and report them back without recommendation, amended as follows:

#### HOUSE AMENDMENT TO H 450

##### AMENDMENT TO SECTION 2

On page 2 of the printed bill, delete lines 7 through 11 and insert: "on the underlying charge in Idaho due to the efforts of the surety, bail agency and/or bail agent within one hundred eighty (180) days after remittance of the forfeiture and upon written application and required notice by the surety or bail agent, the court shall refund and return the entire payment of the remitted forfeited bail to the surety or bail agent, less an administrative fee retained by the court not to exceed one hundred dollars (\$100). The lawful authority of the bail to arrest

the defendant within the state shall continue during the one hundred eighty (180) day remittitur. Nothing herein abrogates the common law authority of the bail to arrest the defendant.".

#### HOUSE AMENDMENTS TO H 713

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, following line 37 insert:

"(c) When the offender resides at a state licensed or certified facility for incarceration, health or convalescent care."

##### AMENDMENT TO THE BILL

On page 1, following line 37 insert:

"SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

##### CORRECTION TO TITLE

On page 1, in line 6, following "PENALTY" insert: "; AND DECLARING AN EMERGENCY".

#### HOUSE AMENDMENT TO H 602

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, following line 19, insert:

"(3) The project choice fee shall be used, subject to appropriation, exclusively for the purposes of creating a career ladder within the Idaho state police and to provide salaries to encourage the hiring and retention of trained and qualified employees for Idaho state police positions."

##### CORRECTIONS TO TITLE

On page 1, in line 4, delete "AND TO PROVIDE" and insert: "; TO PROVIDE"; and in line 5, following "APPLICATION" insert: "AND TO STATE THE PURPOSES OF THE FEE".

We have also had under consideration **H 677**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**H 450**, as amended, **H 713**, as amended, and **H 602**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**H 677** was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

House of Representatives  
State of Idaho

February 27, 2006

The Honorable Bert Stevenson  
Chairman, Resources and Conservation Committee

Dear Representative Stevenson:

I hereby designate the Resources and Conservation Committee a privileged committee for the purpose of introducing RS 16166 and RS 16183 on Wednesday, March 1, 2006.

Sincerely,  
/s/ BRUCE NEWCOMB  
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

**HOUSE CONCURRENT RESOLUTION NO. 59**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING PENDING RULES OF THE DEPARTMENT OF FISH AND GAME GOVERNING THE IMPORTATION, POSSESSION, RELEASE, SALE OR SALVAGE OF WILDLIFE.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Fish and Game governing the importation, possession, release, sale or salvage of wildlife are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 13.01.10, rules of the Department of Fish and Game governing the importation, possession, release, sale or salvage of wildlife, adopted as pending rules under Docket Number 13-0110-0501, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 60**  
**BY STATE AFFAIRS COMMITTEE**  
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE CONCERNING HUNGER AND FOOD INSECURITY IN IDAHO AND DESIGNATING THE MONTH OF OCTOBER 2006 AS "HUNGER AND FOOD INSECURITY AWARENESS

MONTH," COMMENDING EFFORTS TO ADDRESS HUNGER AND FOOD INSECURITY AND ENCOURAGING IDAHOANS TO SUPPORT AND ACTIVELY PARTICIPATE IN THE 2006 IDAHO SUMMIT ON HUNGER AND FOOD SECURITY.

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

WHEREAS, the Hunger in America 2006 Idaho Report has documented that hunger and food insecurity are serious problems that affect at least 89,700 Idahoans every year; and

WHEREAS, every Idahoan should have enough to eat and sufficient nutrition to carry out the daily tasks of life and work; and

WHEREAS, the charitable food banking network is playing a Herculean role in responding to hunger and food insecurity in Idaho; and

WHEREAS, Idaho's hunger and food insecurity cannot be solved solely through the efforts of emergency food banks, soup kitchens, and shelters; and

WHEREAS, the Idaho Interfaith Roundtable Against Hunger, representing Idahoans of all faiths, issued a Call to Action on February 23, 2006, seeking support for an Idaho Summit on Hunger and Food Security to be held in the fall of 2006; and

WHEREAS, the Idaho Summit on Hunger and Food Security will bring together concerned Idahoans to examine the problems of hunger and food insecurity in Idaho and to seek solutions to those problems; and

WHEREAS, the Governor's Coordinating Council on Families and Children has called for support for the Idaho Summit on Hunger and Food Security; and

WHEREAS, the food banking and interfaith communities are committed to raising the funds necessary to support the Idaho Summit on Hunger and Food Security to ensure that the Summit will have no budgetary impact for the state.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that October 2006 is designated "Hunger and Food Insecurity Awareness Month," that the efforts of the Idaho Interfaith Roundtable Against Hunger to convene a fall 2006 Idaho Summit on Hunger and Food Security are commended, and encouraging all Idahoans to support and actively participate in the Summit.

**HOUSE JOINT MEMORIAL NO. 20**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Federal Lands Recreation Enhancement Act, H.R. 3283, 108th United States Congress, was introduced in the United States House of Representatives and would have authorized the United States Forest Service, the United States Bureau of Land Management, the United States Fish and Wildlife Service, the National Park Service, and the United States Bureau of Reclamation to charge visitor fees for recreation on publicly owned lands; and

WHEREAS, H.R. 3283 was not voted on separately in the United States House of Representatives and was not introduced in, did not have hearings in, and was not approved by the United States Senate, but instead was attached to the omnibus spending bill, H.R. 4818, by the 108th United States Congress, as an appropriation rider; and

WHEREAS, the sponsors of the Federal Lands Recreation Enhancement Act and others have an unrealistic expectation that recreation fees will pay for much of the cost of management of public lands even though users cannot control costs associated with such management, including costs relating to federal mandates and costs associated with subsequent legal actions; and

WHEREAS, the establishment of state or regional recreational resource advisory committees as required under the Federal Lands Recreation Enhancement Act has not occurred; and

WHEREAS, most of the state's 400-plus licensed outfitters and guides require special use permits from federal land management agencies in order to operate legally on Idaho's public lands and waters and the Federal Lands Recreation and Enhancement Act permits the return of the special use permit fee that outfitters pay for the privilege of operating on public lands and waters to the source from which it is generated rather than being deposited into the Federal Treasury; and

WHEREAS, the Idaho outfitter and guide industry is a major component of the outdoor recreation sector of the Idaho tourism industry and the Idaho Legislature recognizes the benefit that the Idaho outfitter and guide industry provides to the public and the economy of the state of Idaho, particularly to the rural economy of the state of Idaho, recognizing that approximately 200,000 visitors use Idaho outfitter and guide services annually and contribute an estimated \$50,000,000 to the Idaho economy.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature of the State of Idaho declares that should the Federal Lands Recreation Enhancement Act be repealed, then the authority for permitting outfitters and guides on public lands should be replaced immediately to allow for outfitter and guide operations to continue uninterrupted.

BE IT FURTHER RESOLVED, that should the Federal Lands Recreation Enhancement Act be repealed that the outfitter special use fee that is currently assessed shall be reauthorized under a new authority and returned to the managing agency for outfitter permit administration rather than being designated for other uses.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of

Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HCR 59, HCR 60, and HJM 20** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 760  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO MOTOR VEHICLE LAW DEFINITIONS; AMENDING SECTION 49-114, IDAHO CODE, TO REVISE THE DEFINITION OF "MOPED."

**HOUSE BILL NO. 761  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO CONTRACTOR LICENSING; AMENDING SECTION 54-1003, IDAHO CODE, TO REQUIRE THAT LICENSE APPLICATIONS FOR ELECTRICAL CONTRACTORS AND SPECIALTY ELECTRICAL CONTRACTORS BE ACCOMPANIED BY A BOND, TO SET AN AMOUNT FOR THE BOND, TO PROVIDE TERMS AND CONDITIONS, TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF LIABILITY INSURANCE, TO SET AN AMOUNT FOR SUCH INSURANCE AND TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF WORKER'S COMPENSATION INSURANCE, IF APPLICABLE; AMENDING SECTION 54-2606, IDAHO CODE, TO DELETE LANGUAGE RELATING TO BONDS, TO REQUIRE THAT LICENSE APPLICATIONS FROM PLUMBING CONTRACTORS BE ACCOMPANIED BY A BOND, TO SET AN AMOUNT FOR THE BOND, TO PROVIDE TERMS AND CONDITIONS, TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF LIABILITY INSURANCE, TO SET AN AMOUNT FOR SUCH INSURANCE AND TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF WORKER'S COMPENSATION INSURANCE, IF APPLICABLE; AND AMENDING SECTION 54-5007, IDAHO CODE, TO DELETE LANGUAGE RELATING TO BONDS, TO REQUIRE THAT LICENSE APPLICATIONS FROM HEATING, VENTILATION AND AIR CONDITIONING CONTRACTORS AND SPECIALTY CONTRACTORS BE ACCOMPANIED BY A BOND, TO SET AN AMOUNT FOR THE BOND, TO PROVIDE TERMS AND CONDITIONS, TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF LIABILITY INSURANCE, TO SET THE AMOUNT FOR SUCH INSURANCE AND TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF WORKER'S COMPENSATION INSURANCE, IF APPLICABLE.



**HOUSE BILL NO. 762**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2732B, IDAHO CODE, TO REVISE PENALTIES APPLICABLE TO THE MANUFACTURE, POSSESSION AND OTHER PROHIBITED ACTIONS RELATED TO SPECIFIED AMOUNTS OF PSEUDOEPHEDRINE.

**HOUSE BILL NO. 763**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1401, IDAHO CODE, TO CLARIFY THE PURPOSE AND POLICY OF THE FIRE PROTECTION DISTRICT LAW; AMENDING SECTION 31-1403, IDAHO CODE, TO PROVIDE FOR COSTS OF PUBLICATION AND ELECTION RELATING TO PETITIONS FOR ORGANIZATION OF FIRE DISTRICTS; AMENDING SECTION 31-1405, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PUBLICATION OF NOTICE OF ELECTION; AMENDING SECTION 31-1408, IDAHO CODE, TO REQUIRE OATHS FOR APPOINTED OFFICERS, TO CLARIFY PROVISIONS RELATING TO FIRE PROTECTION BOARD COMPOSITION AND TO PROVIDE FOR OATHS OF FIRE PROTECTION COMMISSIONERS AND APPOINTED OFFICERS; AMENDING SECTION 31-1408A, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1409, IDAHO CODE, TO PROVIDE FOR TERMS OF OFFICE FOR FIRE PROTECTION COMMISSIONERS AND TO PROVIDE FOR THE FILLING OF VACANCIES OF FIRE PROTECTION COMMISSIONERS; AMENDING SECTION 31-1410, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ELECTION OF COMMISSIONERS, TO REVISE PROVISIONS RELATING TO FIRE DISTRICT SUBDISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1411, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ANNEXATION AND TO PROVIDE FOR THE ANNEXATION OF TERRITORY LOCATED WITHIN AN EXISTING FIRE PROTECTION DISTRICT INTO ANOTHER FIRE PROTECTION DISTRICT; AMENDING SECTION 31-1411A, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO PETITIONS OBJECTING TO CONSOLIDATION, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1411B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO ELECTIONS FOR THE CONSOLIDATION OF DISTRICTS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 31-1412, IDAHO CODE, TO PROVIDE ADDITIONAL PROCEDURAL REQUIREMENTS FOR ANNEXATION, TO REVISE PROVISIONS RELATING TO ANNEXATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1413, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE

THAT THE BOARD SHALL ACT ON LISTS OF BILLS PRESENTED BY THE SECRETARY AND TO PROVIDE FOR THE APPLICABILITY OF SPECIFIED LAWS TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1414, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1415, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR AND TO REVISE CORPORATE POWERS AND DUTIES OF THE BOARD OF FIRE PROTECTION COMMISSIONERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1416A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1417, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1417A, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR AND REVISE PROVISIONS RELATING TO THE SALE, CONVEYANCE AND DISPOSITION OF PROPERTY OF FIRE PROTECTION DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 31-1418, IDAHO CODE, RELATING TO FIRE PROTECTION BOARD COMMISSIONER COMPENSATION AND EXPENSES; AMENDING CHAPTER 14, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-1421, IDAHO CODE, TO PROVIDE FOR COMPENSATION AND BENEFITS FOR FIRE PROTECTION COMMISSIONERS, TO PROVIDE FOR EXPENSES OF FIRE PROTECTION COMMISSIONERS, TO PROVIDE FOR COMPENSATION AND BENEFITS FOR OFFICERS, AGENTS AND EMPLOYEES AND TO PROVIDE FOR LIABILITY OF THE FIRE PROTECTION DISTRICT FOR THE ACTS AND OMISSIONS OF CERTAIN PERSONS; AMENDING SECTION 31-1419A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1420, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1421, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1422, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1423, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR AND TO REVISE PROVISIONS RELATING TO THE HANDLING OF DISTRICT FUNDS; AMENDING SECTION 31-1424, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1424A, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTION 31-1425, IDAHO CODE, RELATING TO DUTIES OF FIRE PROTECTION DISTRICT TREASURERS, REPEALING SECTION 31-1426, IDAHO CODE, RELATING TO WARRANTS, REPEALING SECTION 31-1427, IDAHO CODE, RELATING TO WITHDRAWALS FROM FIRE PROTECTION DISTRICTS, REPEALING SECTION 31-1428, IDAHO CODE, RELATING TO HEARINGS OF PETITIONS FOR WITHDRAWAL FROM DISTRICTS AND DISTRIBUTION OF ASSETS AND REPEALING SECTION 31-1430, IDAHO CODE, RELATING TO COOPERATION AND RECIPROCATING USE OF FIRE FIGHTING FORCES AND APPARATUS OF DISTRICTS AND CITIES; AMENDING SECTION 31-1429, IDAHO

CODE, TO REVISE PROVISIONS APPLICABLE TO THE INCLUSION, ANNEXATION OR WITHDRAWAL OF AREAS IN CITIES; AMENDING CHAPTER 14, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-1430, IDAHO CODE, TO PROVIDE FOR THE COOPERATION AND RECIPROCATING USE OF FIREFIGHTING FORCES AND APPARATUS OF DISTRICTS, POLITICAL SUBDIVISIONS AND MUNICIPALITIES AND TO PROVIDE FOR FEES AND LIENS; REPEALING SECTION 31-1430A, IDAHO CODE, RELATING TO COOPERATION BETWEEN FIRE PROTECTION DISTRICTS IN IDAHO AND FIRE PROTECTION DISTRICTS AND MUNICIPALITIES OF OTHER STATES; AMENDING SECTION 31-1430B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO CONTRACTS BETWEEN FIRE PROTECTION DISTRICTS AND INDIVIDUAL PROPERTY OWNERS OUTSIDE OF THE DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1431, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 31-1432, IDAHO CODE, RELATING TO THE DEPOSIT OF COSTS AND REPEALING SECTION 31-1433, IDAHO CODE, RELATING TO INTEREST ON UNPAID WARRANTS AND LIMITATIONS ON AMOUNTS OF WARRANTS; AMENDING SECTION 31-1434, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1435, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO THE DISSOLUTION OF FIRE PROTECTION DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1436, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1437, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1438, IDAHO CODE, TO REDESIGNATE THE SECTION; AND AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**H 760, H 761, H 762, and H 763** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**SJR 107**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

**S 1373**, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

There being no objection, the House advanced to the Tenth Order of Business.

#### Second Reading of Bills and Joint Resolutions

**H 746, H 747, and H 748**, by Appropriations Committee, were read the second time by title and filed for third reading.

**H 724**, by State Affairs Committee, was read the second time by title and filed for third reading.

**S 1383**, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

**S 1348**, by Transportation Committee, was read the second time by title and filed for third reading.

**H 515 and H 596**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

**H 664, H 613**, as amended, **H 611**, as amended, and **H 565**, as amended, by Health and Welfare Committee, were read the second time by title and filed for third reading.

**S 1260 and S 1317**, by State Affairs Committee, were read the second time by title and filed for third reading.

**H 698**, by Education Committee, was read the second time by title and filed for third reading.

**S 1316**, by Education Committee, was read the second time by title and filed for third reading.

**H 472**, as amended, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**H 630**, as amended, and **H 634**, as amended, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

**H 562**, as amended, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

**H 656**, as amended, by Local Government Committee, was read the second time by title and filed for third reading.

#### Third Reading of Bills and Joint Resolutions

**H 610** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Martinez to open debate.

The question being, "Shall **H 610** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bilbao, Boe, Cannon, Eskridge, Harwood, Jaquet, Kemp, Lake, LeFavour, Martinez, Mitchell, Nielsen, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Shepherd(2), Smith(30), Smith(24), Stevenson, Trail, Wills, Wood. Total -- 27.

NAYS -- Barraclough, Bastian, Bayer, Bedke, Bell, Black, Bolz, Brackett, Bradford, Chadderton, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Field(23), Garrett, Hart,

Henbest, Henderson, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Shirley, Skippen, Smylie, Snodgrass, Mr. Speaker. Total -- 41.

Absent and excused -- Block, Field(18). Total -- 2.  
Total -- 70.

Whereupon the Speaker declared **H 610** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

**H 673** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 673** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, McKague, Miller, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 50.

NAYS -- Bedke, Cannon, Ellsworth, Lake, Loertscher, Mathews, McGeachin, Mitchell, Moyle, Nielsen, Raybould, Rydalch, Sali, Saylor, Shirley, Wills, Wood. Total -- 17.

Absent and excused -- Block, Field(18), Smith(24). Total -- 3.  
Total -- 70.

Whereupon the Speaker declared **H 673** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 694** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **H 694** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor,

Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Crow, Field(18), Smith(24). Total -- 4.  
Total -- 70.

Whereupon the Speaker declared **H 694** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 695** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 695** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Crow, Deal, Field(18). Total -- 4.  
Total -- 70.

Whereupon the Speaker declared **H 695** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 686** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **H 686** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Black, Bolz, Brackett, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould,

Ring, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 54.

NAYS -- Bilbao, Boe, Bradford, Cannon, Deal, Henbest, Lake, Mitchell, Pasley-Stuart, Ringo, Rusche, Smith(30), Mr. Speaker. Total -- 13.

Absent and excused -- Block, Field(18), Roberts. Total -- 3.  
Total -- 70.

Whereupon the Speaker declared **H 686** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 687** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 687** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 60.

NAYS -- Boe, Cannon, Mitchell, Rusche, Smylie. Total -- 5.

Absent and excused -- Block, Deal, Field(18), Roberts, Snodgrass. Total -- 5.  
Total -- 70.

Whereupon the Speaker declared **H 687** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 545** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark and Mr. Saylor to open debate.

The question being, "Shall **H 545** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart,

Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Harwood. Total -- 1.

Absent and excused -- Block, Crow, Field(18), McGeachin, McKague. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 545** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that all House bills be placed at the top of the Third Reading Calendar, followed by Senate bills. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Friday, March 3, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:21 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### FIFTY-FOURTH LEGISLATIVE DAY THURSDAY, MARCH 3, 2006

House of Representatives

The House convened at 10:30 a.m., Mr. Denney in the Chair.

Roll call showed 69 members present.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jessi Cooper, Page.

**Approval of Journal**

March 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-third Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

March 2, 2006

Mr. Speaker:

I return herewith enrolled **H 435** and **H 451** which have been signed by the President.

WOOD, Secretary

Enrolled **H 435** and **H 451** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 2, 2006

Mr. Speaker:

I transmit herewith **S 1416** which has passed the Senate.

WOOD, Secretary

**S 1416** was filed for first reading.

March 2, 2006

Mr. Speaker:

I return herewith **H 477**, **H 488**, **H 436**, **H 453**, **H 462**, **H 464**, **H 414**, **H 454**, **H 556**, **H 577**, **H 446**, **H 448**, **H 447**, **H 415**, **H 476**, **H 575**, and **H 535** which have passed the Senate.

WOOD, Secretary

**H 477**, **H 488**, **H 436**, **H 453**, **H 462**, **H 464**, **H 414**, **H 454**, **H 556**, **H 577**, **H 446**, **H 448**, **H 447**, **H 415**, **H 476**, **H 575**, and **H 535** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

March 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 59**, **HCR 60**, **HJM 20**, **H 760**, **H 761**, **H 762**, and **H 763** and House Amendments to **H 450**, **H 713**, and **H 602**.

FIELD(18), Chairman

**H 760** was referred to the Transportation and Defense Committee.

**H 761** was referred to the Business Committee.

**H 762** was referred to the Judiciary, Rules, and Administration Committee.

**H 763** was referred to the Local Government Committee.

**HCR 59**, **HCR 60**, and **HJM 20** were filed for second reading.

March 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 39** and **HCR 31**.

FIELD(18), Chairman

The Acting Speaker announced the Speaker would sign enrolled **HCR 39** and **HCR 31**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 450**, as amended, **H 713**, as amended, and **H 602**, as amended.

FIELD(18), Chairman

**H 450**, as amended, **H 713**, as amended, and **H 602**, as amended, were filed for first reading of engrossed bills.

March 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 413** and **H 434** to the Governor at 11:14 a.m., as of this date, March 2, 2006.

FIELD(18), Chairman

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 726** and **H 744** and recommend that they do pass.

CROW, Chairman

**H 726** and **H 744** were filed for second reading.

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 735** and recommend it back with amendments attached to be placed on General Orders for consideration.

BARRETT, Chairman

**H 735** was placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 764  
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING SECTION 63-602D, IDAHO CODE, TO PROVIDE THAT CERTAIN PROPERTY OF A COUNTY HOSPITAL OR HOSPITAL DISTRICT IS EXEMPT FROM TAXATION AND TO PROVIDE THAT THE BOARD OF EQUALIZATION SHALL GRANT AN EXEMPTION TO THE PROPERTY OF A COUNTY HOSPITAL OR A HOSPITAL DISTRICT IF CERTAIN CIRCUMSTANCES OCCUR; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 765  
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING SECTION 63-3029C, IDAHO CODE, TO PROVIDE A STATE INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS MADE BY A TAXPAYER TO THE SHEPHERD'S HOME, INC. OR ITS FOUNDATION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**H 764** and **H 765** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1416**, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

**First Reading of Engrossed Bills**

**H 450**, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title and filed for second reading.

**H 713**, as amended, by Education Committee, was introduced, read the first time by title and filed for second reading.

**H 602**, as amended, by Transportation and Defense Committee, was introduced, read the first time by title and filed for second reading.

**Second Reading of Bills and Joint Resolutions**

**HCR 56**, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

**HCR 57** and **HCR 58**, by Education Committee, were read the second time by title and filed for third reading.

**S 1299**, by Resources and Environment Committee, was read the second time by title and filed for third reading.

**H 646**, **H 652**, and **H 655**, by Business Committee, were read the second time by title and filed for third reading.

**H 722**, by State Affairs Committee, was read the second time by title and filed for third reading.

**S 1360**, **S 1334**, **S 1345**, and **S 1371**, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

**S 1300**, as amended, **S 1311**, **S 1312**, and **S 1336**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**H 743**, by Ways and Means Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 541** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Saylor to open debate.

The question being, "Shall **H 541** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderton, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Bell, Field(18), Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **H 541** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 638** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 638** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 64.

NAYS -- Clark. Total -- 1.

Absent and excused -- Bedke, Bell, Edmunson, Field(18), Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Acting Speaker declared **H 638** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 523** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Mitchell to open debate.

The question being, "Shall **H 523** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 62.

NAYS -- Barrett, McKague, Rydalch. Total -- 3.

Absent and excused -- Bedke, Bell, Field(18), Smith(24), Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Acting Speaker declared **H 523** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 640** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 640** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 64.

NAYS -- None.

Absent and excused -- Bell, Crow, Field(18), Henbest, Smith(24), Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Acting Speaker declared **H 640** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HCR 38** was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Sayler to open debate.

The question being, "Shall **HCR 38** be adopted?"

Whereupon the Acting Speaker declared **HCR 38** adopted by voice vote and ordered the resolution transmitted to the Senate.

**H 433** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Nonini to open debate.

Pursuant to Rule 38(3), Mr. Nonini disclosed a conflict of interest regarding **H 433**.

The question being, "Shall **H 433** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler,

Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Field(18), Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **H 433** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 522** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 522** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 64.

NAYS -- None.

Absent and excused -- Barraclough, Crow, Ellsworth, Field(18), Nonini, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Acting Speaker declared **H 522** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 746**, **H 747**, and **H 748** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**H 746** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 746** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell,

Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 62.

NAYS -- Barrett, McKague, Moyle, Sali, Shepherd(8), Wood. Total -- 6.

Absent and excused -- Barraclough, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Acting Speaker declared **H 746** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 747** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 747** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- Barraclough, Snodgrass, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Acting Speaker declared **H 747** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 748** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 748** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,



Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Lake, Mr. Speaker. Total -- 2.  
Total -- 70.

Whereupon the Acting Speaker declared **H 748** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 538** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **H 538** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 59.

NAYS -- Barrett, Crow, Harwood, McKague, Moyle, Sali, Wood. Total -- 7.

Absent and excused -- Black, Lake, Shirley, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **H 538** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 539** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Cannon to open debate.

The question being, "Shall **H 539** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche,

Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 65.

NAYS -- None.

Absent and excused -- Black, Lake, Ring, Shirley, Mr. Speaker. Total -- 5.  
Total -- 70.

Whereupon the Acting Speaker declared **H 539** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 645** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Cannon to open debate.

The question being, "Shall **H 645** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Lake, Shirley, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **H 645** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 729** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 729** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Shirley, Mr. Speaker. Total -- 2.  
Total -- 70.

Whereupon the Acting Speaker declared **H 729** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 567** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **H 567** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 66.

NAYS -- Barrett. Total -- 1.

Absent and excused -- Loertscher, Shirley, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Acting Speaker declared **H 567** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 614** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 614** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 66.

NAYS -- Barrett. Total -- 1.

Absent and excused -- Deal, Shirley, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Acting Speaker declared **H 614** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 619** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 619** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 66.

NAYS -- None.

Absent and excused -- Deal, Field(18), Smith(24), Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **H 619** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 727** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **H 727** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Field(18), Mr. Speaker. Total -- 2.  
Total -- 70.

Whereupon the Acting Speaker declared **H 727** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 707** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Clark and Ms. Jaquet to open debate.

The question being, "Shall **H 707** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Mr. Speaker. Total -- 2.  
Total -- 70.

Whereupon the Acting Speaker declared **H 707** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 711** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 711** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Mr. Speaker. Total -- 2.  
Total -- 70.

Whereupon the Acting Speaker declared **H 711** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 718** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Hart to open debate.

The question being, "Shall **H 718** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- Henderson. Total -- 1.

Absent and excused -- Crow, Mr. Speaker. Total -- 2.  
Total -- 70.

Whereupon the Acting Speaker declared **H 718** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 6, 2006. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Monday, March 6, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Acting Speaker declared the House adjourned at 12:02 p.m.

LAWERENCE DENNEY, Acting Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**FIFTY-SEVENTH LEGISLATIVE DAY  
MONDAY, MARCH 6, 2006**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused -- Boe, Sayler. Total -- 2.  
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Ellie Wladyka, Page.

**Approval of Journal**

March 6, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-fourth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

March 3, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1315** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1315** and, when so signed, ordered it returned to the Senate.

March 3, 2006

Mr. Speaker:

I return herewith enrolled **HJM 16** which has been signed by the President.

WOOD, Secretary

Enrolled **HJM 16** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 3, 2006

Mr. Speaker:

I transmit herewith **S 1407** which has passed the Senate.

WOOD, Secretary

**S 1407** was filed for first reading.

March 3, 2006

Mr. Speaker:

I return herewith **HCR 32, HCR 33, and H 534**, as amended, which have passed the Senate.

WOOD, Secretary

**HCR 32, HCR 33, and H 534**, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 3, 2006

Mr. Speaker:

I return herewith **HCR 41** which has failed the Senate.

WOOD, Secretary

**HCR 41** was filed in the Office of the Chief Clerk.

**Report of Standing Committees**

March 6, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 764** and **H 765**.

FIELD(18), Chairman

**H 764** and **H 765** were referred to the Revenue and Taxation Committee.

March 6, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 477, H 488, H 436, H 453, H 462, H 464, H 414, H 454, H 556, H 577, H 446, H 448, H 447, H 415, H 476, H 575, and H 535**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 477, H 488, H 436, H 453, H 462, H 464, H 414, H 454, H 556, H 577, H 446, H 448, H 447, H 415, H 476, H 575, and H 535**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 6, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 435** and **H 451** to the Governor at 11 a.m., as of this date, March 3, 2006.

FIELD(18), Chairman

March 3, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 702, H 703, H 751, and H 682** and recommend that they do pass.

BARRACLOUGH, Chairman

**H 702, H 703, H 751, and H 682** were filed for second reading.

Mr. Barraclough asked unanimous consent that **H 702** be returned to the Education Committee. There being no objection, it was so ordered.

March 3, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 742** and report it back with amendments attached to be placed on General Orders for consideration.

BARRACLOUGH, Chairman

**H 742** was placed on General Orders for consideration.

March 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1318, S 1319, S 1320, S 1321, S 1322, S 1323, S 1324, S 1326, and S 1328** and recommend that they do pass.

FIELD(18), Chairman

**S 1318, S 1319, S 1320, S 1321, S 1322, S 1323, S 1324, S 1326, and S 1328** were filed for second reading.

March 6, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 752** and **H 712** and recommend that they do pass.

BARRACLOUGH, Chairman

**H 752** and **H 712** were filed for second reading.

March 6, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 750** and report it back with amendments attached to be placed on General Orders for consideration.

BARRACLOUGH, Chairman

**H 750** was placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 766  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS FOR THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 767  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 768  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING SECTION 33-5205, IDAHO CODE, TO PROVIDE FOR DISTRIBUTION OF THE SCHOOL BUILDING FACILITIES ALLOWANCE WITH RESPECT TO PETITIONS TO ESTABLISH A PUBLIC CHARTER SCHOOL SUBMITTED ON AND AFTER JULY 1, 2006; AND AMENDING SECTION 33-5208, IDAHO CODE, TO PROVIDE REFERENCE TO AN EXCEPTION TO PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT FROM THE STATE EDUCATIONAL SUPPORT PROGRAM AND TO PROVIDE SPECIAL APPLICATION OF PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT FOR CHARTER SCHOOLS WHICH BEGIN EDUCATIONAL INSTRUCTION AFTER JANUARY 1, 2007, AS IT PERTAINS TO PER STUDENT SUPPORT, THE SCHOOL BUILDING FACILITIES ALLOWANCE AND DISTRIBUTION OF SUPPLEMENTAL LEVY REVENUES IF APPLICABLE.

**HOUSE BILL NO. 769  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO SCHOOL FUNDS; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-915, IDAHO CODE, TO CREATE A PUBLIC SCHOOLS PERFORMANCE PAY FUND AND TO PROVIDE FOR DISTRIBUTION OF MONEYS FROM THE FUND TO CERTIFICATED ADMINISTRATIVE AND INSTRUCTIONAL STAFF EMPLOYEES OF CERTAIN SCHOOL DISTRICTS ACCORDING TO THE TEST SCORE PERFORMANCE OF INDIVIDUAL SCHOOLS.

**HOUSE BILL NO. 770  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO PUBLIC SCHOOL FUNDING; AMENDING SECTION 33-1004, IDAHO CODE, TO PROVIDE ADDITIONAL INSTRUCTIONAL STAFF ALLOWANCE FOR EACH SEPARATE SECONDARY SCHOOL AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-1004E, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE PROPER CODE REFERENCES.

**H 766, H 767, H 768, H 769, and H 770** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1407**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**HCR 59** and **HJM 20**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

**HCR 60**, by State Affairs Committee, was read the second time by title and filed for third reading.

**H 726** and **H 744**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**S 1416**, by Finance Committee, was read the second time by title and filed for third reading.

**H 450**, as amended, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

**H 713**, as amended, by Education Committee, was read the second time by title and filed for third reading.

**H 602**, as amended, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **HJM 14** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**H 684** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cannon to open debate.

The question being, "Shall **H 684** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin,

McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Boe, Crow, Sali, Sayler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 684** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HCR 54** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Rydalch to open debate.

The question being, "Shall **HCR 54** be adopted?"

Whereupon the Speaker declared **HCR 54** adopted by voice vote and ordered the resolution transmitted to the Senate.

**H 693** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 693** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barrett, Bastian, Bayer, Bilbao, Black, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Martinez, McGeachin, McKague, Miller, Mitchell, Nielsen, Raybould, Sali, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Wills, Mr. Speaker. Total -- 43.

NAYS -- Andrus, Barraclough, Bedke, Bell, Bolz, Brackett, Cannon, Lake, LeFavour, Loertscher, Mathews, Moyle, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Shirley, Stevenson, Trail, Wood. Total -- 23.

Absent and excused -- Block, Boe, Nonini, Sayler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 693** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 706** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 706** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Boe, Saylor. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 706** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 653** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **H 653** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- Barrett, McKague, Wood. Total -- 3.

Absent and excused -- Boe, Garrett, Saylor, Smith(24). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 653** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 716** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **H 716** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Boe, Garrett, Nonini, Saylor, Smith(24). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 716** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **HCR 47** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**H 724** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

Mr. Clark asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 724**. There being no objection, it was so ordered.

The question being, "Shall **H 724** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- Bastian, Moyle, Smylie. Total -- 3.

Absent and excused -- Boe, Nonini, Saylor, Smith(24). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 724** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 515** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

At this time, Mr. Denney took the Chair.

The question being, "Shall **H 515** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- Barrett, McKague, Wood. Total -- 3.

Absent and excused -- Boe, Saylor. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 515** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 596** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Jaquet to open debate.

Pursuant to Rule 38(3), Mr. Moyle disclosed a conflict of interest regarding **H 596**.

The question being, "Shall **H 596** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Boe, Saylor, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 596** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 664** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Garrett to open debate.

The question being, "Shall **H 664** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Black, Boe, Crow, McKague, Saylor. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 664** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 698** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Block to open debate.

The question being, "Shall **H 698** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Schaefer,



Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 64.

NAYS -- Ringo. Total -- 1.

Absent and excused -- Black, Boe, Crow, Saylor, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 698** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 472**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **H 472**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Black, Boe, Crow, Deal, Garrett, McGeachin, Saylor, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 472**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 630**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Jaquet to open debate.

The question being, "Shall **H 630**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bell, Bilbao, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, Lake, Martinez, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 49.

NAYS -- Barrett, Bayer, Crow, Hart, Harwood, LeFavour, Loertscher, Mathews, McKague, Ringo, Sali, Wood. Total -- 12.

Absent and excused -- Bedke, Black, Boe, Clark, Deal, Moyle, Saylor, Schaefer, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 630**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 613**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Loertscher to open debate.

The question being, "Shall **H 613**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bedke, Black, Boe, Clark, Deal, Moyle, Saylor, Schaefer. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 613**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 562**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Loertscher to open debate.

The question being, "Shall **H 562**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Black, Boe, Saylor. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 562**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 634**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Shirley to open debate.

The question being, "Shall **H 634**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Black, Boe, Saylor. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 634**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until 1:15 p.m. Seconded by Mrs. Ellsworth. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused -- Boe, Brackett, Ring, Saylor, Trail. Total -- 5.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**H 611**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 611**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bedke, Black, Boe, Brackett, Ring, Saylor, Trail, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 611**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 656**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **H 656**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- Rusche. Total -- 1.

Absent and excused -- Bedke, Black, Boe, Brackett, Ring, Saylor, Trail. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 656**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 565**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 565**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Bedke, Black, Boe, Brackett, Ring, Sali, Sayler, Stevenson, Trail. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **H 565**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HCR 56** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **HCR 56** be adopted?"

Whereupon the Speaker declared **HCR 56** adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Denney asked unanimous consent that **HCR 57** and **HCR 58** retain their places on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**H 646** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chadderdon to open debate.

The question being, "Shall **H 646** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart,

Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Wood, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bell, Boe, Brackett, Ring, Sayler, Stevenson, Trail, Wills. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 646** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 652** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 652** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Wood, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bell, Boe, Brackett, Ring, Sayler, Stevenson, Trail, Wills. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 652** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 655** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal and Mr. Black to open debate.

The question being, "Shall **H 655** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett,

Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Wood, Mr. Speaker. Total -- 62.

NAYS -- LeFavour. Total -- 1.

Absent and excused -- Boe, Brackett, Ring, Saylor, Stevenson, Trail, Wills. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 655** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Harwood asked unanimous consent that he be allowed to change his vote on **H 634**, as amended, from "AYE" to "NAY". Mr. Roberts objected.

**H 722** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **H 722** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderton, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Boe, Brackett, Ring, Saylor, Stevenson, Trail, Wills. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 722** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Tuesday, March 7, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:56 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### FIFTY-EIGHTH LEGISLATIVE DAY TUESDAY, MARCH 7, 2006

House of Representatives

The House convened at 10:30 a.m., Mr. Denney in the Chair.

Roll call showed 69 members present.  
Absent and excused -- Wood. Total -- 1.  
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jessi Cooper, Page.

### Approval of Journal

March 7, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-seventh Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 6, 2006

Mr. Speaker:

I return herewith enrolled **HCR 39** and **HCR 31** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 39** and **HCR 31** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 6, 2006

Mr. Speaker:

I transmit herewith **SCR 125, SCR 126, SCR 127, SCR 124, S 1408, S 1404, S 1422, S 1367, S 1411, S 1417, S 1266**, as amended, **S 1350**, as amended, **S 1390**, as amended, **S 1400**, as amended, **S 1354**, as amended, as amended, **S 1412**, as amended, and **S 1395**, as amended, which have passed the Senate.

WOOD, Secretary

**SCR 125, SCR 126, SCR 127, SCR 124, S 1408, S 1404, S 1422, S 1367, S 1411, S 1417, S 1266**, as amended, **S 1350**, as amended, **S 1390**, as amended, **S 1400**, as amended, **S 1354**, as amended, as amended, **S 1412**, as amended, and **S 1395**, as amended, were filed for first reading.

March 6, 2006

Mr. Speaker:

I return herewith **HCR 40** and **HJM 12** which have passed the Senate.

WOOD, Secretary

**HCR 40** and **HJM 12** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

#### Report of Standing Committees

March 7, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 766, H 767, H 768, H 769**, and **H 770**.

FIELD(18), Chairman

**H 768, H 769**, and **H 770** were referred to the Education Committee.

**H 766** and **H 767** were filed for second reading.

March 7, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 32, HCR 33**, and **H 534**, as amended.

FIELD(18), Chairman

The Speaker Pro Tem announced that the Speaker would sign enrolled **HCR 32, HCR 33**, and **H 534**, as amended, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 7, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 16** to the Secretary of State at 1:25 p.m., as of this date, March 6, 2006.

FIELD(18), Chairman

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 705** and report it back with amendments attached to be placed on General Orders for consideration.

CROW, Chairman

**H 705** was placed on General Orders for consideration.

March 6, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1362, S 1375**, and **S 1347** and recommend that they do pass.

WOOD, Chairman

**S 1362, S 1375**, and **S 1347** were filed for second reading.

March 6, 2006

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **H 696** and **SJM 118** and recommend that they do pass.

RAYBOULD, Chairman

**H 696** and **SJM 118** were filed for second reading.

March 6, 2006

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **S 1396** and recommend that it do pass.

FIELD(23), Chairman

**S 1396** was filed for second reading.

March 6, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 734** and recommend that it do pass.

BLOCK, Chairman

**H 734** was filed for second reading.

March 7, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 720** and **H 756** and recommend that they do pass.

CROW, Chairman

**H 720** and **H 756** were filed for second reading.

March 7, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 702** and report it back with amendments attached to be placed on General Orders for consideration.

BARRACLOUGH, Chairman

**H 702** was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

House of Representatives  
State of Idaho

March 7, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Speaker Newcomb,

We the undersigned hereby petition the presiding officer of the House of Representatives pursuant to Joint Rule 20 to waive the provisions of Joint Rule 20 with regard to introduction of a proposed Constitutional Amendment after the 36<sup>th</sup> day of the Regular Legislative Session. This waiver would allow introduction of RS 16206 and RS 16207.

We would appreciate your consideration of the petition.

Sincerely,  
/s/ Lawrence Denney  
Majority Leader  
  
/s/ Mike Moyle  
Assistant Majority Leader  
  
/s/ Julie Ellsworth  
Caucus Chairman

The Speaker Pro Tem announced that pursuant to the 36th day deadline, and a petition being presented, Joint Rule No. 20 would be waived for the purpose of introducing joint resolutions to make amendments to the Constitution of the State of Idaho.

**HOUSE CONCURRENT RESOLUTION NO. 61**

**BY WAYS AND MEANS COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THE STATE BOARD OF EDUCATION AND THE STATE DEPARTMENT OF EDUCATION TO CONTINUE TO GATHER INPUT AND CONDUCT RESEARCH ON HIGH SCHOOL REDESIGN AND CONSIDER CHANGES TO A NEW RULE REGARDING THE SUBJECT IF NECESSARY.

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

WHEREAS, we the members of the Second Regular Session of the Fifty-eighth Idaho Legislature agree that continuously improving the education experiences and opportunities of Idaho's K-12 students is important; and

WHEREAS, we believe that the State Board of Education's 2005-2006 research and subcommittee efforts have created a

strong beginning for discussing improvements for Idaho's High School offerings and provided further that we believe that the research for this Rule has encouraged needed dialogue about how to improve K-12 education and graduation success in Idaho and student preparation for the future; and

WHEREAS, the Office of the State Board of Education's 2006 Pending Rule Docket No. 08-0203-0506 (hereinafter referred to as "Rule") has been presented to both the House of Representatives and the Senate Education Committees; and

WHEREAS, the March 1, 2006, Summary Report from the House Education Committee's Ad Hoc Subcommittee on High School Redesign outlines the questions remaining about the Rule and its implementation in the areas of funding and budgeting concerns; general concerns outlined in five categories, curriculum concerns and eleven additional areas of research; and implementation recommendations that need to include budgets, district communication strategies, and address fifty-two areas of implementation planning concerns; and

WHEREAS, we agree with the State Board of Education that there is a need for redesign based on the requirements of this century's jobs for education beyond high school; the needs for having a skilled and educated workforce in Idaho; Idaho's high school to college entry rates; and on students deserving a well-rounded, relevant and rigorous education.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Office of the State Board of Education is requested, in collaboration with the State Department of Education, to gather input from all 115 Idaho school districts and to research and provide reports and recommendations in response to concerns raised. The requested reports and recommendations are detailed in the fifteen page March 1, 2006, Summary Report from the House of Representatives Education Committee's Ad Hoc Subcommittee on High School Redesign compiled from the input from Idaho's school districts and from House of Representatives and Senate Education Committee testimony.

BE IT FURTHER RESOLVED that the Legislature welcomes a presentation of responses to the feedback and concerns and upon gathering the necessary data and information, if it is determined that changes need to be made to the new rule, that the State Board of Education is requested to bring those changes forward in the next legislative session.

**HOUSE JOINT MEMORIAL NO. 21**

**BY WAYS AND MEANS COMMITTEE**

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the United States Forest Service administers the management of 39% of the land base in the state of Idaho, and an additional 22% is administered by the United States Bureau of Land Management; and

WHEREAS, pursuant to 16 U.S.C. Section 471, an 1891 law authorizing the President to establish national forests, the purpose for establishing and administering national forests was to set aside public lands reserved as national forests to be controlled and administered, to the extent practical, in accordance with the Act which provided that "no national forest may be established except to improve and protect the forest, or to secure favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens"; and

WHEREAS, it has long been the intent and policy of the federal government to hold rural communities harmless from the creation of federal lands and in 1906 the Committee on Public Lands recognized that the presence of federal lands could create a hardship for many counties, as they provided little revenue or commerce at that time; and

WHEREAS, in 1908, Congress created the Twenty-five Percent Fund Act to pay states and counties 25% of receipts collected from national forests and mandated that payments were to be spent on schools and roads, recognizing that viable communities adjacent to the public lands, with adequate roads and schools, were essential for the development and preservation of the national forests; and

WHEREAS, the federal policy of holding counties harmless from the creation of public lands within counties was reiterated in 1916 with the creation of the Oregon and California Grant Lands under the Chamberlain-Ferris Act, and again in 1937 with passage of the Oregon and California Grant Lands Act; and

WHEREAS, the forest resources were intended to be managed in such an environmentally responsible manner that they would produce long-term sustainable revenue to share with schools and counties as well as products for the nation; and

WHEREAS, in 2000, Congress passed the Secure Rural Schools and Community Self-Determination Act, commonly known as public law 106-393, which restored historical payment levels previously made to states and counties from the federal government for road and school purposes due to declining levels of actual forest receipts; and

WHEREAS, the reauthorization of public law 106-393 is pending before the United States Congress and Idaho counties are on record as being strongly supportive of a fully-funded approval of this Act; and

WHEREAS, recently, federal land managers have been faced with an ever-present funding shortage and rural counties will be faced with higher property taxes or a reduction in services if the Secure Rural Schools and Community Self-Determination Act is not reauthorized and appropriated; and

WHEREAS, there is continued concern that if the Act is reauthorized and appropriated it may be the last time it occurs and a long-term solution to these issues is necessary; and

WHEREAS, the state of Idaho is dependent upon healthy national forest system lands for economic benefit, recreation and scenic beauty and it is time to demonstrate a new initiative and commitment to the intent and policy of the federal government to

hold counties and schools harmless from the creation of federal lands and construct a path leading to economic stability for rural communities and schools; and

WHEREAS, transfer of the management of the national forest system lands that are not designated as wilderness, proposed or recommended wilderness, wild and scenic river, or national recreation area, or designated roadless area in Idaho, to the state of Idaho would promote better stewardship of the public lands, provide financial returns to the counties, secure public access, meet Congress's intent to hold rural communities harmless from the creation of federal lands, and fund schools, road and bridge infrastructure which would offset significant tax increases in rural counties in the event the Secure Rural Schools payments are not reauthorized or are allowed to expire following the 2006 reauthorization; and

WHEREAS, precedent for state administration of federally-owned lands exists in the state of Idaho at the City of Rocks area in southern Idaho and campground-related facilities and land at Lake Cascade; and

WHEREAS, a transfer of management to the state of Idaho would demonstrate a new initiative and commitment to the intent and policy of the federal government to hold rural counties and schools harmless from the consequences of the reservation of federal lands and construct a process leading to economic stability for rural communities and schools; and

WHEREAS, lands for which management responsibility is transferred to the state of Idaho could be administered by the Idaho Department of Lands in cooperation with county officials and with cooperative oversight by the United States Forest Service and state and local government could establish, or use existing natural resource advisory committees composed of a diverse cross-section of the public, with all decisions and actions relating to the lands being required to comply with every federal and state environmental law; and

WHEREAS, the management of these lands would have to meet the mandates of the Healthy Forest Initiative, the National Fire Plan, and state and county fire mitigation plans.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the Congress to support federal legislation transferring management of national forest system lands within Idaho to the state of Idaho to be managed for the benefit of the rural counties and schools with the state of Idaho being held harmless from the costs of administration.

BE IT FURTHER RESOLVED that Congress is urged to provide that any transfer of management authority would not affect any rights or authority of the state with respect to fish and wildlife, or repeal or modify any provision of law that permits the state or political subdivisions of the state to share in the revenues from federal lands, or any provision of law that provides that fees or charges collected at particular federal areas be used for or credited to specific purposes or special funds.

BE IT FURTHER RESOLVED that Congress is urged to provide that fees or revenues collected under state management be allocated 75%, or other appropriate percentage, for the benefit of the counties and schools in which the national forest system lands are located and 25%, or other appropriate percentage, for the benefit of the national forest in which the lands administered

by the state of Idaho are located to be paid at the end of the year to the Secretary of the Treasury, and that amounts allocated to the counties should not be taken into account for purposes of the Twenty-five Percent Fund pursuant to 16 U.S.C. Section 500.

BE IT FURTHER RESOLVED that Congress is urged to seek a long-term solution to the significant issues that will face rural counties in the event the Secure Rural Schools payments are not reauthorized or are allowed to expire following the 2006 reauthorization.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HCR 61** and **HJM 21** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**SCR 125**, **SCR 126**, **SCR 127**, and **SCR 124**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Health and Welfare Committee.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 771  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE ALFALFA AND CLOVER SEED COMMISSION; AMENDING SECTION 22-4215, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISBURSEMENT OF MONEYS FROM THE ACCOUNTS OF THE IDAHO ALFALFA AND CLOVER SEED COMMISSION AND TO PROVIDE FOR A SYSTEM OF INTERNAL ACCOUNTING CONTROLS.

**HOUSE BILL NO. 772  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE IDAHO MINT COMMISSION; AMENDING SECTION 22-3811, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISBURSEMENT OF MONEYS FROM THE ACCOUNTS OF THE IDAHO MINT COMMISSION, TO PROVIDE FOR A SYSTEM OF INTERNAL ACCOUNTING CONTROLS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 773  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE IDAHO CANOLA AND RAPESEED COMMISSION; AMENDING SECTION 22-4720, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISBURSEMENT OF FUNDS FROM ACCOUNTS OF THE IDAHO CANOLA AND RAPESEED COMMISSION, TO PROVIDE FOR A SYSTEM OF INTERNAL ACCOUNTING CONTROLS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 774  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE IDAHO BEAN COMMISSION; AMENDING SECTION 22-2919, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISBURSEMENT OF MONEYS FROM THE ACCOUNTS OF THE IDAHO BEAN COMMISSION, TO PROVIDE FOR A SYSTEM OF INTERNAL ACCOUNTING CONTROLS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 775  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE ALFALFA AND CLOVER SEED COMMISSION; AMENDING SECTION 22-4203, IDAHO CODE, TO DELETE DEFINITIONS RELATING TO DISTRICTS; AND AMENDING SECTION 22-4205, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE COMPOSITION OF GROWER NOMINATING COMMITTEES APPOINTED BY THE DEPARTMENT OF AGRICULTURE.

**HOUSE BILL NO. 776  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 56-250, 56-251, 56-252, 56-253, 56-254 AND 56-255, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE LEGISLATIVE INTENT, TO PROVIDE DEFINITIONS, TO PROVIDE POWERS AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE, TO PROVIDE FOR MEDICAL ASSISTANCE PAYMENTS BY THE DEPARTMENT TO OR ON BEHALF OF DESIGNATED CATEGORIES OF ELIGIBLE PERSONS, TO PERMIT THE DEPARTMENT TO MAKE PAYMENTS FOR MEDICALLY NECESSARY SERVICES FURNISHED BY PROVIDERS TO DESIGNATED CATEGORIES OF ELIGIBLE PARTICIPANTS AND TO SPECIFY THE SERVICES FOR WHICH PAYMENTS MAY BE MADE.

**HOUSE BILL NO. 777  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO PERSONS UNDER TWENTY-ONE YEARS OF AGE ENTERING OR BEING IN PLACES WHERE ALCOHOLIC BEVERAGES ARE SERVED OR CONSUMED; AMENDING SECTION 23-944, IDAHO CODE, TO PROVIDE THAT IT SHALL NOT BE UNLAWFUL FOR, NOR SHALL SECTION 23-943, IDAHO CODE, BE CONSTRUED TO RESTRICT, ANY PERSON UNDER THE AGE OF TWENTY-ONE YEARS FROM ENTERING OR BEING IN ANY MOVIE THEATER THAT IS ALLOWED PURSUANT TO AN ORDINANCE ADOPTED BY THE CITY IN WHICH THE MOVIE THEATER IS LOCATED, TO SELL BEER OR WINE FOR CONSUMPTION ON THE PREMISES AND TO PROVIDE THAT THE ORDINANCE MAY PROVIDE FOR THE MAXIMUM CAPACITY OF ANY INDIVIDUAL AUDITORIUM IN WHICH BEER OR WINE IS ALLOWED



TO BE CONSUMED AND THAT SECTION 23-614(1)(E), IDAHO CODE, DOES NOT APPLY TO THE PREMISES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 778**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING SECTION 63-602E, IDAHO CODE, TO PROVIDE FOR VALUATION OF PROPERTY USED PRIMARILY FOR SCHOOL PURPOSES AND FOR BUSINESS PURPOSES FROM WHICH A REVENUE IS DERIVED; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 779**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO ANNEXATION OF ADJACENT TERRITORY BY CITIES; REPEALING SECTION 50-222, IDAHO CODE, RELATING TO ANNEXATION BY CITIES; AMENDING CHAPTER 2, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-222, IDAHO CODE, TO PROVIDE FOR ANNEXATION OF ADJACENT TERRITORY, TO PROVIDE FOR CONTENT OF ALL ANNEXATION PROPOSALS, TO PROVIDE FOR VOLUNTARY ANNEXATION OR ANNEXATION BY REQUEST, TO PROVIDE FOR INVOLUNTARY ANNEXATION OR ANNEXATION BY FORCE, TO PROVIDE FOR ANNEXATION OF RAILROAD RIGHT-OF-WAY PROPERTY UNDER CERTAIN CONDITIONS, TO PRECLUDE ANNEXATION OF PROPERTY USED AS A FAIRGROUNDS AREA UNLESS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AND TO PRECLUDE ANNEXATION OF CERTAIN PROPERTY OWNED BY A NONGOVERNMENTAL ENTITY USED TO PROVIDE OUTDOOR RECREATIONAL ACTIVITIES TO THE PUBLIC UNLESS EXPRESS WRITTEN PERMISSION IS GIVEN BY THE NONGOVERNMENTAL ENTITY; AND AMENDING SECTION 55-2508, IDAHO CODE, TO DELETE REFERENCE TO A WRITTEN CONSENT TO ANNEX.

**HOUSE BILL NO. 780**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO DEVELOPMENT IMPACT FEES; AMENDING SECTION 67-8206, IDAHO CODE, TO REVISE THE PROCEDURE FOR THE IMPOSITION OF DEVELOPMENT IMPACT FEES; AND AMENDING SECTION 67-8210, IDAHO CODE, TO INCREASE THE NUMBER OF YEARS THAT A GOVERNMENTAL ENTITY MAY HOLD DEVELOPMENT IMPACT FEES BEFORE EXPENDING THEM AND TO INCREASE THE MAXIMUM NUMBER OF YEARS THAT COLLECTED DEVELOPMENT IMPACT FEES MAY BE HELD OTHER THAN FEES FOR WASTEWATER COLLECTION, TREATMENT AND DISPOSAL AND DRAINAGE FACILITIES.

**HOUSE BILL NO. 781**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO PROPERTY TAXES; AMENDING SECTION 63-902, IDAHO CODE, TO PROVIDE THAT SCHOOL DISTRICT TAXES SHALL BE SEPARATELY SHOWN ON TAX NOTICES AS MAINTENANCE AND OPERATION, BOND, SUPPLEMENTAL AND OTHER; AND AMENDING SECTION 63-906, IDAHO CODE, TO PROVIDE THAT ANY PERSON UPON APPLICATION TO THE TAX COLLECTOR MAY ESTABLISH A PAYMENT SCHEDULE TO ALLOW PAYMENTS OF CURRENT OR FUTURE REAL OR PERSONAL PROPERTY TAXES ON A MONTHLY OR A QUARTERLY BASIS OF AT LEAST TWENTY-FIVE DOLLARS OR THE BALANCE OWING.

**HOUSE BILL NO. 782**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 783**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE GOVERNOR FOR THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 784**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO TITLE LOANS; AMENDING CHAPTER 46, TITLE 28, IDAHO CODE, BY THE ADDITION OF A NEW PART 5, CHAPTER 46, TITLE 28, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO REQUIRE LICENSURE, TO SET FORTH REQUIREMENTS APPLICABLE TO TITLE LOAN AGREEMENTS, TO PROVIDE FOR DISCLOSURE, TO PROVIDE FOR THE RENEWAL OF TITLE LOAN AGREEMENTS, TO SET FORTH DEFAULT PROVISIONS, TO PROHIBIT SPECIFIED ACTIONS AND TO PROVIDE AN EXEMPTION.

**HOUSE BILL NO. 785**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO PESTICIDES AND CHEMIGATION; AMENDING CHAPTER 34, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-3427, IDAHO CODE, TO REQUIRE THE POSTING OF PESTICIDE SAFETY INFORMATION FOR AGRICULTURAL WORKERS; AND AMENDING CHAPTER 34, TITLE 22,

IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-3428, IDAHO CODE, TO REQUIRE THE POSTING OF PESTICIDE APPLICATION NOTICES.

**HOUSE BILL NO. 786**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE TAXATION OF CERTAIN TOBACCO PRODUCTS; AMENDING SECTION 63-2551, IDAHO CODE, TO DEFINE "MOIST SNUFF" AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-2552, IDAHO CODE, TO PROVIDE THE RATE OF TAXATION FOR TOBACCO PRODUCTS OTHER THAN MOIST SNUFF, TO PROVIDE FOR DISTRIBUTION OF REVENUES AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 63-2552A, IDAHO CODE, RELATING TO AN ADDITIONAL TAX IMPOSED ON TOBACCO PRODUCTS AND REPEALING SECTION 63-2564, IDAHO CODE, RELATING TO DISTRIBUTION OF TAX REVENUES FROM THE TOBACCO PRODUCTS TAX; AMENDING CHAPTER 25, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2552A, IDAHO CODE, TO PROVIDE THAT MOIST SNUFF SHALL BE TAXED AT THE RATE OF ONE DOLLAR PER OUNCE OF MOIST SNUFF AND TO PROVIDE FOR DISTRIBUTION OF TAX REVENUES ON MOIST SNUFF; AMENDING CHAPTER 25, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2552B, IDAHO CODE, TO PROVIDE UPON CERTAIN CIRCUMSTANCES OCCURRING DURING THE FISCAL YEAR ENDING JUNE 30, 2009, THE TAX TO BE IMPOSED AND COLLECTED COMMENCING JANUARY 1, 2010, ON THE WHOLESALE SALE OF MOIST SNUFF SHALL BE IMPOSED AND COLLECTED AT THE RATE OF FORTY PERCENT OF THE WHOLESALE PRICE OF MOIST SNUFF AND TO PROVIDE PROCEDURES AND DISTRIBUTION OF REVENUES.

**HOUSE BILL NO. 787**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO THE TAXATION OF CERTAIN TOBACCO PRODUCTS; AMENDING SECTION 63-2551, IDAHO CODE, TO DEFINE "MOIST SNUFF" AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-2552, IDAHO CODE, TO PROVIDE THE RATE OF TAXATION FOR TOBACCO PRODUCTS OTHER THAN MOIST SNUFF, TO PROVIDE FOR DISTRIBUTION OF REVENUES AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 63-2552A, IDAHO CODE, RELATING TO AN ADDITIONAL TAX IMPOSED ON TOBACCO PRODUCTS AND REPEALING SECTION 63-2564, IDAHO CODE, RELATING TO DISTRIBUTION OF TAX REVENUES FROM THE TOBACCO PRODUCTS TAX; AMENDING CHAPTER 25, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2552A, IDAHO CODE, TO PROVIDE THAT MOIST SNUFF SHALL BE TAXED AT THE RATE OF ONE DOLLAR PER OUNCE OR FORTY PERCENT OF THE WHOLESALE SALES PRICE OF

MOIST SNUFF DEPENDING ON THE WHOLESALE PRICE OF THE MOIST SNUFF, AND TO PROVIDE FOR DISTRIBUTION OF TAX REVENUES ON MOIST SNUFF.

**HOUSE JOINT RESOLUTION NO. 6**  
**BY STATE AFFAIRS COMMITTEE**  
A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE IV, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO EXECUTIVE OFFICERS TO PROVIDE THAT THE TERM OF OFFICE FOR GOVERNOR, LIEUTENANT GOVERNOR, SECRETARY OF STATE, STATE CONTROLLER, STATE TREASURER, ATTORNEY GENERAL AND SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL BEGIN AT NOON ON THE FIRST MONDAY IN JANUARY FOLLOWING THE STATE EXECUTIVE OFFICER'S ELECTION; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**HOUSE JOINT RESOLUTION NO. 7**  
**BY STATE AFFAIRS COMMITTEE**  
A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO TERMS OF OFFICE FOR MEMBERS OF THE STATE LEGISLATURE TO PROVIDE THAT STATE SENATORS AND REPRESENTATIVES SHALL BE ELECTED FOR A TERM OF TWO YEARS COMMENCING AT NOON ON THE FIRST DAY OF DECEMBER NEXT FOLLOWING THE GENERAL ELECTION; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**H 771, H 772, H 773, H 774, H 775, H 776, H 777, H 778, H 779, H 780, H 781, H 782, H 783, H 784, H 785, H 786, H 787, HJR 6, and HJR 7** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1408, S 1400**, as amended, and **S 1354**, as amended, as amended, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1404** and **S 1350**, as amended, by State Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

**S 1367** and **S 1266**, as amended, by Transportation Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

**S 1411**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

**S 1417**, by Finance Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

**S 1390**, as amended, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

**S 1412**, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

**S 1395**, as amended, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

**S 1422**, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**H 703**, **H 751**, and **H 682**, by Education Committee, were read the second time by title and filed for third reading.

**S 1318**, **S 1319**, **S 1320**, **S 1321**, **S 1322**, **S 1323**, **S 1324**, **S 1326**, and **S 1328**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**H 752** and **H 712**, by Education Committee, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mrs. Field(18) asked unanimous consent that **H 709** be returned to the Judiciary, Rules, and Administration Committee. There being no objection, it was so ordered.

Mrs. Field(18) asked unanimous consent that **S 1300**, as amended, be placed on General Orders for consideration. There being no objection, it was so ordered.

**HJM 14** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

Mr. Eskridge asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **HJM 14**. There being no objection, it was so ordered.

The question being, "Shall **HJM 14** be adopted?"

Whereupon the Speaker Pro Tem declared **HJM 14** adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Moyle asked unanimous consent that **HJM 20** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**HJM 20** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Mitchell to open debate.

The question being, "Shall **HJM 20** be adopted?"

Whereupon the Speaker Pro Tem declared **HJM 20** adopted by voice vote and ordered the memorial transmitted to the Senate.

**HCR 47** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Black and Mr. Stevenson to open debate.

Mr. Hart asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **HCR 47**. There being no objection, it was so ordered.

The question being, "Shall **HCR 47** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Chadderton, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Henderson, Kemp, Lake, Miller, Nonini, Raybould, Ring, Roberts, Rydalch, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 40.

NAYS -- Barrett, Bastian, Bayer, Boe, Bradford, Cannon, Clark, Crow, Ellsworth, Hart, Harwood, Henbest, Jaquet, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Mitchell, Moyle, Pasley-Stuart, Pence, Ringo, Rusche, Sali, Sayler, Smith(24). Total -- 28.

Absent and excused -- Nielsen, Wood. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 47** adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Wednesday, March 8, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:47 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**FIFTY-NINTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 8, 2006**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Shepherd(8), Wood. Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Nathan Barry, Page.

**Approval of Journal**

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-eighth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

March 7, 2006

Mr. Speaker:

I return herewith enrolled H 477, H 488, H 436, H 453, H 462, H 464, H 414, H 454, H 556, H 577, H 446, H 448, H 447, H 415, H 476, H 575, and H 535 which have been signed by the President.

WOOD, Secretary

Enrolled H 477, H 488, H 436, H 453, H 462, H 464, H 414, H 454, H 556, H 577, H 446, H 448, H 447, H 415, H 476, H 575, and H 535 were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 7, 2006

Mr. Speaker:

I transmit herewith S 1332, as amended, S 1409, as amended, S 1401, S 1414, and S 1415 which have passed the Senate.

WOOD, Secretary

S 1332, as amended, S 1409, as amended, S 1401, S 1414, and S 1415 were filed for first reading.

March 7, 2006

Mr. Speaker:

I return herewith H 571, H 574, H 536, H 591, H 592, H 700, H 701, H 564, H 566, H 465, H 560, H 578, H 452, H 585, H 586, H 471, H 461, H 444, as amended, H 473, H 459, and H 458 which have passed the Senate.

WOOD, Secretary

H 571, H 574, H 536, H 591, H 592, H 700, H 701, H 564, H 566, H 465, H 560, H 578, H 452, H 585, H 586, H 471, H 461, H 444, as amended, H 473, H 459, and H 458 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 7, 2006

Mr. Speaker:

I return herewith H 533, as amended in the Senate, and H 601, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 533, as amended in the Senate, and H 601, as amended in the Senate, were ordered held at the Desk.

Mr. Clark asked unanimous consent that the House concur in the Senate amendments to H 533, as amended in the Senate. There being no objection, it was so ordered.

Mr. Hart asked unanimous consent that the House concur in the Senate amendments to H 601, as amended in the Senate. There being no objection, it was so ordered.

H 533, as amended in the Senate, and H 601, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**Report of Standing Committees**

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed HCR 61, HJM 21, H 771, H 772, H 773, H 774, H 775, H 776, H 777, H 778, H 779, H 780, H 781, H 782, H 783, H 784, H 785, H 786, H 787, HJR 6, and HJR 7.

FIELD(18), Chairman

HCR 61 was referred to the Education Committee.

HJM 21 was referred to the Resources and Conservation Committee.

**H 771, H 772, H 773, H 774, H 775, and H 785** were referred to the Agricultural Affairs Committee.

**H 776** was referred to the Health and Welfare Committee.

**H 777, HJR 6, and HJR 7** were referred to the State Affairs Committee.

**H 778, H 780, H 781, H 786, and H 787** were referred to the Revenue and Taxation Committee.

**H 779** was referred to the Local Government Committee.

**H 784** was referred to the Business Committee.

**H 782 and H 783** were filed for second reading.

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 40** and **HJM 12**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HCR 40** and **HJM 12**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 39** and **HCR 31** to the Secretary of State at 10:48 a.m., as of this date, March 7, 2006.

FIELD(18), Chairman

March 6, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 719, H 738, and S 1389** and report them back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

**H 719, H 738, and S 1389** were placed on General Orders for consideration.

March 7, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 762, S 1335, S 1250, S 1251, and S 1252** and recommend that they do pass.

FIELD(18), Chairman

**H 762, S 1335, S 1250, S 1251, and S 1252** were filed for second reading.

March 7, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 709** and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(18), Chairman

**H 709** was placed on General Orders for consideration.

March 7, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1385** and **S 1391** and recommend that they do pass.

STEVENSON, Chairman

**S 1385 and S 1391** were filed for second reading.

March 7, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **HCR 55** and **H 723** and recommend that they do pass.

BLACK, Chairman

**HCR 55 and H 723** were filed for second reading.

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1379** and recommend that it do pass.

BARRACLOUGH, Chairman

**S 1379** was filed for second reading.

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 765, H 754, H 755, and H 757** and recommend that they do pass.

CROW, Chairman

**H 765, H 754, H 755, and H 757** were filed for second reading.

There being no objection, the House advanced to the Twelfth Order of Business.

#### Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

### Report of the Committee of the Whole House

March 8, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **HJM 18, H 650, H 714, H 735, H 742, H 750, H 705, H 702, H 719, H 738, S 1389,** and **H 709** and report them back without recommendation, amended as follows:

#### HOUSE AMENDMENT TO HJM 18

##### AMENDMENT TO THE MEMORIAL

On page 1 of the printed memorial, in line 37, delete "contained in H.R. 1177".

#### HOUSE AMENDMENTS TO H 650

##### AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 37, following "quality," insert: "and such designation was made prior to the enactment of this act,"; in line 38, delete "may consider formation of" and insert: "may, upon petition, hold an election for establishment of".

On page 2, in line 1, following "Code" insert: ", provided all participating counties have held elections and voted in favor of establishment of, or participation in, an aquifer protection district"; in line 5, delete "that authorize its forma-"; in line 6, delete "tion" and insert: "in which it is formed"; and delete lines 13 through 54.

On page 3, delete lines 1 through 37 and insert:

"39-504. PETITIONS -- ELECTIONS -- MODIFICATION - DISSOLUTION -- AUTHORITY. (1) The establishment of, or participation in, an aquifer protection district may be initiated by the filing of a petition signed by not fewer than fifty (50) qualified electors of any county in which an eligible aquifer is located and who reside within the boundaries of the proposed aquifer protection district. The petition shall be filed with the county clerk of the county in which the signers of the petition are resident. The petition shall designate the proposed boundaries of the aquifer protection district.

(2) Upon the filing of the petition, the county clerk shall promptly examine the petition and certify whether the required number of qualified petitioners have signed the petition. If the number of petition signers is sufficient, the county clerk shall transmit the certified petition to the board of county commissioners.

(3) Upon receipt of a duly certified petition the board of county commissioners shall give notice of an election to be held, which election shall be held at the same time as the primary or general election, in such proposed district for the purpose of determining whether or not the proposed district shall be established or whether or not the county shall participate in a district. Such notice shall include the date and hours of the election, the polling places, the general purposes of the proposed

district, a description of lands to be included in the proposed district, and a statement that a map of the proposed district is available in the office of the board of county commissioners. The notice shall be published once each week for three (3) consecutive weeks prior to such election in a newspaper of general circulation within the county.

(4) The election shall be held and conducted consistent with the provisions of chapter 14, title 34, Idaho Code. The board of county commissioners shall appoint three (3) judges of election, one (1) of whom shall act as clerk for the election. At such election the electors shall vote for or against the establishment of, or participation in, the district.

(5) The judges of election shall certify the returns of the election to the board of county commissioners. If a majority of the votes cast at said election are in favor of the establishment of, or participation in, the district, the board of county commissioners shall declare the district established and give it a name by which, in all proceedings, it shall thereafter be known.

(6) Procedures for boundary modification or dissolution of a district created pursuant to this section shall be in substantial compliance with the provisions for petition and election provided in this section.

(7) In the event a board of county commissioners declares a district established pursuant to the procedures prescribed by this section, the district shall be recognized as a legally established political subdivision of the state of Idaho. Unless otherwise limited by law, districts are authorized to work with and across the boundaries of all political subdivisions of the state of Idaho that are wholly or partially located within the external boundaries of the established aquifer protection district. Providing protection of a state-designated sensitive resource aquifer is a governmental function."

On page 3, in line 54, delete "and incur indebtedness, limited to the amount of rev-"; on page 4, in line 1, delete "enues anticipated in any single year" and insert: ", provided however, that borrowing shall be limited to the Idaho water resource board revolving development fund pursuant to section 42-1756, Idaho Code"; in line 25, delete "those characteristics as described"; delete lines 26 and 27; in line 28, delete "icy and budget advisory committee." and insert: "the following characteristics:

- (1) A representative of a municipal domestic water provider;
- (2) A representative of a water district;
- (3) A representative of an irrigation district;
- (4) A representative of a private water system;
- (5) A representative of a well recognized business organization;
- (6) A representative of a well recognized environmental organization;
- (7) A representative of the agricultural community;
- (8) A hydrologist or engineer; and
- (9) A citizen consumer."

in line 41, delete "appointment provisions pursuant to section 39-504, Idaho"; and in line 42, delete "Code" and insert: "the initial appointment".

#### AMENDMENT TO THE BILL

On page 5, following line 16, insert:

"SECTION 2. That Section 42-1756, Idaho Code, be, and the same is hereby amended to read as follows:

42-1756. LOANS FROM ACCOUNT -- APPLICATION -- INVESTIGATION -- APPROVAL -- REPAYMENT -- STATEMENT -- FILING -- DEFAULT. (a) Any irrigation district, canal or irrigation company, water users' association, municipal corporation, municipality, private corporation, aquifer protection district, or, in special cases approved by the board, an individual may file an application with the board for a loan from the revolving account for the purpose of financing project costs. Such application shall be filed in such manner, and shall be in such form and be accompanied by such information as may be prescribed by the board; provided, however, that any such application filed with the board under the provisions of this act, shall:

(1) Describe the nature and purpose(s) of the proposed project.

(2) Set forth or be accompanied by a plan for development of the proposed project, together with such engineering and economic feasibility data and estimated costs of construction as may be required by the board.

(3) State whether money other than that for which application is made to the board will be used for project costs, and whether such money is available or has been sought for this purpose.

(4) Show that the applicant holds or can acquire title to all lands or has the necessary easements and rights-of-way for the project and related lands, and has or can acquire all water rights necessary for the construction, operation and maintenance of the proposed project, or that there exists sufficient water available for appropriation by proof of a permit issued by the director of the department of water resources.

(b) Upon receipt of an application, the board shall evaluate and, if it deems it to be necessary, investigate all aspects of the proposed project and the proposed construction thereof. As a part of such investigation, the board shall determine whether the plan for development of the project is satisfactory. If the board determines that the plan is unsatisfactory, it shall return the application to the applicant and may make such recommendations to the applicant as are considered necessary to make the plan satisfactory.

(c) The board may approve a loan for project costs if after investigation (if this is deemed necessary,) and evaluation it finds that:

(1) The plan does not conflict with any extant Idaho state water plan;

(2) The proposed project is feasible from an engineering standpoint and economically justified, with studies showing a favorable benefit to cost ratio;

(3) The plan for development of the proposed project is satisfactory;

(4) The applicant is qualified and responsible;

(5) There is reasonable assurance that the borrower can repay the loan;

(6) That money in the revolving account is available for the loan; and

(7) That the loan does not exceed five hundred thousand dollars (\$500,000) unless legislative approval has been obtained.

(d) If the board approves a loan, the board and the applicant or applicants shall enter into an agreement for repayment to the revolving account of money loaned therefrom, together with interest thereon at reasonable rates as determined by the board. The agreement shall further provide that repayment of the loan, together with interest thereon, shall commence no later than one (1) full year after construction of the project is completed, and that repayment shall be completed within the time period specified by the board; provided that repayment to reserve accounts or guarantee funds shall be made as provided by order of the board. The repayment period shall not exceed sixty (60) years, except that the board may extend the time for making repayment in the event of emergency or hardship. Such agreement shall also provide for such assurances of, and security for, repayment of the loan as are considered necessary by the board.

(e) The state shall have a lien upon a project constructed with money from the revolving account for the amount of the loan, together with the interest thereon. This lien shall attach to all project facilities, equipment, easements, real property and property of any kind or nature associated with the project and all water rights associated in any way with the project. The board shall file a statement of the loan, its amount, terms and a description of the project with the county recorder of each county in which the project or any part thereof is located. The county recorder shall record the lien in a book kept for the recording of liens and it shall be indexed as other liens are required by law to be indexed. The lien shall be valid until paid in full or otherwise discharged. The lien shall be foreclosed in accordance with applicable state law governing foreclosure of mortgages and liens as set forth in chapter 1 of title 6, Idaho Code, chapter 13 of title 45, Idaho Code, and related provisions of the statutes of this state.

(f) If an applicant fails to comply with the repayment contract, its interest in the project may be conveyed to a successor upon approval by the board, which may contract with the qualified successor in interest of the original obligor for repayment of the loan, together with the interest thereon, and for succession to its rights and obligations in any contract with the board.

(g) The state shall have a lien on any or all projects which the board improves or renovates with money from the revolving account, and such lien shall be valid and continue in effect until such funds, together with interest thereon, have been paid in full and the lien discharged. The board shall file a statement of the lien, and the lien shall be foreclosed upon all project property and rights as provided in subsection (e) above."

#### CORRECTIONS TO TITLE

On page 1, in line 5, delete "A PROCEDURE FOR FORMATION" and insert: "FOR PETITIONS, TO PROVIDE FOR ELECTIONS"; and in line 8, following "BUDGETS" insert: "; AND AMENDING SECTION 42-1756, IDAHO CODE, TO PROVIDE THAT AN AQUIFER PROTECTION DISTRICT MAY APPLY FOR LOANS FROM THE IDAHO WATER RESOURCE REVOLVING DEVELOPMENT FUND".

**HOUSE AMENDMENT TO H 714**

## AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 22 through 24 and insert: "any individual or person exempt under section 26-3103, Idaho Code, or employees or agents of any such exempt individual or person, to submit information to, or to participate in, the uniform multistate licensing system.".

## CORRECTION TO TITLE

On page 1, delete lines 7 and 8 and insert: "TO EXEMPT CERTAIN INDIVIDUALS AND PERSONS FROM INFORMATION AND PARTICIPATION REQUIREMENTS."

**HOUSE AMENDMENT TO H 735**

## AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 36, following "Code." insert: "absent the consent of the owner of the agricultural operation."; and on page 2, in line 12, following "Code." insert: "absent the consent of the owner of the agricultural operation.".

**HOUSE AMENDMENT TO H 742**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 11 delete "GROUP INSURANCE" and insert: "RISK MANAGEMENT"; also in line 11, delete "insurance" and insert: "risk management"; and in line 12, delete "insurance" and insert: "risk management".

## CORRECTION TO TITLE

On page 1, in line 5 delete "INSURANCE" and insert: "RISK MANAGEMENT".

**HOUSE AMENDMENT TO H 750**

## AMENDMENTS TO SECTION 3

On page 5 of the printed bill, in line 34, delete "shall" and insert: "may"; and in line 35, delete "a misdemeanor" and insert: "an infraction".

## CORRECTION TO TITLE

On page 1, in line 10, delete "SHALL" and insert: "MAY"; and in line 11, delete "A MISDEMEANOR" and insert: "AN INFRACTION".

**HOUSE AMENDMENT TO H 705**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 42, delete "a majority" and insert: "sixty-six and two-thirds percent (66 2/3%)".

**HOUSE AMENDMENT TO H 702**

## AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 40, delete "The"; in line 41, delete "legislature shall appropriate ten million dollars (\$10,000,000) for fiscal"; in line 42, delete "year 2007 to the fund."; and following line 43, insert:

"(5) The board shall be responsible for acceptance of funds from public and private sources, and such funds may be expended pursuant to appropriation to the board for expenditures consistent with this section."

On page 2, in line 1, delete "(5)" and insert: "(6)".

## CORRECTIONS TO TITLE

On page 1, in line 6, delete "WITH A ONE TIME APPROPRIATION OF TEN MIL-"; and in line 7, delete "LION DOLLARS" and insert: ", TO PROVIDE FOR BOARD RESPONSIBILITY".

**HOUSE AMENDMENT TO H 719**

## AMENDMENTS TO SECTION 1

On page 1 of the printed bill, delete line 15 and insert: "to department rule,"; in line 19, delete "The person" and delete lines 20 and 21 and insert: "The state epidemiologist, in ordering an autopsy pursuant to this section, shall require the person or entity performing the autopsy to report the findings of such autopsy to the department of health and welfare."

**HOUSE AMENDMENT TO H 738**

## AMENDMENTS TO SECTION 1

On page 1 of the printed bill, delete lines 32 through 35; and on page 3, in line 49, following "2006" insert: ". The final report of the commission shall be due to the director and the legislative health care task force on June 30, 2007".

**HOUSE AMENDMENT TO S 1389**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 29, delete "advi-" and in line 30, delete "sory"; and also in line 30, delete "notify" and insert: "modify".

## AMENDMENTS TO SECTION 3

On page 2, in line 25, delete "not more than fifty percent (50%) nonstate employees or providers of" and in line 26, delete "mental health services" and insert: "no less than fifty percent (50%) family members and consumers with mental illness"; and in line 35, delete "advisory".

**HOUSE AMENDMENT TO H 709**

## AMENDMENTS TO SECTION 1

On page 1 of the printed bill, delete lines 12 through 14 and insert: "tody of the body shall promptly notify either the coroner, who shall notify the appropriate law enforcement agency, or a law enforcement officer or agency, which shall notify the coroner. Pending arrival of ~~the~~ a law enforcement officers, the person"; in line 20, following "notify" insert: "the coroner or"; and delete lines 24 through 27 and insert:

"(3) Any person who, with the intent to prevent discovery of the manner of death, fails to notify or delays notification to the coroner or law enforcement pursuant to subsection (1) of this section, shall be guilty of a felony and shall be punished by



imprisonment in the state prison for a term not to exceed ten (10) years or by a fine not to exceed fifty thousand dollars (\$50,000) or by both such fine and imprisonment."

CORRECTION TO TITLE

On page 1, delete lines 3 and 4 and insert: "REQUIRE NOTIFICATION TO CERTAIN OFFICIALS, TO MAKE A GRAMMATICAL".

We have also had under consideration **H 677**, **H 474**, and **S 1300**, as amended, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**HJM 18**, as amended, **H 650**, as amended, **H 714**, as amended, **H 735**, as amended, **H 742**, as amended, **H 750**, as amended, **H 705**, as amended, **H 702**, as amended, **H 719**, as amended, **H 738**, as amended, and **H 709**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**S 1389**, as amended in the House, was filed for first reading.

**H 677**, **H 474**, and **S 1300**, as amended, were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 788  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PSYCHIATRIC HOSPITALIZATION IN THE COMMUNITY HOSPITALIZATION PROGRAM FOR FISCAL YEAR 2006; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PSYCHIATRIC HOSPITALIZATION IN THE STATE HOSPITAL SOUTH PROGRAM FOR FISCAL YEAR 2006; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 789  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO PUBLIC SCHOOL COURSES OF INSTRUCTION; AMENDING SECTION 33-1612, IDAHO

CODE, TO EMPHASIZE THE LOCAL CONTROL OF THE PUBLIC SCHOOL SYSTEM, TO REVISE THE ELEMENTS OF A THOROUGH SYSTEM OF PUBLIC, FREE COMMON SCHOOLS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 790  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO IMMIGRATION PRACTICES; AMENDING THE HEADING FOR TITLE 51, IDAHO CODE; AMENDING TITLE 51, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 2, TITLE 51, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS, TO DEFINE TERMS, TO PROVIDE EXEMPTIONS, TO PROVIDE FOR REGISTRATION AND CHANGE OF ADDRESS, TO PERMIT NONLEGAL ASSISTANCE AND TO PROVIDE FOR FEES, TO REQUIRE A WRITTEN CONTRACT, TO PROVIDE REQUIREMENTS AND A RIGHT TO RESCIND, TO PROVIDE PROHIBITED ACTIVITIES AND TO PROVIDE PENALTIES; AND TO PROVIDE SEVERABILITY.

**H 788**, **H 789**, and **H 790** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1332**, as amended, **S 1409**, as amended, and **S 1414**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1401** and **S 1415**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 766** and **H 767**, by Appropriations Committee, were read the second time by title and filed for third reading.

**S 1362** and **S 1375**, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

**S 1347**, by Transportation Committee, was read the second time by title and filed for third reading.

**H 696** and **H 734**, by State Affairs Committee, were read the second time by title and filed for third reading.

**SJM 118**, by Resources and Environment Committee, was read the second time by title and filed for third reading.

**S 1396**, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

**H 720** and **H 756**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**S 1422**, by Finance Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**HCR 57** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe and Mr. Saylor to open debate.

Mr. Clark asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **HCR 57**. Mrs. Rydalch objected.

The question being, "Shall **HCR 57** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bilbao, Block, Boe, Bolz, Brackett, Cannon, Crow, Deal, Henbest, Jaquet, Kemp, LeFavour, Martinez, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Schaefer, Shepherd(2), Smith(30), Smith(24), Smylie, Trail, Wills, Mr. Speaker. Total -- 31.

NAYS -- Anderson, Andrus, Bastian, Bayer, Bedke, Bell, Black, Bradford, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Shirley, Skippen, Snodgrass, Stevenson. Total -- 37.

Absent and excused -- Shepherd(8), Wood. Total -- 2.  
Total -- 70.

Whereupon the Speaker declared **HCR 57** failed to be adopted and ordered the resolution filed in the Office of the Chief Clerk.

**HCR 58** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **HCR 58** be adopted?"

Whereupon the Speaker declared **HCR 58** adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 743** retain its place on the Third Reading Calendar. There being no objection, it was so ordered.

**HCR 59** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **HCR 59** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Lake, Shepherd(8), Wood. Total -- 3.  
Total -- 70.

Whereupon the Speaker declared **HCR 59** adopted and ordered the resolution transmitted to the Senate.

**HCR 60** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **HCR 60** be adopted?"

Whereupon the Speaker declared **HCR 60** adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

### RECESS

#### Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Deal, Wood. Total -- 2.  
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**H 743** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney and Mr. Bedke to open debate.

**SIXTIETH LEGISLATIVE DAY  
THURSDAY, MARCH 9, 2006**

House of Representatives

The question being, "Shall **H 743** pass?"

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call resulted as follows:

Roll call showed 68 members present.

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Ring, Rydalch, Sali, Schaefer, Shepherd(8), Shirley, Skippen, Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 52.

Absent and excused -- Shepherd(8), Wood. Total -- 2.  
Total -- 70.

NAYS -- Boe, Henbest, Jaquet, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Shepherd(2), Smith(30), Trail. Total -- 14.

Absent and excused -- Crow, Roberts, Smith(24), Wood. Total -- 4.

Paired Votes:

AYE -- Deal.           NAY -- Pence.  
AYE -- Kemp.         NAY -- Mitchell.  
AYE -- Lake.         NAY -- Saylor.

(Pairs enumerated in roll call above.)

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Lyndsey Vincent, Page.

**Approval of Journal**

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-ninth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 8, 2006

Whereupon the Speaker declared **H 743** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

Mr. Lake asked unanimous consent that **S 1416** be returned to the State Affairs Committee. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 413, H 434, H 435, and H 451**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

March 8, 2006

Mr. Speaker:

I return herewith enrolled **H 534**, as amended, which has been signed by the President.

WOOD, Secretary

**Adjournment**

Mr. Denney moved that the House adjourn until 10:30 a.m., Thursday, March 9, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:33 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

Enrolled **H 534**, as amended, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 8, 2006

Mr. Speaker:

I return herewith enrolled **HCR 32** and **HCR 33** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 32** and **HCR 33** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 8, 2006

Mr. Speaker:

I transmit herewith **SJM 119**, **SCR 128**, and **SCR 129** which have passed the Senate.

WOOD, Secretary

**SJM 119**, **SCR 128**, and **SCR 129** were filed for first reading.

March 8, 2006

Mr. Speaker:

I return herewith **HCR 46**, **H 457**, **H 483**, **H 672**, **H 579**, **H 580**, **H 581**, **H 708**, **H 411**, **H 490**, **H 493**, **H 410**, **H 463**, as amended, **H 603**, **H 608**, **H 547**, **H 559**, **H 685**, **H 590**, **H 475**, **H 548**, **H 549**, **H 550**, and **H 551** which have passed the Senate.

WOOD, Secretary

**HCR 46**, **H 457**, **H 483**, **H 672**, **H 579**, **H 580**, **H 581**, **H 708**, **H 411**, **H 490**, **H 493**, **H 410**, **H 463**, as amended, **H 603**, **H 608**, **H 547**, **H 559**, **H 685**, **H 590**, **H 475**, **H 548**, **H 549**, **H 550**, and **H 551** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 788**, **H 789**, and **H 790**, and House Amendments to **HJM 18**, **H 650**, **H 714**, **H 735**, **H 742**, **H 750**, **H 705**, **H 702**, **H 719**, **H 738**, **S 1389**, and **H 709**.

FIELD(18), Chairman

**H 789** was referred to the Education Committee.

**H 790** was referred to the State Affairs Committee.

**H 788** was filed for second reading.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 571**, **H 574**, **H 536**, **H 591**, **H 592**, **H 700**, **H 701**, **H 564**, **H 566**, **H 465**, **H 560**, **H 578**, **H 452**, **H 585**, **H 586**, **H 471**, **H 461**, **H 444**, as amended, **H 473**, **H 459**, and **H 458**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 571**, **H 574**, **H 536**, **H 591**, **H 592**, **H 700**, **H 701**, **H 564**, **H 566**, **H 465**, **H 560**, **H 578**, **H 452**, **H 585**, **H 586**, **H 471**, **H 461**, **H 444**, as amended, **H 473**, **H 459** and **H 458**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 533**, as amended in the Senate, **H 601**, as amended in the Senate, **HJM 18**, as amended, **H 650**, as amended, **H 714**, as amended, **H 735**, as amended, **H 742**, as amended, **H 750**, as amended, **H 705**, as amended, **H 702**, as amended, **H 719**, as amended, **H 738**, as amended, and **H 709**, as amended.

FIELD(18), Chairman

**H 533**, as amended in the Senate, **H 601**, as amended in the Senate, **HJM 18**, as amended, **H 650**, as amended, **H 714**, as amended, **H 735**, as amended, **H 742**, as amended, **H 750**, as amended, **H 705**, as amended, **H 702**, as amended, **H 719**, as amended, **H 738**, as amended, and **H 709**, as amended, were filed for first reading of engrossed bills.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 477**, **H 488**, **H 436**, **H 453**, **H 462**, **H 464**, **H 414**, **H 454**, **H 556**, **H 577**, **H 446**, **H 448**, **H 447**, **H 415**, **H 476**, **H 575**, and **H 535** to the Governor at 11:55 a.m., as of this date, March 8, 2006.

FIELD(18), Chairman

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 760** and report it back with amendments attached to be placed on General Orders for consideration.

ROBERTS, Vice Chairman

**H 760** was placed on General Orders for consideration.

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 758** and **H 763** and recommend that they do pass.

BARRETT, Chairman

**H 758** and **H 763** were filed for second reading.

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 617**, **H 776**, **HCR 49**, **HCR 51**, and **HCR 53** and recommend that they do pass.

BLOCK, Chairman

**H 617**, **H 776**, **HCR 49**, **HCR 51**, and **HCR 53** were filed for second reading.

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 663** and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

**H 663** was placed on General Orders for consideration.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1351** and **S 1388** and recommend that they do pass.

DEAL, Chairman

**S 1351** and **S 1388** were filed for second reading.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HCR 61** and **H 770** and recommend that they do pass.

BARRACLOUGH, Chairman

**HCR 61** and **H 770** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 62

##### BY WAYS AND MEANS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND REQUESTING THE LEGISLATIVE COUNCIL INTERIM COMMITTEE ON ENERGY, ENVIRONMENT AND TECHNOLOGY TO DEVELOP AN INTEGRATED STATE ENERGY PLAN THAT PROVIDES FOR THE STATE'S POWER GENERATION NEEDS AND PROTECTS THE HEALTH AND SAFETY OF THE CITIZENS OF IDAHO AND TO INVOLVE REPRESENTATIVES OF LOCAL GOVERNMENT, BUSINESS, AGRICULTURE AND INDUSTRY, THE

ENVIRONMENTAL COMMUNITY, THE HEALTH CARE COMMUNITY AND STATE AGENCIES IN ITS STUDY AND INQUIRY AND TO REPORT BACK TO THE LEGISLATURE.

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

WHEREAS, in 2005, the Legislature adopted House Concurrent Resolution No. 16 which authorized the Legislative Council to appoint a committee to undertake and complete a study of energy, environment and technology related issues from both the statewide perspective and the national perspective and to submit a final report to the First Regular Session of the Fifty-ninth Idaho Legislature; and

WHEREAS, the state of Idaho needs to have an integrated state energy plan that provides for the state's power generation needs and protects the health and safety of the citizens of Idaho, and the products produced in this state; and

WHEREAS, the Interim Committee on Energy, Environment and Technology may be requested to meet before the end of the 2006 regular legislative session to begin to develop recommendations relating to an integrated energy plan; and

WHEREAS, the Interim Committee on Energy, Environment and Technology needs to identify existing air and water quality standards and to determine which air and water quality and siting standards apply to certain in-state coal fired power plants as part of an integrated Idaho state energy plan; and

WHEREAS, Idaho has firm power needs in the near future, and the Legislature and state government should work to ensure that those needs are met; and

WHEREAS, it is the goal of the Legislature to establish Idaho's air quality standards for certain coal fired power plants to maintain the health, safety and welfare of Idaho's citizens, the quality and financial security of existing agricultural businesses and industries, the economic growth of the state of Idaho, and the environmental quality and natural resources of this state.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council Interim Committee on Energy, Environment and Technology is requested to develop an integrated state energy plan that provides for the state's power generation needs and protects the health and safety of the citizens of Idaho, and the products produced in this state.

BE IT FURTHER RESOLVED that the Legislative Council Interim Committee on Energy, Environment and Technology is requested to consider the air and water quality impacts, effects on existing industries, and allocation of water resources with regard to energy development.

BE IT FURTHER RESOLVED that the Interim Committee on Energy, Environment and Technology is requested to involve representatives of local government, business, agriculture and industry, the environmental community, the health care community and state agencies in its study and inquiry, and to make a report of its findings, recommendations and suggested legislation, if any, to the First Regular Session of the Fifty-ninth Idaho Legislature, including a recommendation as to whether the Interim Committee on Energy, Environment and Technology should be reappointed by the Legislative Council following the 2007 legislative session to continue its study and inquiry.

**HOUSE JOINT MEMORIAL NO. 22**  
**BY WAYS AND MEANS COMMITTEE**  
 A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, TO THE DIRECTOR-GENERAL OF THE WORLD HEALTH ORGANIZATION AND THE REPRESENTATIVE OF THE TAIPEI ECONOMIC AND CULTURAL REPRESENTATIVE OFFICE IN THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, direct and unobstructed participation in international health cooperation forums and programs is crucial for all parts of the world, especially with today's greater potential for the cross-border spread of various infectious diseases such as AIDS; and

WHEREAS, Taiwan's achievements in the field of health care are substantial, including life expectancy levels that are some of the highest in Asia, maternal and infant mortality rates that are comparable to those of western countries, free hepatitis B vaccinations for children and the eradication of polio, cholera, smallpox and the plague; and

WHEREAS, the Centers for Disease Control and Prevention and its Taiwanese counterpart have enjoyed close collaboration on a wide range of public health issues; and

WHEREAS, in recent years Taiwan has expressed a willingness to assist financially and technically, the international aid and health activities supported by the World Health Organization; and

WHEREAS, Taiwan's population of twenty-three million is larger than that of seventy-five percent of World Health Organization member states; and

WHEREAS, the United States, in its 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations; and

WHEREAS, Taiwan's participation in the World Health Organization could bring many benefits to the state of health, not only in Taiwan, but also regionally and globally.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we support the participation by Taiwan in a meaningful and appropriate way in the World Health Organization.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States, to the Director-General of the

World Health Organization and the representative of the Taipei Economic and Cultural Representative Office in the United States.

**HCR 62** and **HJM 22** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**SJM 119**, by Judiciary and Rules Committee, was introduced, read the first time by title, and held at the Desk.

**SCR 128**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

**SCR 129**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 791**  
**BY WAYS AND MEANS COMMITTEE**  
 AN ACT

RELATING TO A MORATORIUM ON CERTAIN COAL FIRED POWER PLANTS; AMENDING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 39-124 AND 39-125, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT AND TO PROVIDE A TWO YEAR MORATORIUM ON ISSUING ANY VARIANCES, LICENSES OR PERMITS FOR CONSTRUCTION OF CERTAIN COAL FIRED POWER PLANTS OR APPLYING FOR VARIANCES, LICENSES OR LOCAL CONDITIONAL USE, OR BUILDING OR AIR PERMITS; DECLARING AN EMERGENCY AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 792**  
**BY WAYS AND MEANS COMMITTEE**  
 AN ACT

RELATING TO CHANGE IN POINT OF DIVERSION, PLACE OF USE, PERIOD OF USE OR NATURE OF USE OF WATER; AMENDING SECTION 42-108, IDAHO CODE, TO PROVIDE THAT LEGISLATIVE APPROVAL SHALL BE REQUIRED FOR A TIME CERTAIN FOR ANY PERMANENT OR TEMPORARY CHANGE IN POINT OF DIVERSION, PERIOD OF USE, OR NATURE OF USE FOR ANY WATER RIGHT OR COMBINATION OF WATER RIGHTS WITH A DIVERSION RATE EQUAL TO OR GREATER THAN TWO CFS OR FOR A STORAGE VOLUME EQUAL TO OR GREATER THAN ONE THOUSAND FOUR HUNDRED FIFTY ACRE-FEET IF THE USE OF SUCH RIGHT(S) IS IN CONJUNCTION WITH THE COAL FIRED GENERATION OF ELECTRICITY, WITH AN EXCEPTION; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 793**  
**BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 794**  
**BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS FOR THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE PROGRAM FOR FISCAL YEAR 2007.

**HOUSE BILL NO. 795**  
**BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO SALARIES OF MEMBERS OF THE PUBLIC UTILITIES COMMISSION, THE STATE TAX COMMISSION AND THE INDUSTRIAL COMMISSION; AMENDING SECTION 61-215, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN SALARY FOR MEMBERS OF THE PUBLIC UTILITIES COMMISSION; AMENDING SECTION 63-102, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN SALARY FOR MEMBERS OF THE STATE TAX COMMISSION; AND AMENDING SECTION 72-503, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN SALARY FOR MEMBERS OF THE INDUSTRIAL COMMISSION.

**H 791, H 792, H 793, H 794, and H 795** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1389**, as amended in the House, by Health and Welfare Committee, was introduced, read the first time by title, and filed for second reading.

**First Reading of Engrossed Bills**

**H 533**, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title and filed for second reading.

**H 601**, as amended in the Senate, by Transportation and Defense Committee, was introduced, read the first time by title and filed for second reading.

**HJM 18**, as amended, **H 742**, as amended, **H 750**, as amended, and **H 702**, as amended, by Education Committee, were introduced, read the first time by title and filed for second reading.

**H 650**, as amended, by Resources and Conservation Committee, was introduced, read the first time by title and filed for second reading.

**H 714**, as amended, **H 735**, as amended, **H 719**, as amended, **H 738**, as amended, and **H 709**, as amended, by State Affairs Committee, were introduced, read the first time by title and filed for second reading.

**H 705**, as amended, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

**Second Reading of Bills and Joint Resolutions**

**H 782** and **H 783**, by Appropriations Committee, were read the second time by title and filed for third reading.

**H 762, HCR 55, and H 723**, by State Affairs Committee, were read the second time by title and filed for third reading.

**S 1335, S 1250, S 1251, and S 1252**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**S 1385** and **S 1391**, by Resources and Environment Committee, were read the second time by title and filed for third reading.

**S 1379**, by Education Committee, was read the second time by title and filed for third reading.

**H 765, H 754, H 755, and H 757**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 726** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smylie to open debate.

Mr. Smylie asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 726**. There being no objection, it was so ordered.

The question being, "Shall **H 726** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shirley,

Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 59.

NAYS -- Clark, Harwood, Lake, LeFavour, Sali. Total -- 5.

Absent and excused -- Bayer, Black, Crow, Raybould, Shepherd(8), Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 726** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 744** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

The question being, "Shall **H 744** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Rydalch, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 54.

NAYS -- Cannon, Clark, Harwood, Lake, LeFavour, Mitchell, Moyle, Ringo, Roberts, Rusche, Sali. Total -- 11.

Absent and excused -- Bayer, Black, Crow, Shepherd(8), Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 744** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 450**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark and Mr. Bastian to open debate.

The question being, "Shall **H 450**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Clark, Ellsworth, Field(18), Hart, Harwood, Henderson, Kemp, Loertscher, McKague, Moyle, Nielsen, Ring, Sali, Schaefer, Skippen, Smith(24), Mr. Speaker. Total -- 23.

NAYS -- Anderson, Andrus, Bell, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(23), Garrett, Henbest, Jaquet, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Pasley-Stuart, Pence, Raybould, Ringo,

Roberts, Rusche, Rydalch, Sayler, Shepherd(2), Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 43.

Absent and excused -- Crow, Nonini, Shepherd(8), Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 450**, as amended, failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

**H 713**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chadderdon and Mr. Nonini to open debate.

The question being, "Shall **H 713**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Brackett, Bradford, Cannon, Chadderdon, Clark, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Bolz, Collins, Hart, Harwood, Mitchell, Ringo. Total -- 7.

Absent and excused -- Shepherd(8), Wood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 713**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

## RECESS

### Afternoon Session

The House reconvened at 1:15 p.m., Mr. Denney in the Chair.

Roll call showed 66 members present.

Absent and excused -- Garrett, Pasley-Stuart, Shepherd(8), Wood. Total -- 4.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.



**Third Reading of Bills and Joint Resolutions**

**H 602**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wills to open debate.

Pursuant to Rule 38(3), Mr. Wills disclosed a conflict of interest regarding **H 602**, as amended.

The question being, "Shall **H 602**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bastian, Bell, Bilbao, Black, Block, Boe, Cannon, Chadderton, Crow, Deal, Denney, Edmunson, Field(18), Field(23), Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, Miller, Mitchell, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 44.

NAYS -- Anderson, Andrus, Barrett, Bayer, Bedke, Bolz, Brackett, Bradford, Clark, Collins, Ellsworth, Eskridge, Hart, Lake, Loertscher, McGeachin, McKague, Moyle, Roberts, Sali, Schaefer, Stevenson. Total -- 22.

Absent and excused -- Garrett, Pasley-Stuart, Shepherd(8), Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 602**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 9:30 a.m., Friday, March 10, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:30 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**SIXTY-FIRST LEGISLATIVE DAY  
FRIDAY, MARCH 10, 2006**

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused -- Deal, Shepherd(8), Wood. Total -- 3.  
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Kevin Andrus, Page.

**Approval of Journal**

March 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixtieth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

March 9, 2006

Mr. Speaker:

I return herewith enrolled **HCR 40** and **HJM 12** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 40** and **HJM 12** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 9, 2006

Mr. Speaker:

I transmit herewith **S 1430**, **S 1431**, and **S 1432** which have passed the Senate.

WOOD, Secretary

**S 1430**, **S 1431**, and **S 1432** were filed for first reading.

March 9, 2006

Mr. Speaker:

I return herewith **H 554**, **H 555**, **H 621**, **H 746**, **H 747**, **H 748**, **H 627**, **H 628**, **H 629**, **H 430**, **H 431**, **H 530**, and **H 589**, as amended, which have passed the Senate.

WOOD, Secretary

**H 554**, **H 555**, **H 621**, **H 746**, **H 747**, **H 748**, **H 627**, **H 628**, **H 629**, **H 430**, **H 431**, **H 530**, and **H 589**, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 62, HJM 22, H 791, H 792, H 793, H 794, and H 795.**

FIELD(18), Chairman

**HCR 62 and H 791** were referred to the Environment, Energy, and Technology Committee.

**HJM 22 and H 795** were referred to the State Affairs Committee.

**H 792** was referred to the Resources and Conservation Committee.

**H 793 and H 794** were filed for second reading.

March 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 46, H 457, H 483, H 672, H 579, H 580, H 581, H 708, H 411, H 490, H 493, H 410, H 463,** as amended, **H 603, H 608, H 547, H 559, H 685, H 590, H 475, H 548, H 549, H 550,** and **H 551.**

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HCR 46, H 457, H 483, H 672, H 579, H 580, H 581, H 708, H 411, H 490, H 493, H 410, H 463,** as amended, **H 603, H 608, H 547, H 559, H 685, H 590, H 475, H 548, H 549, H 550,** and **H 551,** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 534,** as amended, to the Governor at 11:40 a.m., as of this date, March 9, 2006.

FIELD(18), Chairman

March 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 32 and HCR 33** to the Secretary of State at 11:45 a.m., as of this date, March 9, 2006.

FIELD(18), Chairman

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 787** and **H 731** and recommend that they do pass.

CROW, Chairman

**H 787 and H 731** were filed for second reading.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1352** and **S 1353** and recommend that they do pass.

SCHAEFER, Chairman

**S 1352 and S 1353** were filed for second reading.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1363** and report it back with amendments attached to be placed on General Orders for consideration.

SCHAEFER, Chairman

**S 1363** was placed on General Orders for consideration.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1296, S 1332,** as amended, **S 1399, S 1403, S 1331, S 1297,** and **S 1397** and recommend that they do pass.

FIELD(18), Chairman

**S 1296, S 1332,** as amended, **S 1399, S 1403, S 1331, S 1297,** and **S 1397** were filed for second reading.

March 10, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **SJR 107** and **S 1416** and recommend that they do pass.

SMYLIE, Vice Chairman

**SJR 107** was filed for second reading.

**S 1416** was returned to the Third Reading Calendar.

March 10, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 739** and recommend that it do pass.

BARRACLOUGH, Chairman

**H 739** was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 796  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO TAXATION; AMENDING SECTION 63-3622X, IDAHO CODE, TO REVISE THE EXEMPTION APPLICABLE TO POLLUTION CONTROL EQUIPMENT; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**HOUSE BILL NO. 797  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE BOARD OF LAND COMMISSIONERS FOR THE ENDOWMENT FUND INVESTMENT BOARD FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING A CONTINUOUS APPROPRIATION FOR CERTAIN COSTS; EXPRESSING LEGISLATIVE INTENT REGARDING THE TRANSFER OF MONEYS FROM THE EARNINGS RESERVE FUNDS TO THE INCOME FUNDS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 798  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 799  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING ALLOCATION OF SALARY SAVINGS.

**H 796, H 797, H 798, and H 799** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1430, S 1431, and S 1432**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 788**, by Appropriations Committee, was read the second time by title and filed for third reading.

**H 758, H 763, H 776, HCR 49, HCR 51, HCR 53, H 714**, as amended, **H 735**, as amended, **H 719**, as amended, **H 738**, as amended, and **H 709**, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

**H 617**, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**S 1351 and S 1388**, by State Affairs Committee, were read the second time by title and filed for third reading.

**HCR 61**, by Ways and Means Committee, was read the second time by title and filed for third reading.

**H 770, HJM 18**, as amended, **H 742**, as amended, **H 750**, as amended, and **H 702**, as amended, by Education Committee, were read the second time by title and filed for third reading.

**S 1389**, as amended in the House, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**H 533**, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

**H 601**, as amended in the Senate, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

**H 650**, as amended, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

**H 705**, as amended, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 703** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **H 703** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Block, Boe, Brackett, Cannon, Chadderdon, Collins, Ellsworth, Henbest, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Sayler, Shirley, Smith(30), Smith(24), Smylie, Trail. Total -- 27.

NAYS -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Bolz, Bradford, Clark, Crow, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nonini, Raybould, Roberts, Schaefer, Shepherd(2), Skippen, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 38.

Absent and excused -- Deal, Rydalch, Sali, Shepherd(8), Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 703** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

**H 751** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **H 751** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bastian, Black, Block, Boe, Bradford, Cannon, Ellsworth, Field(18), Field(23), Henbest, Jaquet, Kemp, LeFavour, Martinez, Mathews, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Sayler, Shepherd(2), Smith(30), Smith(24), Smylie, Trail, Wills. Total -- 31.

NAYS -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Bolz, Brackett, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Eskridge, Garrett, Hart, Harwood, Henderson, Lake, Loertscher, McGeachin, McKague, Moyle, Nonini, Raybould, Roberts, Schaefer, Shirley, Skippen, Snodgrass, Stevenson, Mr. Speaker. Total -- 34.

Absent and excused -- Deal, Rydalch, Sali, Shepherd(8), Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 751** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Moyle asked unanimous consent that **H 682** retain its place on the Third Reading Calendar until Monday, March 13, 2006. There being no objection, it was so ordered.

**H 752** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 752** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller,

LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Barrett. Total -- 1.

Absent and excused -- Deal, Rydalch, Sali, Shepherd(8), Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 752** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 712** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pence to open debate.

The question being, "Shall **H 712** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bedke, Deal, Rydalch, Sali, Shepherd(8), Trail, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 712** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 766** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **H 766** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller,

Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Deal, Field(18), Rydalch, Sali, Shepherd(8), Trail, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 766** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 767** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 767** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bradford, Deal, Field(18), Rydalch, Sali, Shepherd(8), Trail, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 767** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 696** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Edmunson to open debate.

The question being, "Shall **H 696** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Crow, Deal, Sali, Shepherd(8), Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 696** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 734** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **H 734** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Black, Clark, Crow, Deal, Nonini, Schaefer, Shepherd(8), Smith(24), Wood. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **H 734** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 720** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 720** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Roberts, Rydalch, Sali, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Boe, Mitchell, Ringo, Rusche. Total -- 4.

Absent and excused -- Crow, Deal, Schaefer, Shepherd(8), Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 720** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 756** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 756** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 60.

NAYS -- Boe, Cannon, Lake, Mitchell, Rusche. Total -- 5.

Absent and excused -- Crow, Deal, Schaefer, Shepherd(8), Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 756** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 782** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 782** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Barrett, Black, Crow, Deal, Schaefer, Shepherd(8), Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 782** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 783** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **H 783** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- McKague. Total -- 1.

Absent and excused -- Barrett, Black, Crow, Deal, Schaefer, Shepherd(8), Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 783** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 762** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ring to open debate.

The question being, "Shall **H 762** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barrett, Crow, Deal, Schaefer, Shepherd(8), Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 762** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HCR 55** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **HCR 55** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barrett, Bell, Crow, Deal, Shepherd(8), Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **HCR 55** adopted and ordered the resolution transmitted to the Senate.

**H 723** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Smith(30) to open debate.

The question being, "Shall **H 723** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo,

Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Mr. Speaker. Total -- 59.

NAYS -- Barrett, Bayer, McKague, Sali, Snodgrass. Total -- 5.

Absent and excused -- Block, Crow, Deal, Ellsworth, Shepherd(8), Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 723** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 765** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 765** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Deal, Shepherd(8), Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 765** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 754** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 754** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring,

Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- Barrett, Harwood, LeFavour. Total -- 3.

Absent and excused -- Crow, Deal, Shepherd(8), Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 754** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 755** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 755** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmundson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 60.

NAYS -- Boe, Henbest, LeFavour, Mitchell, Pasley-Stuart, Ringo, Rusche. Total -- 7.

Absent and excused -- Deal, Shepherd(8), Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 755** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 757** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 757** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts,

Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 60.

NAYS -- Cannon, Harwood, Lake, Mitchell. Total -- 4.

Absent and excused -- Bedke, Deal, Edmundson, McKague, Shepherd(8), Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 757** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1301** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1301** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Black, Deal, Edmundson, Shepherd(8), Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1301** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1268** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **S 1268** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts,



Rydalch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 58.

NAYS -- LeFavour, Martinez, Rusche. Total -- 3.

Absent and excused -- Black, Crow, Deal, Edmunson, Field(23), Sali, Shepherd(8), Stevenson, Wood. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **S 1268** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1269** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mathews to open debate.

The question being, "Shall **S 1269** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Cannon, Crow, Deal, Edmunson, Raybould, Sali, Shepherd(8), Stevenson, Wood. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **S 1269** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1270** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1270** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring,

Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Block, Crow, Deal, Field(18), McGeachin, Sali, Shepherd(8), Stevenson, Wood. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **S 1270** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1271** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **S 1271** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Crow, Deal, Sali, Shepherd(8), Stevenson, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1271** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1272** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **S 1272** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker.  
Total -- 64.

NAYS -- None.

Absent and excused -- Crow, Deal, Henderson, Sali, Shepherd(8), Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1272** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 13, 2006. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Monday, March 13, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:06 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### SIXTY-FOURTH LEGISLATIVE DAY MONDAY, MARCH 13, 2006

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Block, Deal. Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Megan Lake, Page.

### Approval of Journal

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-first Legislative Day and recommend that same be adopted as corrected. FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 10, 2006

Mr. Speaker:

I return herewith enrolled **H 571, H 574, H 536, H 591, H 592, H 700, H 701, H 564, H 566, H 465, H 560, H 578, H 452, H 585, H 586, H 471, H 461, H 444**, as amended, **H 473, H 459**, and **H 458** which have been signed by the President.

WOOD, Secretary

Enrolled **H 571, H 574, H 536, H 591, H 592, H 700, H 701, H 564, H 566, H 465, H 560, H 578, H 452, H 585, H 586, H 471, H 461, H 444**, as amended, **H 473, H 459**, and **H 458** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 10, 2006

Mr. Speaker:

I transmit herewith **S 1428** which has passed the Senate.

WOOD, Secretary

**S 1428** was filed for first reading.

March 10, 2006

Mr. Speaker:

I return herewith **HJM 13** and **H 615** which have passed the Senate.

WOOD, Secretary

**HJM 13** and **H 615** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 796, H 797, H 798**, and **H 799**.

FIELD(18), Chairman

**H 796, H 797, H 798**, and **H 799** were filed for second reading.

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 554, H 555, H 621, H 746, H 747, H 748, H 627, H 628, H 629, H 430, H 431, H 530**, and **H 589**, as amended.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 554, H 555, H 621, H 746, H 747, H 748, H 627, H 628, H 629, H 430, H 431, H 530**, and **H 589**, as amended, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 40** and **HJM 12** to the Secretary of State at 1:45 p.m., as of this date, March 10, 2006.

FIELD(18), Chairman

March 10, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **HCR 48**, **HCR 52**, and **H 668** and recommend that they do pass.

BLOCK, Chairman

**HCR 48**, **HCR 52**, and **H 668** were filed for second reading.

March 10, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **HCR 50** and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

**HCR 50** was placed on General Orders for consideration.

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1374** and recommend that it do pass.

DEAL, Chairman

**S 1374** was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 800  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO WATER; AMENDING SECTION 42-234, IDAHO CODE, TO REVISE PRIORITY PROVISIONS REGARDING RIGHTS ASSOCIATED WITH PERMITS AND LICENSES RELATING TO GROUND WATER RECHARGE; AND AMENDING SECTION 42-4201A, IDAHO CODE, TO REVISE PRIORITY PROVISIONS REGARDING RIGHTS ASSOCIATED WITH PERMITS AND LICENSES RELATING TO GROUND WATER RECHARGE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 801  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 802  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE CATASTROPHIC HEALTH CARE COST FUND FOR FISCAL YEAR 2007.

**HOUSE BILL NO. 803  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2007; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 804  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS FOR THE HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR THE SEVERAL DESIGNATED PROGRAMS; AND SETTING CONDITIONS FOR REAPPROPRIATION.

**HOUSE BILL NO. 805  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE AND LABOR FOR FISCAL YEAR 2007; APPROPRIATING FEDERAL FUNDS FOR UNEMPLOYMENT INSURANCE PROGRAM; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; DIRECTING ALLOCATION OF SALARY SAVINGS; PROVIDING FOR CERTAIN APPROPRIATIONS TO BE FOR THE PERIOD OF JULY 1, 2006 THROUGH JUNE 30, 2008; DIRECTING THE DEPARTMENT TO REPORT ON THE IMPACT OF THE FILM/TOURISM MARKETING SPECIALIST; DIRECTING THE DEPARTMENT TO REPORT ON THE IMPACT OF THE SMALL BUSINESS ASSISTANCE FUND; AND DIRECTING THE DEPARTMENT TO REPORT ON THE IMPACT OF RURAL ECONOMIC DEVELOPMENT PROFESSIONALS.

**HOUSE BILL NO. 806  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO DAYCARE PROGRAMS; AMENDING SECTION 39-1101, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1102, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE

TECHNICAL CORRECTIONS; AMENDING SECTION 39-1103, IDAHO CODE, TO PROVIDE FOR ISSUANCE OF LICENSES TO FAMILY DAYCARE HOMES AND GROUP DAYCARE FACILITIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1104, IDAHO CODE, TO PROVIDE FOR APPLICATION, INSPECTION, CONTINUING COMPLIANCE AND REINSPECTION PROCEDURES FOR FAMILY DAYCARE HOMES AND GROUP DAYCARE FACILITIES, TO PROVIDE FOR A MINIMUM AGE FOR APPLICANTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1105, IDAHO CODE, TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR SPECIFIED INDIVIDUALS ASSOCIATED WITH FAMILY DAYCARE HOMES AND GROUP DAYCARE FACILITIES, TO PROHIBIT IMMEDIATE FAMILY MEMBERS WHO ARE REGISTERED SEX OFFENDERS FROM BEING ON THE PREMISES WHILE CHILDREN PARTICIPATING IN A FAMILY DAYCARE HOME, GROUP DAYCARE FACILITY OR DAYCARE CENTER PROGRAM ARE ON THE PREMISES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1106, IDAHO CODE, TO PROVIDE FOR LICENSE RENEWAL FOR FAMILY DAYCARE HOMES AND GROUP DAYCARE FACILITIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1107, IDAHO CODE, TO REVISE LICENSE FEES, TO REMOVE A FEE REDUCTION PROVISION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1109, IDAHO CODE, TO REQUIRE FAMILY DAYCARE HOMES AND GROUP DAYCARE FACILITIES TO COMPLY WITH CERTAIN FIRE SAFETY STANDARDS, TO PROVIDE A REQUIREMENT FOR A TELEPHONE TO BE LOCATED ON THE PREMISES, TO REMOVE A SEPARATE STANDARDS REQUIREMENT, TO PROVIDE FOR CHILD TO STAFF RATIOS, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1110, IDAHO CODE, TO REQUIRE FAMILY DAYCARE HOMES AND GROUP DAYCARE FACILITIES TO COMPLY WITH CERTAIN HEALTH STANDARDS, TO REVISE AND ADD TO HEALTH STANDARDS, TO PROVIDE FOR CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1113, IDAHO CODE, TO PERMIT THE DEPARTMENT OF HEALTH AND WELFARE TO DENY, SUSPEND OR REVOKE A LICENSE UPON FINDINGS OF ILLEGAL ACTIVITY, ACTIVITY DETRIMENTAL TO THE HEALTH, SAFETY OR WELFARE OF THE PUBLIC OR OF A CHILD, OR IF A REGISTERED SEX OFFENDER RESIDES AT THE LICENSED ADDRESS, TO ADD TO THE SPECIFIED CRIMES PRECLUDING ELIGIBILITY FOR A LICENSE AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1114, IDAHO CODE, TO PERMIT FIRE INSPECTION OF FAMILY DAYCARE HOMES AND GROUP DAYCARE FACILITIES BY THE DEPARTMENT OF HEALTH AND WELFARE, TO REMOVE AN EXCEPTION TO LICENSURE FOR PERSONS PROVIDING DAYCARE IN A GROUP DAYCARE FACILITY, TO REMOVE REQUIREMENTS FOR AVAILABILITY FOR INSPECTION OF FIRE INSPECTION

CERTIFICATE AND CRIMINAL HISTORY CHECK; AMENDING SECTION 39-1115, IDAHO CODE, TO PROVIDE CRIMINAL SANCTIONS FOR OPERATING A FAMILY DAYCARE HOME OR GROUP DAYCARE FACILITY WITHOUT OBTAINING A LICENSE, TO REMOVE CRIMINAL SANCTION FOR OPERATION WITHOUT CERTAIN CERTIFICATES, TO PROVIDE FOR A GRACE PERIOD FOR OPERATING A FAMILY DAYCARE HOME, GROUP DAYCARE FACILITY OR DAYCARE CENTER WITHOUT A LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1116, IDAHO CODE, TO PROVIDE FOR THE DUTY OF THE COUNTY PROSECUTING ATTORNEY TO PROSECUTE VIOLATIONS WITH REGARD TO FAMILY DAYCARE HOMES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1117, IDAHO CODE, TO PROVIDE NO LIABILITY FOR THE STATE OR POLITICAL SUBDIVISIONS IN ISSUING LICENSES TO FAMILY DAYCARE HOMES AND GROUP DAYCARE FACILITIES; AMENDING SECTION 39-1118, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 39-1119, IDAHO CODE, TO REQUIRE TRAINING REQUIREMENTS FOR EMPLOYEES OF FAMILY DAYCARE HOMES AND GROUP DAYCARE FACILITIES, TO REVISE TRAINING HOUR REQUIREMENTS AND TO REQUIRE ADDITIONAL SPECIFIED TRAINING.

**H 800, H 801, H 802, H 803, H 804, H 805, and H 806** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1428**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

#### Second Reading of Bills and Joint Resolutions

**H 793** and **H 794**, by Appropriations Committee, were read the second time by title and filed for third reading.

**H 787** and **H 731**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**S 1352** and **S 1353**, by Resources and Environment Committee, were read the second time by title and filed for third reading.

**S 1296, S 1332**, as amended, **S 1399, S 1403, S 1331, S 1297, S 1397**, and **SJR 107**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**H 739**, by Education Committee, was read the second time by title and filed for third reading.

**S 1430, S 1431, and S 1432**, by Finance Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

### Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

### Report of the Committee of the Whole House

March 13, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 474, S 1300**, as amended, **H 760, H 663**, and **S 1363** and report them back without recommendation, amended as follows:

#### HOUSE AMENDMENT TO H 474

##### AMENDMENT TO THE BILL

On page 5 of the printed bill, following line 2, insert:

"SECTION 3. That Section 63-405, Idaho Code, be, and the same is hereby amended to read as follows:

63-405. Assessment of operating property. (1) The state tax commission must assess all operating property at a meeting of the commission convening on the second Monday of August in each year, and must complete the assessment of such property on the fourth Monday in August.

(2) The state tax commission shall determine the system value and calculate the allocation and apportionment of the system value for all operating property and specifically determine:

(a) The number of miles and the value per mile of each railroad in the state and for each taxing district in which such railroad may exist.

(b) The number of miles and the value per mile of each telephone corporation in the state and for each taxing district in which such telephone corporation may exist.

(c) The number of miles and the value per mile of each pipeline in the state and for each taxing district in which such pipeline may exist.

(d) The number of miles and the value per mile of each water company under the jurisdiction of the public utilities commission in the state, and for each taxing district in which

such water company may exist. The value per mile of any line included in this subsection, except railroads, shall be determined by dividing the total value of such line within the state by the number of miles of such line within the state. The value per mile of railroad line shall be determined by apportionment of the total value of line within the state. The apportionment shall be based twenty percent (20%) on the ratio of line miles in the state to line miles in the county; forty percent (40%) on the ratio of net ton miles in the state to net ton miles in the county; and forty percent (40%) on the ratio of station revenues in the state to station revenues in the county. All operating property of railroads shall be apportioned to the counties as part of the railroad line in the county. The apportionment for taxing districts shall be the same as the apportionment among counties.

(e) The system value, the number of miles and the value per mile of each electric current transmission line and each electric current distribution line in each county separately, and for each taxing district within said county in which such transmission and distribution lines may exist. The value per mile of any line included in this subsection shall be determined by dividing the apportioned value of such line within each county by the number of miles of such line within said county.

(f) The system value of private railcar fleets entering or standing in Idaho in the year preceding the constituted lien as provided in section 63-411(3), Idaho Code.

(g) The system value and calculate the allocation and apportionment of the system value for all other operating property.

(3) On and after January 1, 2004, any newly installed or constructed equipment located within a city corporate limit or within five (5) miles of a city corporate limit and used for and in conjunction with the thermal generation of electricity shall be apportioned based on physical location. For purposes of this subsection newly installed or constructed equipment used for and in conjunction with the thermal generation of electricity shall not include the remodeling, retrofitting, rehabilitation, refurbishing or modification of an existing electrical generation facility, or integration or transformation facilities such as substations or transmission lines. Notwithstanding the provisions of section 63-301A, Idaho Code, property apportioned based on physical location pursuant to this subsection shall be placed on the new construction roll.

(4) If the value of property of any company assessable under this section is of such a nature that it cannot reasonably be apportioned on the basis of rail, wire, pipeline mileage, such as microwave and radio relay stations, the tax commission may adopt such other method or basis of apportionment to the county and taxing districts in which the property is situate as may be feasible and proper.;

and in line 3, delete "SECTION 3" and insert: "SECTION 4".

#### CORRECTION TO TITLE

On page 1, in line 7, following "ERTY;" insert: "AMENDING SECTION 63-405, IDAHO CODE, TO PROVIDE THAT CERTAIN PROPERTY APPORTIONED BASED ON PHYSICAL LOCATION SHALL BE PLACED ON THE NEW CONSTRUCTION ROLL;".

**HOUSE AMENDMENT TO S 1300, as amended**

## AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, delete lines 22 and 23 and insert: "tion, or any violation of the duty to register as provided in this chapter, or offenders who are recidivists as defined in this chapter, who have".

**HOUSE AMENDMENT TO H 760**

## AMENDMENTS TO SECTION 1

On page 1 of the printed bill, delete lines 32 through 43 and insert:

"(9) "Moped" means a limited-speed motor-driven cycle having:

(a) Both motorized and pedal propulsion that is not capable of propelling the vehicle at a speed in excess of thirty (30) miles per hour on level ground, whether two (2) or three (3) wheels are in contact with the ground during operation. If an internal combustion engine is used, the displacement shall not exceed fifty (50) cubic centimeters and the moped shall have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged; or

(b) Two (2) wheels or three (3) wheels with no pedals, which is powered solely by electrical energy, has an automatic transmission, a motor which produces less than two (2) gross brake horsepower, is capable of propelling the device at a maximum speed of not more than thirty (30) miles per hour on level".

On page 2, in line 1, following "ground" insert: "and as originally manufactured, meets federal motor vehicle safety standards for motor-driven cycles".

**HOUSE AMENDMENT TO H 663**

## AMENDMENTS TO SECTION 1

On page 2 of the printed bill, in line 18, delete "as part of the dispensing fee for the" and delete line 19 and insert: ". Pharmacy providers shall not be required to dispense any prescribed medication unless a medicaid participant provides for any applicable copayment under this paragraph. Copayments shall not constitute a reduction of overall reimbursement to pharmacists for the dispensing of prescribed medicine."

**HOUSE AMENDMENTS TO S 1363**

## AMENDMENTS TO SECTION 3

On page 3 of the printed bill, in line 40, delete "five" and insert: "two"; in line 41, delete "5" and insert: "2"; in line 42, delete "five" and insert: "two"; in line 43, delete "5" and insert: "2"; in line 44, delete "state board of examiners appoint-" and insert: "state board of examiners,"; in line 45, delete "ing authority."; in line 49, delete "holding permanent status" and insert: "holding permanent status,"; in line 51, delete "five" and insert: "two"; and in line 52, delete "5" and insert: "2".

On page 4, in line 1, delete "five" and insert: "two", and also in line 1, delete "5" and insert: "2"; in line 2, delete "state" and insert: "state"; and in line 3, delete "board of examiners appointing authority." and insert: "board of examiners,".

## AMENDMENT TO SECTION 5

On page 5, in line 32, delete "--" and insert: "-- AND"; and in line 51, delete "section 67-5302, Idaho Code," and insert: "section 67-5302, Idaho Code,".

On page 6, in line 1, and insert: "under any other complete exemption in federal law,"; in line 2, delete "act,"; in line 10, following "service." insert: "Such salaried employees shall report absences in excess of one-half (1/2) day."; in line 27, delete "section" and insert: "this section,"; and delete line 29, and insert: "exemption in federal law, and who are not".

## AMENDMENT TO SECTION 7

On page 8, in line 37, delete "section" and insert: "section bureau".

## AMENDMENT TO SECTION 8

On page 12, in line 31, delete "permanent" and insert: "permanent".

## AMENDMENT TO SECTION 14

On page 16, in line 50, delete "by rule".

## AMENDMENTS TO SECTION 15

On page 17, in line 5, delete "holding permanent status", and also in line 5, delete "five" and insert: "two"; in line 6, delete "5" and insert: "2"; in line 7, delete "five" and insert: "two", and also in line 7, delete "5" and insert: "2"; in line 9, delete "department director" and insert: "state board of examiners"; in line 13, delete "holding perma-"; in line 14, delete "nent status"; in line 20, delete "five" and insert: "two"; in line 21, delete "(\$5,000). Exceptions to the five thousand dollar (\$5,000)" and insert: "(\$2,000). Exceptions to the two thousand dollar (\$2,000)"; in line 23, delete "department director" and insert: "state board of examiners"; in line 30, delete "holding permanent status"; in line 36, delete "holding permanent"; in line 37, delete "status"; and following line 46, insert:

"(c) Employees in the same classification who are similarly situated shall be treated consistently in respect to shift differential and geographic pay differential."

## AMENDMENTS TO SECTION 17

On page 18, in line 12, delete "STATE POLICY --" and insert: "HOURS OF WORK AND"; in line 34, delete "section 67-5302, Idaho Code," and insert: "section 67-5302, Idaho Code,"; delete line 35, and insert: "exempt under any other complete exemption in federal law,"; in line 36, delete "standards act,"; and in line 44, following "service." insert: "Such salaried employees shall report absences in excess of one-half (1/2) day.".

On page 19, in line 11, delete "section" and insert: "this section,"; in line 12, delete "the"; and in line 13, delete "federal law fair labor standards act," and insert: "federal law,".

## AMENDMENTS TO SECTION 19

On page 21, in line 46, delete "the federal fair labor standards" and insert: "section 67-5302, Idaho Code."; in line 47, delete "act"; and on page 22, in line 7, delete "the federal fair labor standards act" and insert: "section 67-5302, Idaho Code.".

## AMENDMENT TO THE BILL

On page 23, delete lines 23, 24 and 25.

## CORRECTIONS TO TITLE

On page 1, in line 31, following "ERENCES" insert: "AND TERMINOLOGY"; in line 33, following "IDAHO CODE," insert: "TO PROVIDE CORRECT TERMINOLOGY,".

On page 2, in line 12, delete "ACCORD-"; delete line 13 and insert: ", TO"; in line 17, following "REIMBURSEMENT;" insert: "AND"; in line 18, following "PAY" delete the remainder of the line and insert: ". "; and delete line 19.

We have also had under consideration **H 677**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**H 474**, as amended, **H 760**, as amended, and **H 663**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**S 1300**, as amended, as amended in the House, and **S 1363**, as amended in the House, were filed for first reading.

**H 677** was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

**H 682** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Rydalch to open debate.

The question being, "Shall **H 682** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bastian, Black, Brackett, Bradford, Cannon, Chadderdon, Ellsworth, Field(18), Field(23), Jaquet, Kemp, LeFavour, Martinez, Mathews, Miller, Nielsen, Ring, Rydalch, Schaefer, Shirley, Smylie, Trail, Wills, Wood. Total -- 25.

NAYS -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Boe, Bolz, Clark, Collins, Denney, Edmunson, Eskridge, Garrett, Hart, Harwood, Henbest, Henderson, Lake, Loertscher, McGeachin, McKague, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sali, Sayler, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Mr. Speaker. Total -- 42.

Absent and excused -- Block, Crow, Deal. Total -- 3.  
Total -- 70.

Whereupon the Speaker declared **H 682** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

**H 788** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 788** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Block, Crow, Deal, Field(18), Martinez. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 788** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 758** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 758** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler,

Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Crow, Deal, Martinez.  
Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 758** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 763** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Shepherd(2) to open debate.

The question being, "Shall **H 763** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Block, Crow, Deal. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 763** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 617**, **H 776**, **HCR 49**, **HCR 51**, and **HCR 53** retain their places on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**HCR 61** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bradford and Ms. Kemp to open debate.

The question being, "Shall **HCR 61** be adopted?"

Whereupon the Speaker declared **HCR 61** adopted by voice vote and ordered the resolution transmitted to the Senate.

**H 770** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 770** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Cannon. Total -- 1.

Absent and excused -- Block, Crow, Deal, Nonini.  
Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 770** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 533**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 533**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- LeFavour, Pasley-Stuart, Ringo. Total -- 3.

Absent and excused -- Block, Bradford, Deal. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 533**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.



**H 601**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **H 601**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wills, Wood, Mr. Speaker. Total -- 60.

NAYS -- Cannon, Clark, Lake, Mitchell, Moyle, Raybould, Stevenson. Total -- 7.

Absent and excused -- Block, Deal, Smith(24). Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 601**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

**HJM 18**, as amended, was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **HJM 18**, as amended, be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bedke, Block, Deal, Raybould, Smith(24). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **HJM 18**, as amended, adopted and ordered the memorial transmitted to the Senate.

**H 650**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **H 650**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Crow, Deal, Smith(24). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 650**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 714**, as amended, retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**H 735**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Brackett to open debate.

The question being, "Shall **H 735**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- Henbest, Mitchell, Ringo, Rusche. Total -- 4.

Absent and excused -- Block, Crow, Deal, Smith(24). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 735**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 742**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **H 742**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderton, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bell, Block, Crow, Deal. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 742**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 750**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail and Mr. Nielsen to open debate.

The question being, "Shall **H 750**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderton, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Bell, Block, Crow, Deal, Ring. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 750**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 705**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 705**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderton, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Block, Crow, Deal. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 705**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

## RECESS

### Afternoon Session

The House reconvened at 1:15 p.m., Mr. Denney in the Chair.

Roll call showed 67 members present.

Absent and excused -- Block, Sali, Mr. Speaker. Total -- 3.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**H 702**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

Mr. Trail asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 702**, as amended. There being no objection, it was so ordered.

The question being, "Shall **H 702**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bastian, Bilbao, Boe, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Henbest, Jaquet, Kemp, LeFavour, Martinez, Mathews, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Rydalch, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 39.

NAYS -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bolz, Brackett, Clark, Crow, Eskridge, Garrett, Hart, Harwood, Henderson, Lake, Loertscher, McGeachin, McKague, Moyle, Nonini, Raybould, Roberts, Schaefer, Shepherd(8), Smith(24), Stevenson. Total -- 27.

Absent and excused -- Black, Block, Sali, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 702**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 719**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **H 719**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sayler, Schaefer, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills. Total -- 53.

NAYS -- Anderson, Barrett, Eskridge, Harwood, Loertscher, McGeachin, Nonini, Rydalch, Shepherd(2), Shepherd(8). Total -- 10.

Absent and excused -- Black, Block, Crow, Sali, Stevenson, Wood, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 719**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 738**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **H 738**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 57.

NAYS -- Barrett, Bayer, Harwood, Loertscher, McKague, Nielsen, Nonini, Rydalch. Total -- 8.

Absent and excused -- Black, Block, Crow, Wood, Mr. Speaker. Total -- 5.

Paired Vote:

AYE -- Sali                      NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 738**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 709**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Shirley to open debate.

The question being, "Shall **H 709**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 65.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Black, Block, Crow, Mr. Speaker. Total -- 4.

Paired Vote:

AYE -- Sali                      NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 709**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1256** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Deal to open debate.

The question being, "Shall **S 1256** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 65.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Block, Crow, Harwood, Mr. Speaker. Total -- 4.

Paired Vote:

AYE -- Sali                      NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1256** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1302** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smith(24) to open debate.

The question being, "Shall **S 1302** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Crow, Sali, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1302** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1304** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **S 1304** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 65.

NAYS -- McKague. Total -- 1.

Absent and excused -- Block, Crow, Sali, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1304** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1303** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Shirley to open debate.

The question being, "Shall **S 1303** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler,

Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 64.

NAYS -- None.

Absent and excused -- Block, Boe, Crow, Field(18), Sali, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1303** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1258** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Jaquet to open debate.

The question being, "Shall **S 1258** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Anderson, Block, Boe, Crow, Eskridge, Field(18), Sali, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1258** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Tuesday, March 14, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:05 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

## SIXTY-FIFTH LEGISLATIVE DAY TUESDAY, MARCH 14, 2006

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Black. Total -- 1.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Michael Kelsey, Page.

### Approval of Journal

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-fourth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR

Boise

March 11, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 414, H 415, H 436, H 446, H 447, H 448, H 453, H 454, H 462, H 464, H 476, H 477, H 488, H 535, H 556, H 575, and H 577**

Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

/s/

OFFICE OF THE GOVERNOR  
Boise

March 13, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

**H 534**, as amended

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

March 13, 2006

Mr. Speaker:

I return herewith enrolled **HCR 46, H 457, H 483, H 672, H 579, H 580, H 581, H 708, H 411, H 490, H 493, H 410, H 463**, as amended, **H 603, H 608, H 547, H 559, H 685, H 590, H 475, H 548, H 549, H 550**, and **H 551** which have been signed by the President.

WOOD, Secretary

Enrolled **H 457, H 483, H 672, H 579, H 580, H 581, H 708, H 411, H 490, H 493, H 410, H 463**, as amended, **H 603, H 608, H 547, H 559, H 685, H 590, H 475, H 548, H 549, H 550**, and **H 551** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HCR 46** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 13, 2006

Mr. Speaker:

I transmit herewith **SCR 131, S 1434, S 1435, S 1436, S 1425, S 1356**, as amended, and **S 1357**, as amended, which have passed the Senate.

WOOD, Secretary

**SCR 131, S 1434, S 1435, S 1436, S 1425, S 1356**, as amended, and **S 1357**, as amended, were filed for first reading.

March 13, 2006

Mr. Speaker:

I return herewith **H 443**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

**H 443**, as amended in the Senate, was ordered held at the Desk.

Mrs. McGeachin asked unanimous consent that the House concur in the Senate amendments to **H 443**, as amended in the Senate. There being no objection, it was so ordered.

**H 443**, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

**Report of Standing Committees**

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 800, H 801, H 802, H 803, H 804, H 805**, and **H 806** and House Amendments to **H 474, S 1300**, as amended, **H 760, H 663**, and **S 1363**.

FIELD(18), Chairman

**H 800** was referred to the Resources and Conservation Committee.

**H 806** was referred to the Health and Welfare Committee.

**H 801, H 802, H 803, H 804**, and **H 805** were filed for second reading.

**SJM 119** held at the Desk March 9, 2006, was referred to the State Affairs Committee.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 13, H 615, H 533**, as amended in the Senate, and **H 601**, as amended in the Senate.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HJM 13, H 615, H 533**, as amended in the Senate, and **H 601**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 474**, as amended, **H 760**, as amended, and **H 663**, as amended.

FIELD(18), Chairman

**H 474**, as amended, **H 760**, as amended, and **H 663**, as amended, were filed for first reading of engrossed bills.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 571, H 574, H 536, H 591, H 592, H 700, H 701, H 564, H 566, H 465, H 560, H 578, H 452, H 585, H 586, H 471, H 461, H 444**, as amended, **H 473, H 459**, and **H 458** to the Governor at 11:15 a.m., as of this date, March 13, 2006.

FIELD(18), Chairman

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1395**, as amended, and recommend that it do pass.

BARRACLOUGH, Chairman

**S 1395**, as amended, was filed for second reading.

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 789** and report it back with amendments attached to be placed on General Orders for consideration.

BARRACLOUGH, Chairman

**H 789** was placed on General Orders for consideration.

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1275**, **S 1400**, as amended, **S 1407**, **S 1408**, and **S 1409**, as amended, and recommend that they do pass.

FIELD(18), Chairman

**S 1275**, **S 1400**, as amended, **S 1407**, **S 1408**, and **S 1409**, as amended, were filed for second reading.

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 784** and **S 1295** and recommend that they do pass.

BLACK, Chairman

**H 784** and **S 1295** were filed for second reading.

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 753** and report it back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

**H 753** was placed on General Orders for consideration.

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1373**, **S 1411**, and **S 1413** and recommend that they do pass.

SCHAEFER, Chairman

**S 1373**, **S 1411**, and **S 1413** were filed for second reading.

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **HJM 21** and recommend that it do pass.

STEVENSON, Chairman

**HJM 21** was filed for second reading.

March 13, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 736** and **H 737** and report them back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

**H 736** and **H 737** were placed on General Orders for consideration.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HJM 22** and recommend that it do pass.

DEAL, Chairman

**HJM 22** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 63 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF THE CURRENT MENTAL HEALTH AND SUBSTANCE ABUSE TREATMENT DELIVERY SYSTEMS IN IDAHO AND TO REVIEW ALTERNATIVE WAYS TO PROVIDE THESE SERVICES.

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

WHEREAS, the Department of Health and Welfare has grown too large as an agency to effectively manage substance abuse treatment and mental health services for children and adults; and

WHEREAS, the district and magistrate courts, the Department of Correction and the Department of Juvenile Corrections and counties are being adversely affected by our inability to address the needs of those with mental health or substance abuse issues and those who are dual-diagnosed; and

WHEREAS, the staggering cost of mental health and substance abuse treatment systems without accountability measures in either should not be sustained; and

WHEREAS, the Legislature has struggled to find methods to provide guidance for substance abuse and mental health treatment design, delivery and accountability;

WHEREAS, mental health services funded through Medicaid have been subject to some scrutiny through the pilot credentialing authorized by the Legislature in 2005 in the Department of Health and Welfare's appropriation; and

WHEREAS, there is a policy question as to whether substance abuse services and adult and children's mental health services ought to be removed from the Department of Health and Welfare and be combined into a new stand alone agency.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of the current mental health and substance abuse treatment delivery systems in Idaho and to review alternative ways to provide these services and make recommendations for any changes the committee would see as appropriate, with specific attention paid to a system that meets the needs of, and provides accountability to, Idahoans. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Fifty-ninth Idaho Legislature.

**HCR 63** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**SCR 131**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Environment, Energy, and Technology Committee.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 807**

**BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO LAND USE PLANNING; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-831, IDAHO CODE, TO ALLOW THE COLLECTION OF A FEE FROM OWNERS OR DEVELOPERS OF A SUBDIVISION BY A COUNTY, WITH THE MONEYS TO BE UTILIZED FOR TRAINING CONDUCTED BY IDAHO HIGHER EDUCATIONAL

INSTITUTIONS FOR PLANNER CERTIFICATION, TO PROVIDE THAT THE TRAINING MAY INCLUDE INSTRUCTION IN ENVIRONMENTAL LAND USE ISSUES, ZONING AND LAND USE PRINCIPLES, LANDSCAPE DESIGN, PUBLIC ADMINISTRATION AND ECONOMIC AND FINANCIAL RESPONSIBILITY IN A LAND USE CONTEXT, TO CREATE THE COUNTY PLANNING EDUCATION FUND AND TO PROVIDE FOR EXPENDITURE OF MONEYS IN THE FUND.

**HOUSE BILL NO. 808**

**BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 809**

**BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT TO CLARIFY THE SCOPE OF THE APPROPRIATION; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 810**

**BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS FOR THE PUBLIC EMPLOYEE RETIREMENT SYSTEM FOR FISCAL YEAR 2007; CLARIFYING THE APPROPRIATION FOR THE PORTFOLIO INVESTMENT PROGRAM; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 811**

**BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2007; PROVIDING FOR THE RECOVERY OF BANKING SERVICES COSTS TO THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 812**

**BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE GOVERNOR FOR THE HUMAN RIGHTS COMMISSION FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.



**HOUSE BILL NO. 813**  
**BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE GOVERNOR FOR THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 814**  
**BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO JUDGES; AMENDING SECTION 59-502, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO SALARIES OF JUDGES AND TO MAKE TECHNICAL CHANGES.

**H 807, H 808, H 809, H 810, H 811, H 812, H 813, and H 814** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1425, S 1356**, as amended, and **S 1357**, as amended, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1300**, as amended, as amended in the House, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

**S 1363**, as amended in the House, by Commerce and Human Resources Committee, was introduced, read the first time by title, and filed for second reading.

**S 1434, S 1435, and S 1436**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

**First Reading of Engrossed Bills**

**H 474**, as amended, and **H 760**, as amended, by Revenue and Taxation Committee, were introduced, read the first time by title and filed for second reading.

**H 663**, as amended, by Health and Welfare Committee, was introduced, read the first time by title and filed for second reading.

**Second Reading of Bills and Joint Resolutions**

**H 796**, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**H 797, H 798, and H 799**, by Appropriations Committee, were read the second time by title and filed for third reading.

**HCR 48 and HCR 52**, by State Affairs Committee, were read the second time by title and filed for third reading.

**H 668**, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**S 1374**, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Loertscher moved that **H 617** be returned to the Health and Welfare Committee. Seconded by Mrs. McGeachin.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Chadderdon, Eskridge, Hart, Harwood, Loertscher, Mathews, McGeachin, McKague, Nielsen, Nonini, Raybould, Rydalch, Sali, Schaefer, Shepherd(8). Total -- 20.

NAYS -- Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Moyle, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 48.

Absent and excused -- Black, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared the motion failed.

**H 617** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ring to open debate.

The question being, "Shall **H 617** pass?"

Mr. Nielsen asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 617**. There being no objection, it was so ordered.

The question being, "Shall **H 617** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bell, Bilbao, Block, Boe, Bolz, Cannon, Chadderdon, Deal, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Sayler, Shepherd(2), Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 37.

NAYS -- Anderson, Barrett, Bayer, Bedke, Brackett, Bradford, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Hart, Harwood, Lake, Loertscher, Mathews,

McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Skippen, Wood. Total -- 31.

Absent and excused -- Black, Crow. Total -- 2.  
Total -- 70.

Whereupon the Speaker declared **H 617** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 776** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Block to open debate.

The question being, "Shall **H 776** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Martinez, Mathews, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 56.

NAYS -- Barrett, Bayer, Hart, LeFavour, Loertscher, McGeachin, McKague, Nielsen, Sali, Shepherd(8), Wood. Total -- 11.

Absent and excused -- Black, Brackett, Crow. Total -- 3.  
Total -- 70.

Whereupon the Speaker declared **H 776** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Denney moved that the House adjourn until 10 a.m., Wednesday, March 15, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:25 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**SIXTY-SIXTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 15, 2006**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Ellsworth. Total -- 1.  
Total -- 70.

Prayer was offered by Ron Crane, State Treasurer.

The Pledge of Allegiance was led by Brock Larsen, Page.

**Approval of Journal**

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-fifth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 13, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

**H 701**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

March 14, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1268, S 1269, S 1270, S 1271, S 1272, and S 1301** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1268, S 1269, S 1270, S 1271, S 1272, and S 1301** and, when so signed, ordered them returned to the Senate.

March 14, 2006

Mr. Speaker:

I return herewith enrolled **H 554, H 555, H 621, H 746, H 747, H 748, H 627, H 628, H 629, H 430, H 431, H 530, and H 589**, as amended, which have been signed by the President.

WOOD, Secretary

Enrolled **H 554, H 555, H 621, H 746, H 747, H 748, H 627, H 628, H 629, H 430, H 431, H 530, and H 589**, as amended, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 14, 2006

Mr. Speaker:

I transmit herewith **S 1437** which has passed the Senate.

WOOD, Secretary

**S 1437** was filed for first reading.

March 14, 2006

Mr. Speaker:

I return herewith **H 593, H 614, H 584, H 587, H 711, H 718, H 565**, as amended, **H 611**, as amended, **H 664, H 632, H 631, H 633, H 631, H 432, H 619, H 491, H 538, H 539, H 645, H 605, H 606, and H 607** which have passed the Senate.

WOOD, Secretary

**H 593, H 614, H 584, H 587, H 711, H 718, H 565**, as amended, **H 611**, as amended, **H 664, H 632, H 633, H 631, H 432, H 619, H 491, H 538, H 539, H 645, H 605, H 606, and H 607** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 14, 2006

Mr. Speaker:

I return herewith **H 671**, as amended in the Senate, and **H 497**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

**H 671**, as amended in the Senate, and **H 497**, as amended in the Senate, were ordered held at the Desk.

Mrs. Field(23) asked unanimous consent that the House concur in the Senate amendments to **H 671**, as amended in the Senate. There being no objection, it was so ordered.

Ms. Kemp asked unanimous consent that the House concur in the Senate amendments to **H 497**, as amended in the Senate. There being no objection, it was so ordered.

**H 671**, as amended in the Senate, and **H 497**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

## Report of Standing Committees

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 63, H 807, H 808, H 809, H 810, H 811, H 812, H 813, and H 814**.

FIELD(18), Chairman

**HCR 63** was referred to the Health and Welfare Committee.

**H 807** was referred to the Revenue and Taxation Committee.

**H 814** was referred to the Judiciary, Rules, and Administration Committee.

**H 808, H 809, H 810, H 811, H 812, and H 813** were filed for second reading.

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 443**, as amended in the Senate.

FIELD(18), Chairman

**H 443**, as amended in the Senate, was filed for first reading of engrossed bills.

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 457, H 483, H 672, H 579, H 580, H 581, H 708, H 411, H 490, H 493, H 410, H 463**, as amended, **H 603, H 608, H 547, H 559, H 685, H 590, H 475, H 548, H 549, H 550, and H 551** to the Governor at 11 a.m., as of this date, March 14, 2006.

FIELD(18), Chairman

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 46** to the Secretary of State at 11:01 a.m., as of this date, March 14, 2006.

FIELD(18), Chairman

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 768** and report it back without recommendation.

BARRACLOUGH, Chairman

**H 768** was filed for second reading.

March 14, 2006

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 764, H 728, H 780, and H 781** and recommend that they do pass.  
CROW, Chairman

**H 764, H 728, H 780, and H 781** were filed for second reading.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 570 and H 777** and report them back with amendments attached to be placed on General Orders for consideration.  
DEAL, Chairman

**H 570 and H 777** were placed on General Orders for consideration.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1401 and S 1266**, as amended, and recommend that they do pass.  
WOOD, Chairman

**S 1401 and S 1266**, as amended, were filed for second reading.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **H 791 and HCR 62** and recommend that they do pass.  
RAYBOULD, Chairman

**H 791 and HCR 62** were filed for second reading.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1412**, as amended, **SCR 125**, and **SCR 126** and recommend that they do pass.  
BLOCK, Chairman

**S 1412**, as amended, **SCR 125**, and **SCR 126** were filed for second reading.

March 14, 2006

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 771, H 772, H 773, H 774, and H 775** and recommend that they do pass.  
FIELD(23), Chairman

**H 771, H 772, H 773, H 774, and H 775** were filed for second reading.

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 778** and report it back with amendments attached to be placed on General Orders for consideration.

CROW, Chairman

**H 778** was placed on General Orders for consideration.

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HJR 6, HJR 7, and S 1350**, as amended, and recommend that they do pass.  
DEAL, Chairman

**HJR 6, HJR 7, and S 1350**, as amended, were filed for second reading.

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 745** and recommend that it do pass.  
CROW, Chairman

**H 745** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**HOUSE JOINT MEMORIAL NO. 23  
BY STATE AFFAIRS COMMITTEE  
A JOINT MEMORIAL**

TO THE UNITED STATES SECRETARY OF THE TREASURY, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, capital resources of the Idaho and United States taxpayer, as well as capital resources of international financial institutions, are scarce and limited; and

WHEREAS, the Congress of the United States appropriates funds to international financial institutions through capital replenishment; and

WHEREAS, lending practices by international financial institutions are formulated without vital public scrutiny and

debate and there are few checks and balances to ensure that international financial institutions are acting in the best interests of the countries to whom they lend; and

WHEREAS, the United States executive directors of these international financial institutions should vote for and approve loans to countries whose policies are consistent with the economic, environmental and national security interests of the United States; and

WHEREAS, international financial institutions have isolated developing countries from free market reforms by imposing severe economic austerity measures; and

WHEREAS, severe economic austerity measures are the cause and source of much social, political and economic instability in the world.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we request that Congress and the United States Secretary of the Treasury oppose the World Bank, the International Monetary Fund and other international financial institutions' loans or aid by use of its voice and vote until such time as the United States Secretary of the Treasury shall determine that the several international financial institutions' executive directors and the borrowing countries have formulated an economic program that determines how funds of the World Bank, the International Monetary Fund and other international financial institutions' assistance programs shall provide the basis for correcting the borrowers' out-of-balance payment deficits, reduce the severe constraints on the borrowing countries' labor forces and capital mobility in order to advance market-oriented domestic interests, minimize negative environmental impact upon borrowing countries and the global community and establish social, political, economic, anti-human trafficking and antiterrorist reforms for humankind.

BE IT FURTHER RESOLVED that Congress and Idaho's congressional delegation shall be requested to further discourage such wrongful investment by international financial institutions by reducing any future recapitalization by an amount equal to the proportionate share of those loans that are not in keeping with the economic, environmental, and national security interests of the United States.

BE IT FURTHER RESOLVED that the United States Secretary of the Treasury is encouraged to annually review the budgets and accounts and activities of the international financial institutions and to annually report his or her findings to the general public and Congress.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the United States Secretary of the Treasury, to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HJM 23** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 815  
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO PUBLIC VIRTUAL SCHOOLS;  
AMENDING SECTION 33-5202A, IDAHO CODE, TO  
DEFINE "VIRTUAL DISTANCE LEARNING."

**HOUSE BILL NO. 816  
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO PRODUCERS OF ELECTRICITY BY  
MEANS OF WIND ENERGY; AMENDING SECTION  
63-3501, IDAHO CODE, TO REVISE DEFINITIONS AND TO  
PROVIDE CORRECT TERMINOLOGY; AMENDING  
CHAPTER 35, TITLE 63, IDAHO CODE, BY THE  
ADDITION OF A NEW SECTION 63-3502B, IDAHO CODE,  
TO PROVIDE FOR A WIND ENERGY TAX; AMENDING  
CHAPTER 35, TITLE 63, IDAHO CODE, BY THE  
ADDITION OF A NEW SECTION 63-3503B, IDAHO CODE,  
TO PROVIDE FOR THE FILING OF OPERATORS'  
STATEMENTS BY PRODUCERS OF ELECTRICITY BY  
MEANS OF WIND ENERGY, TO PROVIDE FOR THE  
COMPUTATION, ALLOTMENT AND APPORTIONMENT  
OF TAX DUE FROM PRODUCERS OF ELECTRICITY BY  
MEANS OF WIND ENERGY BY THE STATE TAX  
COMMISSION AND TO REQUIRE CERTAIN  
NOTIFICATIONS; AMENDING SECTION 63-3504, IDAHO  
CODE, TO AUTHORIZE COUNTY TREASURERS TO  
COLLECT SPECIFIED TAXES FROM PRODUCERS OF  
ELECTRICITY BY MEANS OF WIND ENERGY, TO  
PROVIDE AN EXCEPTION RELATING TO DISTRIBUTION  
OF THOSE TAXES AND TO MAKE A TECHNICAL  
CORRECTION; AMENDING CHAPTER 35, TITLE 63,  
IDAHO CODE, BY THE ADDITION OF A NEW SECTION  
63-3504A, IDAHO CODE, TO PROVIDE FOR THE  
DISTRIBUTION OF TAXES PAID BY PRODUCERS OF  
ELECTRICITY BY MEANS OF WIND ENERGY;  
AMENDING SECTION 63-3505, IDAHO CODE, TO  
PROVIDE FOR TAX LIENS ON PROPERTY OF  
PRODUCERS OF ELECTRICITY BY MEANS OF WIND  
ENERGY, TO PROVIDE CORRECT TERMINOLOGY AND  
TO MAKE A TECHNICAL CORRECTION; AMENDING  
SECTION 63-3506, IDAHO CODE, TO PROVIDE FOR THE  
ASSESSMENT OF NONOPERATING PROPERTY OF  
PRODUCERS OF ELECTRICITY BY MEANS OF WIND  
ENERGY; AMENDING CHAPTER 6, TITLE 63, IDAHO  
CODE, BY THE ADDITION OF A NEW SECTION 63-602JJ,  
IDAHO CODE, TO PROVIDE AN EXEMPTION FROM  
TAXATION FOR CERTAIN OPERATING PROPERTY OF  
PRODUCERS OF ELECTRICITY BY MEANS OF WIND  
ENERGY; AND TO PROVIDE AN EFFECTIVE DATE.

**HOUSE BILL NO. 817**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 818**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

APPROPRIATING MONEYS TO THE SOIL CONSERVATION COMMISSION FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 819**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 820**  
**BY WAYS AND MEANS COMMITTEE**  
 AN ACT

RELATING TO RAIL SERVICE PRESERVATION; AMENDING THE HEADING FOR CHAPTER 29, TITLE 49, IDAHO CODE, TO PROVIDE THE RURAL ECONOMIC DEVELOPMENT AND INTEGRATED FREIGHT TRANSPORTATION PROGRAM; AMENDING SECTION 49-2901, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT OF COMMERCE AND LABOR TO ADMINISTER THE RURAL ECONOMIC DEVELOPMENT AND INTEGRATED FREIGHT TRANSPORTATION PROGRAM, TO CLARIFY FUNDING FOR STATE PROJECTS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING CHAPTER 29, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-2902, IDAHO CODE, TO CREATE AN INTERAGENCY WORKING GROUP; AMENDING SECTION 49-2902, IDAHO CODE, TO PROVIDE FOR DUTIES OF THE INTERAGENCY WORKING GROUP, TO PROVIDE A CORRECT CODE REFERENCE AND TO REDESIGNATE THE SECTION; AMENDING SECTION 49-2903, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT OF COMMERCE AND LABOR TO ADMINISTER THE RURAL ECONOMIC DEVELOPMENT AND INTEGRATED FREIGHT TRANSPORTATION REVOLVING LOAN FUND, TO PROVIDE FOR INVESTMENT OF IDLE MONEYS IN THE FUND AND TO PROVIDE FOR RETURN TO THE FUND OF INTEREST EARNED, TO REDEFINE "QUALIFIED LINES," TO PROVIDE FOR USES AND DISTRIBUTION OF MONEYS, TO PROVIDE CORRECT TERMINOLOGY AND TO REDESIGNATE THE SECTION; AND AMENDING

SECTION 49-2904, IDAHO CODE, TO DIRECT THE IDAHO TRANSPORTATION DEPARTMENT TO PREPARE AND UPDATE A STATE RAIL AND INTERMODAL FACILITY SYSTEM PLAN, TO REVISE THE ELEMENTS OF THE PLAN, TO DIRECT THE IDAHO TRANSPORTATION DEPARTMENT TO PROVIDE CERTAIN INFORMATION TO THE INTERAGENCY WORKING GROUP, TO PROVIDE CORRECT TERMINOLOGY AND TO REDESIGNATE THE SECTION.

**HOUSE BILL NO. 821**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO DEAF AND BLIND EDUCATION; AMENDING SECTION 16-113, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-101, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-905, IDAHO CODE, TO REMOVE CONSIDERATION OF THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND AS A SCHOOL DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE THE EDUCATION SUPPORT PROGRAM FORMULA AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1004H, IDAHO CODE, TO PROVIDE DISTRIBUTION CALCULATIONS FOR SCHOOL DISTRICTS HOSTING REGIONAL PROGRAMS FOR DEAF EDUCATION; AMENDING THE HEADING FOR CHAPTER 34, TITLE 33, IDAHO CODE; AMENDING SECTION 33-3401, IDAHO CODE, TO ESTABLISH IN THE STATE BOARD OF EDUCATION THE DIVISION OF DEAF AND BLIND EDUCATION AND TO PROVIDE FOR THE ELIMINATION OF THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND AS A BODY CORPORATE; AMENDING SECTION 33-3402, IDAHO CODE, TO REMOVE REFERENCE TO THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND AS A BODY CORPORATE AND TO PROVIDE GENERAL SUPERVISION, GOVERNMENT AND CONTROL OF THE DIVISION IN THE STATE BOARD; AMENDING SECTION 33-3403, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY; AMENDING SECTION 33-3404, IDAHO CODE, TO EMPOWER THE STATE BOARD TO DISPOSE OF ANY PROPERTY BELONGING TO OR VESTED IN THE NAME OF THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND; AMENDING SECTION 33-3405, IDAHO CODE, TO PROVIDE FOR GENERAL POWERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-3406, IDAHO CODE, TO PROHIBIT RELIGIOUS OR SECTARIAN TESTS WITH REGARD TO DIVISION STUDENTS AND PERSONNEL; REPEALING SECTION 33-3407, IDAHO CODE, RELATING TO THE DEFINITION OF DEAF AND BLIND, EXAMINATION OF APPLICANTS AND ADMISSION AND RELEASE OF PUPILS; AMENDING CHAPTER 34, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3407, IDAHO CODE,

TO PROVIDE FOR DEFINITIONS; AMENDING SECTION 33-3408, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; REPEALING SECTION 33-3409, IDAHO CODE, RELATING TO A GENERAL FUND CONTINGENCY RESERVE; AMENDING CHAPTER 34, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3409, IDAHO CODE, TO PROVIDE FOR A PROGRAM FOR THE DEAF; AMENDING CHAPTER 34, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3410, IDAHO CODE, TO PROVIDE FOR A PROGRAM FOR THE BLIND; AMENDING SECTION 33-4802, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS WITH REGARD TO THE DIVISION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-4803, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 33-4806, IDAHO CODE, TO PROVIDE FOR TECHNOLOGY GRANTS TO THE REGIONAL DEAF EDUCATION PROGRAMS; AMENDING SECTION 66-1106, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-1107, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-1108, IDAHO CODE, TO PROVIDE FOR TRANSFER AND CREDIT OF CERTAIN FUNDS TO THE IDAHO DIVISION OF DEAF AND BLIND EDUCATION FUND AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7304, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 822**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO SELF-FUNDED HEALTH CARE PLANS; AMENDING SECTION 41-4001, IDAHO CODE, TO REVISE THE DECLARATION OF PURPOSE; AMENDING SECTION 41-4002, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 41-4003, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO REGISTRATION REQUIREMENTS AND TO REQUIRE WRITTEN NOTICE TO CURRENT AND PROSPECTIVE EMPLOYER PARTICIPANTS; AMENDING SECTION 41-4004, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE AND TO SET FORTH PLAN REQUIREMENTS; AMENDING SECTION 41-4005, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO APPLICATIONS FOR REGISTRATION; AMENDING SECTION 41-4006, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE GRANT OR DENIAL OF REGISTRATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4007, IDAHO CODE, TO REQUIRE CONTRACTS OF THE TRUST FUND TO BE IN WRITING AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4009, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO INVESTMENTS OF TRUST FUNDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4010, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO RESERVES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4011, IDAHO

CODE, TO PROVIDE FOR EXTENSIONS OF FILING TIMES APPLICABLE TO ANNUAL STATEMENTS, TO REQUIRE THE FILING OF QUARTERLY SUPPLEMENTAL FINANCIAL REPORTS, TO MAKE A GRAMMATICAL CORRECTION AND TO REVISE TERMINOLOGY; AMENDING SECTION 41-4012, IDAHO CODE, TO EXEMPT SELF-FUNDED PLANS FROM CERTAIN PROVISIONS RELATING TO TAXES, LICENSES AND FEES, TO MAKE A GRAMMATICAL CHANGE AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 41-4013, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE EXAMINATION OF BOOKS, RECORDS AND ACCOUNTS; AMENDING SECTION 41-4014, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO ADMINISTRATORS AND THE ISSUANCE OF BONDS OR OTHER COVERAGE; AMENDING SECTION 41-4015, IDAHO CODE, TO REFERENCE PLANS FOR PURPOSES OF PROHIBITED PECUNIARY INTERESTS; AMENDING SECTION 41-4018, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO TERMINATION OF REGISTRATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4019, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE LIQUIDATION OF A TRUST FUND; AMENDING SECTION 41-4020, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO RULES AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 41-4021, IDAHO CODE, TO PROVIDE CODE REFERENCES FOR APPLICABLE PROVISIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 41-4022, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO PENALTIES; AND AMENDING SECTION 41-4023, IDAHO CODE, TO PROVIDE CLARIFYING LANGUAGE, TO REFERENCE THE PLAN TRUSTEE OR EMPLOYER FOR PURPOSES OF PROHIBITING THE RESTRICTION OF SPECIFIED COVERAGE AND TO PROHIBIT SPECIFIC BENEFITS RESTRICTIONS RELATED TO THE NEWBORNS' AND MOTHERS' HEALTH PROTECTION ACT OF 1996 AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 823**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE IDAHO BUILDING CODE BOARD; AMENDING SECTION 39-4106, IDAHO CODE, TO REVISE BOARD MEMBERSHIP AND MEETING PROVISIONS.

**HOUSE BILL NO. 824**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO JUNIOR COLLEGES; PROVIDING LEGISLATIVE FINDINGS AND INTENT; AMENDING THE CHAPTER HEADING OF CHAPTER 21, TITLE 33, IDAHO CODE; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2101, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF STATE COMMUNITY COLLEGES BY THE STATE BOARD OF EDUCATION; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW

SECTION 33-2101A, IDAHO CODE, TO PROVIDE FOR ESTABLISHMENT OF COMMUNITY COLLEGE ADVISORY BOARDS AND TO PROVIDE POWERS OF THE BOARDS; AMENDING SECTION 33-2101, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE PROPER TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2101A, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO DELETE A CODE REFERENCE; AMENDING SECTION 33-2110A, IDAHO CODE, TO PROVIDE TUITION FOR STUDENTS RESIDING OUTSIDE OF A COMMUNITY COLLEGE DISTRICT; AND AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2141A, IDAHO CODE, TO PROVIDE FOR DISBURSEMENT OF FUNDS APPROPRIATED TO THE STATE BOARD OF EDUCATION FOR STATE COMMUNITY COLLEGES.

**H 815, H 816, H 817, H 818, H 819, H 820, H 821, H 822, H 823, and H 824** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1437**, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

#### First Reading of Engrossed Bills

**H 443**, as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

#### Second Reading of Bills and Joint Resolutions

**H 801, H 802, H 803, H 804, and H 805**, by Appropriations Committee, were read the second time by title and filed for third reading.

**S 1395**, as amended, by Education Committee, was read the second time by title and filed for third reading.

**S 1275, S 1400**, as amended, **S 1407, S 1408, S 1409**, as amended, **S 1411, S 1413**, and **S 1300**, as amended, as amended in the House, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**H 784**, by State Affairs Committee, was read the second time by title and filed for third reading.

**S 1295**, by State Affairs Committee, was read the second time by title and filed for third reading.

**S 1373 and S 1363**, as amended in the House, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

**HJM 21 and HJM 22**, by Ways and Means Committee, were read the second time by title and filed for third reading.

**S 1434, S 1435, and S 1436**, by Finance Committee, were read the second time by title and filed for third reading.

**H 474**, as amended, and **H 760**, as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**H 663**, as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

#### Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

#### Report of the Committee of the Whole House

March 15, 2004

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **HCR 50, H 753, H 736, H 570, H 777, and H 778** and report them back without recommendation, amended as follows:

#### HOUSE AMENDMENT TO HCR 50

##### AMENDMENT TO THE RESOLUTION

On page 1 of the printed resolution, following line 41, insert: "BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to join a prescription drug purchasing pool for purchase of Medicaid-financed prescription drugs and that the resulting savings be used to fund Medicaid participants' personal health accounts for the purpose of payment of premiums."

##### CORRECTION TO TITLE

On page 1, in line 7, following "DEPARTMENT" insert: ", ENCOURAGING THE DEPARTMENT TO JOIN A DRUG PURCHASING POOL WITH THE RESULTING SAVINGS TO BE USED TO FUND THE PERSONAL HEALTH ACCOUNTS".



**HOUSE AMENDMENT TO H 753**

## AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 19, delete "given." and insert: "given. If delivered via United States mail, such ten (10) day notification period shall begin to run five (5) days following the date of postmark.".

## AMENDMENT TO THE BILL

On page 3, following line 9, insert:

"SECTION 2. That Section 41-1842, Idaho Code, be, and the same is hereby amended to read as follows:

41-1842. COMMERCIAL - INSURANCE - CANCELLATION - NONRENEWAL. (1) Applicability. The provisions of this section apply only to:

- (a) Commercial property insurance policies;
- (b) Commercial liability insurance policies other than aviation and employer's liability insurance policies;
- (c) Commercial multiperil insurance policies.

The provisions of this section do not apply to: block cancellations or block nonrenewals as provided in section 41-1841, Idaho Code, reinsurance, excess and surplus lines insurance, residual market risks, worker's compensation insurance, multistate location risks, policies subject to retrospective rating plans, excess or umbrella policies and such other policies that are exempted by the director of the department of insurance.

(2) Definitions. For the purposes of this section:

- (a) "Cancellation" means termination of a policy at a date other than its expiration date.
- (b) "Expiration date" means the date upon which coverage under a policy ends. It also means, for a policy written for a term longer than one (1) year or with no fixed expiration date, each annual anniversary date of such policy.
- (c) "Nonpayment of premium" means the failure or inability of the named insured to discharge any obligation in connection with the payment of premiums on a policy of insurance subject to this section, whether such payments are payable directly to the insurer or its agent or indirectly payable under a premium finance plan or extension of credit.
- (d) "Nonrenewal" or "not to renew" means termination of a policy at its expiration date.
- (e) "Renewal" or "to renew" means the issuance, or the offer so to issue, by an insurer of a policy succeeding a policy previously issued and delivered by the same insurer or an insurer within the same group of insurers, or the issuance of a certificate or notice extending the term of an existing policy for a specified period beyond its expiration date.

(3) Notice of cancellation.

- (a) Permissible cancellations. If coverage under a policy has not been in effect for sixty (60) days and the policy is not a renewal, cancellation of such policy shall be effected by mailing or delivering a written notice to the first-named insured at the last known mailing address shown on the policy

at least thirty (30) days before the effective date of the cancellation, provided however, if such cancellation is for the reason stated in subsection (3)(a)(i) of this section, the time such cancellation may be effective following notice shall be as provided in subsection (3)(b)(i) of this section. A cancellation requested by the insured shall be effective on the later of the date requested by the insured or the date it is received by the insurer. After coverage has been in effect for more than sixty (60) days or after the effective date of a renewal policy, whichever is earlier, no insurer shall cancel a policy unless the cancellation is based on at least one (1) of the following reasons:

- (i) Nonpayment of premium.
  - (ii) Fraud or material misrepresentation made by or with the knowledge of the named insured in obtaining the policy, continuing the policy, or in presenting a claim under the policy.
  - (iii) Activities or omissions on the part of the named insured which increase any hazard insured against, including a failure to comply with loss control recommendations.
  - (iv) Change in the risk which materially increases the risk of loss after insurance coverage has been issued or renewed including, but not limited to, an increase in exposure to regulation, legislation or court decision.
  - (v) Loss or decrease of the insurer's reinsurance covering all or part of the risk or exposure by the policy.
  - (vi) Determination by the director that the continuation of the policy would jeopardize an insurer's solvency or would place the insurer in violation of the insurance laws of this state or any other state.
  - (vii) Violation or breach by the insured of any policy terms or conditions other than nonpayment of premium.
- (b) Notification of cancellation.
- (i) A notice of cancellation of insurance coverage by an insurer shall be in writing and shall be mailed or delivered to the first-named insured at the last known mailing address as shown on the policy. Notices of cancellation based on subsections (3)(a)(ii) through (a)(vii) of this section shall be mailed or delivered at least thirty (30) days prior to the effective date of the cancellation. Notices of cancellation for the reason stated in subsection (3)(a)(i) of this section without regard to when such cancellation shall be effected shall be mailed or delivered at least ten (10) days prior to the effective date of cancellation. If delivered via United States mail, the ten (10) day notification period shall begin to run five (5) days following the date of postmark. The notice shall state the effective date of the cancellation.
  - (ii) The insurer shall provide the first-named insured with a written statement setting forth the reason(s) for the cancellation if: (1) the insured requests such a statement in writing; and (2) the named insured agrees in writing to hold the insurer harmless from liability for any communication giving notice of or specifying the reasons for a cancellation or for any statement made in connection with an attempt to discover or verify the existence of conditions which would be a reason for a cancellation under this section.

## (4) Notice of nonrenewal.

(a) An insurer may decline to renew a policy if the insurer delivers or mails to the first-named insured, at the last known mailing address, written notice that the insurer will not renew the policy. Such notice shall be mailed or delivered at least forty-five (45) days before the expiration date. If the notice is mailed less than forty-five (45) days before expiration, coverage shall remain in effect until forty-five (45) days after notice is mailed or delivered. Earned premium for any period of coverage that extends beyond the expiration date shall be considered pro rata based upon the previous year's rate. For purposes of this section, the transfer of a policyholder between companies within the same insurance group is not a nonrenewal or a refusal to renew. In addition, changes in deductibles, changes in premium, and changes in the amount of insurance or reductions in policy limits or coverage shall not be deemed to be nonrenewals or refusals to renew. Notice of nonrenewal is not required if:

- (i) The insurer or a company within the same insurance group has offered to issue a renewal policy; or
- (ii) Where the named insured has obtained replacement coverage or has agreed in writing to obtain replacement coverage.

(b) If an insurer provides the notice described in subsection (4) of this section and thereafter the insurer extends the policy for ninety (90) days or less, an additional notice of nonrenewal is not required with respect to the extension.

(5) Notice of premium or coverage changes. An insurer shall mail or deliver to the named insured, at the last known mailing address, written notice of a total premium increase greater than ten percent (10%) which is the result of a comparable increase in premium rates, changes in deductibles, reductions in limits, or reductions in coverages at least thirty (30) days prior to the expiration date of the policy. If the insurer fails to provide such thirty (30) day notice, the coverage provided to the named insured shall remain in effect until thirty (30) days after such notice is given or until the effective date of replacement coverage obtained by the named insured, whichever first occurs. For the purposes of this section, notice is considered given thirty (30) days following date of mailing or delivery of the notice to the named insured. If the insured elects not to renew, any earned premium for the period of extension of the terminated policy shall be calculated pro rata at the lower of the current or previous year's rate. If the insured accepts the renewal, the premium increase, if any, and other changes shall be effective on and after the first day of the renewal term.

(6) Proof of notice. Proof of mailing of notice of cancellation, or of nonrenewal or of premium or coverage changes, to the named insured at the last known mailing address showing on the policy, shall be sufficient proof of notice.

(7) Application, effective date and termination. The provisions of this section shall apply only to policies with coverage effective dates after the effective date of this section.

(8) ~~Regulations~~ Rules. The director may promulgate rules ~~and regulations~~ to implement the provisions of this section. Every rule ~~and regulation~~ promulgated within the authority conferred by this act shall be of temporary effect and shall become permanent only by enactment by statute at the regular session of the legislature first following adoption of the rule, ~~or regulation~~.

Rules ~~and regulations~~ not approved in the above manner shall be rejected, null, void and of no force and effect on July 1, following submission of the rules ~~and regulations~~ to the legislature."

## CORRECTION TO TITLE

On page 1, in line 4, following "PREMIUM" insert: "; AND AMENDING SECTION 41-1842, IDAHO CODE, TO PROVIDE WHEN THE NOTIFICATION PERIOD SHALL BEGIN AND TO MAKE TECHNICAL CORRECTIONS".

## HOUSE AMENDMENTS TO H 736

## AMENDMENTS TO SECTION 2

On page 3 of the printed bill, in line 36, delete "or"; in line 37, delete "replacement water"; in line 39, following "entitled to" insert: "an assessment"; in line 40, delete "or replacement water"; in line 41, delete "In"; and delete lines 42 through 44.

## AMENDMENTS TO SECTION 4

On page 4, in line 13, delete "IRRIGATION" and insert: "IRRIGATED"; in line 16, delete "irrigation" and insert: "irrigated"; and in line 20, delete "irrigation" and insert: "irrigated".

## CORRECTIONS TO TITLE

On page 1, in line 5, delete "CREDITS AND ADJUSTMENTS" and insert: "ASSESSMENT CREDITS"; in line 7, delete "OR REPLACEMENT WATER"; and in line 12, delete "IRRIGATION" and insert: "IRRIGATED".

## HOUSE AMENDMENT TO H 570

## AMENDMENTS TO SECTION 3

On page 4 of the printed bill, delete lines 52 and 53, and on page 5, delete line 1 and insert: "written consent. Names of applicants to classified or merit system positions shall not be disclosed to the public without the applicant's written consent. Disclosure of names as part of a background check is permitted. Names of the five (5) final applicants to all other positions shall be available to the public. If such group is less than five (5) finalists, then the entire list of applicants shall be available to the public. A public official or authorized representative may".

## CORRECTION TO TITLE

On page 1, in line 5, delete "AN APPLICANT'S NAME SHALL BE DISCLOSED TO THE" and delete line 6 and insert: "NAMES OF APPLICANTS TO CLASSIFIED OR MERIT SYSTEM POSITIONS SHALL NOT BE DISCLOSED WITHOUT WRITTEN CONSENT OF THE APPLICANT, TO PROVIDE THAT THE NAMES OF THE FIVE FINAL APPLICANTS TO ALL OTHER POSITIONS SHALL BE AVAILABLE TO THE PUBLIC AND TO PROVIDE FOR RELEASE TO THE PUBLIC IF THERE ARE LESS THAN FIVE APPLICANTS; AND AMENDING SECTION 67-5241, IDAHO".

**HOUSE AMENDMENT TO H 777**

## AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 16 and 17 and insert: "be consumed. If a city adopts an ordinance pursuant to this subsection allowing consumption of beer or wine on the premises, the provisions of section 23-614(1)(e), Idaho Code, shall not apply to the premises. As used in this subsection, "movie theater" means a motion picture theater, screening room or other venue that is being utilized primarily for exhibition of a motion picture.".

## CORRECTION TO TITLE

On page 1, in line 9, delete "AND" and insert: ", "; and in line 11, delete "DOES" and insert: "SHALL", and also in line 11, following "PREMISES" insert: "WHEN A CITY ADOPTS AN ORDINANCE ALLOWING CONSUMPTION OF BEER OR WINE ON THE PREMISES AND TO DEFINE THE TERM "MOVIE THEATER"".

**HOUSE AMENDMENT TO H 778**

## AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 15, following "for" insert: "nonprofit"; in line 17, following the second "the" insert: "nonprofit"; in line 19, following "for" insert: "nonprofit"; in line 21, following the first "for" insert: "nonprofit"; and in line 22, following "the" insert: "nonprofit".

## CORRECTION TO TITLE

On page 1, in line 3, following the second "FOR" insert: "NONPROFIT".

We have also had under consideration **H 677**, **H 789**, and **H 737**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**HCR 50**, as amended, **H 753**, as amended, **H 736**, as amended, **H 570**, as amended, **H 777**, as amended, and **H 778**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**H 677**, **H 789**, and **H 737** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

**HCR 49** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **HCR 49** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Ellsworth, Wills. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **HCR 49** adopted and ordered the resolution transmitted to the Senate.

**HCR 51** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open debate.

The question being, "Shall **HCR 51** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Ellsworth, Wills. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **HCR 51** adopted and ordered the resolution transmitted to the Senate.

**HCR 53** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **HCR 53** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Shirley, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **HCR 53** adopted and ordered the resolution transmitted to the Senate.

**H 714**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **H 714**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 65.

NAYS -- Smith(24). Total -- 1.

Absent and excused -- Crow, Ellsworth, Shirley, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 714**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 793** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 793** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 63.

NAYS -- LeFavour, Mitchell, Pence, Rusche. Total -- 4.

Absent and excused -- Crow, Ellsworth, Wills. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 793** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 794** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 794** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Roberts, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 794** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 787** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) and Mr. Lake to open debate.

The question being, "Shall **H 787** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Shirley, Skippen, Smith(30), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 53.

NAYS -- Anderson, Barrett, Bayer, Black, Edmunson, Eskridge, Harwood, McGeachin, Nonini, Sali, Schaefer, Shepherd(2), Shepherd(8), Smith(24), Snodgrass. Total -- 15.

Absent and excused -- Ellsworth, Roberts. Total -- 2.

Paired Votes:

AYE -- Crow                    NAY -- Barrett.  
AYE -- Loertscher        NAY -- Sali.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 787** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 731** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **H 731** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Field(18), Roberts, Sali, Smith(24). Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 731** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 739** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **H 739** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- McKague, Wood. Total -- 2.

Absent and excused -- Crow, Ellsworth, Field(18), Roberts, Sali, Smith(24). Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 739** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 796** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

Mr. Denney asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 796**. There being no objection, it was so ordered.

The question being, "Shall **H 796** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Deal, Denney, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 57.

NAYS -- Cannon, LeFavour, Mitchell, Ringo, Rusche. Total -- 5.

Absent and excused -- Bayer, Crow, Edmunson, Ellsworth, Roberts, Sali, Skippen, Smith(24). Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 796** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 797** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **H 797** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Nonini, Ring, Roberts, Sali, Smith(24). Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 797** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 798** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **H 798** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Sali. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 798** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 799** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 799** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Sali, Smylie. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 799** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 1:15 p.m., Mr. Denney in the Chair.

Roll call showed 65 members present.

Absent and excused -- Clark, Crow, Ellsworth, Wills, Mr. Speaker. Total -- 5.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

There being no objection, the House returned to the Eighth Order of Business.

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 825

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO JOINT PUBLIC AGENCY SELF-FUNDED HEALTH CARE PLANS; AMENDING

TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 41, TITLE 41, IDAHO CODE, TO SET FORTH A DECLARATION OF PURPOSE, TO DEFINE TERMS, TO REQUIRE REGISTRATION, TO SET FORTH EXEMPTIONS, TO PROVIDE QUALIFICATIONS FOR REGISTRATION, TO PROVIDE FOR APPLICATION FOR REGISTRATION, TO PROVIDE FOR GRANTS OR DENIALS OF APPLICATIONS, TO PROVIDE FOR TRUST FUND POWERS, TO PROVIDE FOR TRUST FUND LIABILITY, TO PROVIDE FOR INVESTMENT OF TRUST FUND MONEYS, TO REQUIRE RESERVES, TO PROVIDE FOR RECORDS, ACCOUNTS AND ANNUAL STATEMENTS, TO EXEMPT PLANS FROM TAXES, TO PROVIDE FOR EXAMINATION OF BOOKS, RECORDS AND ACCOUNTS, TO PROVIDE FOR A BOARD OF TRUSTEES AND ADMINISTRATORS, TO PROHIBIT CERTAIN PECUNIARY INTERESTS IN PLAN MANAGEMENT, TO PROHIBIT POLITICAL CONTRIBUTIONS, TO PROVIDE FOR RECOVERY OF DEPLETED FUNDS, TO PROVIDE FOR TERMINATION OF REGISTRATION, TO PROVIDE FOR THE LIQUIDATION OF A TRUST FUND, TO AUTHORIZE RULES, TO PROVIDE FOR THE APPLICABILITY OF OTHER PROVISIONS, TO SET FORTH PENALTIES, TO SET FORTH MANDATED COVERAGE PROVISIONS RELATING TO CHILDREN AND PREGNANCY, TO PROVIDE FOR SERVICES PROVIDED BY GOVERNMENTAL ENTITIES AND TO REQUIRE MAMMOGRAPHY COVERAGE.

**H 825** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

### Report of Standing Committees

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 825**.

FIELD(18), Chairman

**H 825** was referred to the State Affairs Committee.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**HCR 48** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen to open debate.

The question being, "Shall **HCR 48** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 57.

NAYS -- Barrett, LeFavour, Loertscher, Nielsen, Sali. Total -- 5.

Absent and excused -- Clark, Crow, Ellsworth, Field(23), Ring, Saylor, Wills, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 48** adopted and ordered the resolution transmitted to the Senate.

**HCR 52** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McGeachin to open debate.

The question being, "Shall **HCR 52** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 59.

NAYS -- None.

Absent and excused -- Chadderdon, Clark, Crow, Ellsworth, Field(23), Mitchell, Nonini, Ring, Saylor, Wills, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 52** adopted and ordered the resolution transmitted to the Senate.

**H 668** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Mathews to open debate.

The question being, "Shall **H 668** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Clark, Crow, Ellsworth, Harwood, Ring, Saylor, Wills, Mr. Speaker. Total -- 8.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 668** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1259** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

The question being, "Shall **S 1259** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Clark, Crow, Ellsworth, Harwood, Ring, Saylor, Wills, Mr. Speaker. Total -- 8.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1259** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1383** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bradford to open debate.

The question being, "Shall **S 1383** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Clark, Crow, Ellsworth, Harwood, Ring, Rydalch, Saylor, Wills, Mr. Speaker. Total -- 9.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1383** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1348** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nielsen to open debate.

The question being, "Shall **S 1348** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 60.

NAYS -- None.

Absent and excused -- Black, Clark, Crow, Ellsworth, Harwood, Ring, Saylor, Schaefer, Wills, Mr. Speaker. Total -- 10.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1348** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1260** was read the third time at length, section by section, and placed before the House for final consideration.



At this time, the Speaker Pro Tem recognized Mr. Snodgrass to open debate.

The question being, "Shall **S 1260** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 59.

NAYS -- None.

Absent and excused -- Black, Clark, Crow, Ellsworth, Harwood, Henbest, Ring, Saylor, Schaefer, Wills, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1260** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1317** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Deal to open debate.

The question being, "Shall **S 1317** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 60.

NAYS -- None.

Absent and excused -- Clark, Crow, Ellsworth, Harwood, Henbest, Ring, Saylor, Schaefer, Wills, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1317** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1316** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Pence to open debate.

The question being, "Shall **S 1316** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail. Total -- 56.

NAYS -- Barrett, McKague, Sali, Wood. Total -- 4.

Absent and excused -- Black, Clark, Crow, Ellsworth, Harwood, Henbest, Ring, Saylor, Wills, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1316** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **S 1299** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**S 1360** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Snodgrass to open debate.

The question being, "Shall **S 1360** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 60.

NAYS -- None.

Absent and excused -- Black, Clark, Crow, Ellsworth, Harwood, Henbest, Ring, Saylor, Wills, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1360** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Thursday, March 16, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:08 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**SIXTY-SEVENTH LEGISLATIVE DAY  
THURSDAY, MARCH 16, 2006**

House of Representatives

The House convened at 10 a.m., Mr. Denney in the Chair.

Roll call showed 66 members present.

Absent and excused -- Bastian, Crow, Snodgrass, Wood.

Total -- 4.

Total -- 70.

Prayer was offered by Pastor Bruce Swanson.

The Pledge of Allegiance was led by Michael Kelsey, Page.

**Approval of Journal**

March 16, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-sixth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 14, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 608, H 603, H 592, H 591, H 586, H 580, H 579, H 578, H 585, H 574, H 571, H 566, H 559, H 564, H 473, H 471, H 465, H 463, as amended, H 461, H 459, H 458, H 452, and H 444, as amended**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

March 15, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1256, S 1258, S 1302, S 1303, and S 1304** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that enrolled **S 1256, S 1258, S 1302, S 1303, and S 1304** would be signed by the Speaker, and when so signed, ordered them returned to the Senate.

March 15, 2006

Mr. Speaker:

I return herewith enrolled **HJM 13, H 615, H 533, as amended in the Senate, and H 601, as amended in the Senate, which have been signed by the President.**

WOOD, Secretary

Enrolled **H 615, H 533, as amended in the Senate, and H 601, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.**

Enrolled **HJM 13** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 15, 2006

Mr. Speaker:

I transmit herewith **SCR 130, S 1429, S 1442, and S 1283** which have passed the Senate.

WOOD, Secretary

**SCR 130, S 1429, S 1442, and S 1283** were filed for first reading.

March 15, 2006

Mr. Speaker:

I return herewith **HCR 47, HCR 60, HCR 36, HCR 37, HJM 14, and HJM 20** which have passed the Senate.

WOOD, Secretary

**HCR 47, HCR 60, HCR 36, HCR 37, HJM 14, and HJM 20** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 16, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 23, H 815, H 816, H 817, H 818, H 819, H 820, H 821, H 822, H 823, and H 824** and House Amendments to **HCR 50, H 753, H 736, H 570, H 777, and H 778.**

FIELD(18), Chairman

**HJM 23** was referred to the State Affairs Committee.

**H 816** was referred to the Revenue and Taxation Committee.

**H 820** was referred to the Transportation and Defense Committee.

**H 821** was referred to the Education Committee.

**H 822** and **H 823** were referred to the Business Committee.

**H 824** was referred to the Ways and Means Committee.

**H 815** was held at the Desk.

**H 817, H 818, and H 819** were filed for second reading.

March 16, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 593, H 614, H 584, H 587, H 711, H 718, H 565, as amended, H 611, as amended, H 664, H 632, H 633, H 631, H 432, H 619, H 491, H 538, H 539, H 645, H 605, H 606, and H 607.**

FIELD(18), Chairman

The Speaker Pro Tem announced that enrolled **H 593, H 614, H 584, H 587, H 711, H 718, H 565, as amended, H 611, as amended, H 664, H 632, H 633, H 631, H 432, H 619, H 491, H 538, H 539, H 645, H 605, H 606, and H 607** would be signed by the Speaker and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 16, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 671, as amended in the Senate, H 497, as amended in the Senate, HCR 50, as amended, H 753, as amended, H 736, as amended, H 570, as amended, H 777, as amended, and H 778, as amended.**

FIELD(18), Chairman

**H 671, as amended in the Senate, H 497, as amended in the Senate, HCR 50, as amended, H 753, as amended, H 736, as amended, H 570, as amended, H 777, as amended, and H 778, as amended,** were filed for first reading of engrossed bills.

March 16, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 554, H 555, H 621, H 746, H 747, H 748, H 627, H 628, H 629, H 430, H 431, H 530, and H 589, as amended,** to the Governor at 11:19 a.m., as of this date, March 15, 2006.

FIELD(18), Chairman

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **SCR 129** and recommend that it do pass.

BLACK, Chairman

**SCR 129** was filed for second reading.

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 761** and report it back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

**H 761** was placed on General Orders for consideration.

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **HCR 45, S 1327, S 1414, and S 1428** and recommend that they do pass.

FIELD(18), Chairman

**HCR 45, S 1327, S 1414, and S 1428** were filed for second reading.

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 814** and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(18), Chairman

**H 814** was placed on General Orders for consideration.

March 15, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 800** and recommend that it do pass.

STEVENSON, Chairman

**H 800** was filed for second reading.

March 16, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 795** and **H 825** and recommend that they do pass.

DEAL, Chairman

**H 795** and **H 825** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**SCR 130**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Environment, Energy, and Technology Committee.

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 826  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILD WELFARE PROGRAM FOR FISCAL YEAR 2007; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 827  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF WELFARE FOR FISCAL YEAR 2007; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 828  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2007; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**H 826**, **H 827**, and **H 828** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1429**, by State Affairs Committee, was introduced, read the first time by title, and held at the Desk.

**S 1283**, by Schroeder, was introduced, read the first time by title, and held at the Desk.

**S 1442**, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

**First Reading of Engrossed Bills**

**H 671**, as amended in the Senate, **HCR 50**, as amended, **H 753**, as amended, **H 736**, as amended, **H 570**, as amended, and **H 777**, as amended, by State Affairs Committee, were introduced, read the first time by title and filed for second reading.

**H 497**, as amended in the Senate, and **H 778**, as amended, by Revenue and Taxation Committee, were introduced, read the first time by title and filed for second reading.

**Second Reading of Bills and Joint Resolutions**

**H 808**, **H 809**, **H 810**, **H 811**, **H 812**, and **H 813**, by Appropriations Committee, were read the second time by title and filed for third reading.

**H 768**, by Education Committee, was read the second time by title and filed for third reading.

**H 764**, **H 780**, **H 781**, **H 745**, and **H 443**, as amended in the Senate, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**H 728**, **H 771**, **H 772**, **H 773**, **H 774**, **H 775**, **HJR 6**, and **HJR 7**, by State Affairs Committee, were read the second time by title and filed for third reading.

**S 1401**, **S 1412**, as amended, **SCR 125**, and **SCR 126**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**S 1266**, as amended, by Transportation Committee, was read the second time by title and filed for third reading.

**H 791** and **HCR 62**, by Ways and Means Committee, were read the second time by title and filed for third reading.

**S 1350**, as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**H 801** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **H 801** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Wills. Total -- 63.

NAYS -- None.

Absent and excused -- Bastian, Crow, Pence, Snodgrass, Trail, Wood, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 801** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 802** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen to open debate.

The question being, "Shall **H 802** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills. Total -- 64.

NAYS -- None.

Absent and excused -- Bastian, Crow, Pence, Snodgrass, Wood, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 802** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 803** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen to open debate.

The question being, "Shall **H 803** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills. Total -- 65.

NAYS -- None.

Absent and excused -- Bastian, Crow, Snodgrass, Wood, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 803** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 804** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **H 804** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills. Total -- 64.

NAYS -- None.

Absent and excused -- Bastian, Block, Crow, Snodgrass, Wood, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 804** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 805** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **H 805** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Stevenson, Trail, Wills. Total -- 57.

NAYS -- Barrett, Loertscher, Mathews, McGeachin, McKague, Moyle, Sali, Smith(24). Total -- 8.

Absent and excused -- Bastian, Crow, Snodgrass, Wood, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 805** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 784** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Black to open debate.

The question being, "Shall **H 784** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bastian, Crow, Snodgrass, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 784** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HJM 21** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Shepherd(8) to open debate.

The question being, "Shall **HJM 21** be adopted?"

Whereupon the Speaker Pro Tem declared **HJM 21** adopted by voice vote and ordered the memorial transmitted to the Senate.

**HJM 22** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Ring to open debate.

The question being, "Shall **HJM 22** be adopted?"

Whereupon the Speaker Pro Tem declared **HJM 22** adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 474**, as amended, retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**H 760**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Kemp to open debate.

The question being, "Shall **H 760**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Ringo, Roberts, Rusche, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Bastian, Bayer, Crow, Harwood, Snodgrass, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 760**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 663**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Block to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **H 663**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Mr. Speaker. Total -- 53.

NAYS -- Barrett, Bayer, Clark, Hart, Kemp, Lake, LeFavour, Loertscher, McGeachin, McKague, Roberts, Sali, Shepherd(8). Total -- 13.

Absent and excused -- Bastian, Crow, Snodgrass, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 663**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1299** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

The question being, "Shall **S 1299** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell,

Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Henbest, Pasley-Stuart, Ringo, Smith(24). Total -- 4.

Absent and excused -- Bastian, Crow, Loertscher, Snodgrass, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1299** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **S 1334** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**S 1345** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McKague to open debate.

The question being, "Shall **S 1345** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bastian, Chadderdon, Crow, Jaquet, Snodgrass, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1345** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1371** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **S 1371** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson,

Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bastian, Black, Crow, Deal, Jaquet, Snodgrass, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1371** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1311** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark and Mr. Edmunson to open debate.

The question being, "Shall **S 1311** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Lake, Moyle. Total -- 2.

Absent and excused -- Bastian, Black, Crow, Deal, Jaquet, Snodgrass, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1311** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1312** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1312** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour,

Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bastian, Black, Crow, Nielsen, Snodgrass, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1312** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1336** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **S 1336** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Mr. Speaker. Total -- 59.

NAYS -- Barrett, Hart, LeFavour, Martinez, McKague, Ringo, Rusche. Total -- 7.

Absent and excused -- Bastian, Crow, Snodgrass, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1336** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that **SJR 107** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**SJR 107** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **SJR 107** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett,



Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bastian, Crow, Edmunson, Snodgrass, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, **SJR 107** passed the House. Title was approved and the resolution was ordered returned to the Senate.

Mr. Denney moved that the House recess until 1 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 1 p.m., Mr. Denney in the Chair.

Roll call showed 68 members present.

Absent and excused -- Crow, Wood. Total -- 2.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

**S 1416** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Lake to open debate.

The question being, "Shall **S 1416** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Crow, Field(23), Snodgrass, Wills, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1416** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1318** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smith(24) to open debate.

The question being, "Shall **S 1318** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Crow, Snodgrass, Wills, Wood, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1318** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1319** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Pence to open debate.

The question being, "Shall **S 1319** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour,

Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail. Total -- 62.

NAYS -- None.

Absent and excused -- Bedke, Bell, Crow, Deal, Snodgrass, Wills, Wood, Mr. Speaker. Total -- 8.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1319** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1320** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bastian to open debate.

The question being, "Shall **S 1320** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail. Total -- 60.

NAYS -- None.

Absent and excused -- Bedke, Collins, Crow, Deal, Harwood, Sali, Snodgrass, Wills, Wood, Mr. Speaker. Total -- 10.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1320** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1321** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nielsen to open debate.

Pursuant to Joint Rule 18, and lacking a fiscal note, the Speaker Pro Tem ordered **S 1321** held on the Third Reading Calendar.

**S 1322** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. LeFavour to open debate.

The question being, "Shall **S 1322** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bedke, Collins, Crow, Smith(30), Wood. Total -- 5.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1322** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1323** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hart to open debate.

The question being, "Shall **S 1323** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bedke, Collins, Crow, Smith(30), Wood. Total -- 5.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1323** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1324** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Harwood to open debate.

The question being, "Shall **S 1324** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Crow, Smith(30), Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1324** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1326** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **S 1326** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Crow, Smith(30), Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1326** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1328** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Shirley to open debate.

The question being, "Shall **S 1328** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bedke, Crow, Garrett, Pasley-Stuart, Sali, Smith(30), Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1328** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1362** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **S 1362** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Crow, Denney, Garrett, Pasley-Stuart, Smith(30), Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1362** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1375** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **S 1375** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Crow, Garrett, Pasley-Stuart, Sali, Smith(30), Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1375** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1347** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **S 1347** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Lake, Moyle, Rusche. Total -- 4.

Absent and excused -- Crow, Garrett, Pasley-Stuart, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1347** passed the House. Title was approved and the bill was ordered returned to the Senate.

**SJM 118** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Barraclough to open debate.

At this time, Mr. Denney took the Chair.

The question being, "Shall **SJM 118** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henderson, Jaquet, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 57.

NAYS -- Henbest, LeFavour, Martinez, Mitchell, Ringo, Rusche, Smith(30). Total -- 7.

Absent and excused -- Crow, Garrett, Pasley-Stuart, Smith(24), Wood, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **SJM 118** adopted and ordered the memorial returned to the Senate.

**S 1396** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen to open debate.

The question being, "Shall **S 1396** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail. Total -- 61.

NAYS -- McKague, Shepherd(8). Total -- 2.

Absent and excused -- Black, Crow, Garrett, Pasley-Stuart, Wills, Wood, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1396** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1422** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen to open debate.

The question being, "Shall **S 1422** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail. Total -- 63.

NAYS -- None.

Absent and excused -- Black, Crow, Garrett, Pasley-Stuart, Wills, Wood, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1422** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1335** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smith(24) to open debate.

The question being, "Shall **S 1335** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail. Total -- 62.

NAYS -- None.

Absent and excused -- Black, Clark, Crow, Garrett, Pasley-Stuart, Wills, Wood, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1335** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1250** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Harwood to open debate.

The question being, "Shall **S 1250** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail. Total -- 61.

NAYS -- None.

Absent and excused -- Black, Crow, Garrett, Pasley-Stuart, Ringo, Smylie, Wills, Wood, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1250** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1251** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. LeFavour to open debate.

The question being, "Shall **S 1251** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Ellsworth, Eskridge, Field(18), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail. Total -- 58.

NAYS -- None.

Absent and excused -- Black, Clark, Crow, Edmunson, Field(23), Garrett, Pasley-Stuart, Ringo, Smylie, Wills, Wood, Mr. Speaker. Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1251** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1252** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McGeachin to open debate.

The question being, "Shall **S 1252** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail. Total -- 60.

NAYS -- None.

Absent and excused -- Bedke, Black, Crow, Field(23), Garrett, Harwood, Pasley-Stuart, Wills, Wood, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1252** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1385** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1385** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail. Total -- 62.

NAYS -- None.

Absent and excused -- Bedke, Black, Crow, Garrett, Sali, Wills, Wood, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1385** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1391** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Jaquet to open debate.

The question being, "Shall **S 1391** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail. Total -- 63.

NAYS -- None.

Absent and excused -- Bedke, Black, Clark, Crow, Wills, Wood, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1391** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that beginning Friday, March 17, 2006, all House Appropriations bills be placed at the top of the Third Reading Calendar, followed by Senate Finance bills, House bills, Senate bills as amended in the House, and Senate bills. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Friday, March 17, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:36 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**SIXTY-EIGHTH LEGISLATIVE DAY  
FRIDAY, MARCH 17, 2006**

March 16, 2006

House of Representatives

The House convened at 9:30 a.m., Mr. Denney in the Chair.

Roll call showed 65 members present.

Absent and excused -- Crow, Ellsworth, McGeachin, Sali, Wood. Total -- 5.

Total -- 70.

Prayer was offered by Pastor Montie Ralstin.

The Pledge of Allegiance was led by Kevin Andrus, Page.

**Approval of Journal**

March 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-seventh Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 15, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 748, H 747, H 746, H 708, H 700, H 685, H 672, H 629, H 628, H 627, H 621, H 590, H 589, as amended, H 581, H 560, H 554, H 551, H 550, H 549, H 548, H 547, H 536, H 493, H 490, H 483, H 475, H 457, H 431, H 430, H 411, and H 410**

/s/ Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

Mr. Speaker:

I transmit herewith **SJM 120, S 1443, S 1444, S 1445, S 1446, S 1447**, and **S 1427** which have passed the Senate.

WOOD, Secretary

**SJM 120, S 1443, S 1444, S 1445, S 1446, S 1447**, and **S 1427** were filed for first reading.

March 16, 2006

Mr. Speaker:

I return herewith **HCR 56, H 707, H 694, H 526, H 529, H 766, H 767, H 782, H 783, H 716, H 567, H 517, H 659, H 727, H 613**, as amended, **H 646, H 649, H 520, H 521, H 433, H 522, H 524, H 525, H 527, H 528, H 639, H 636, H 546**, and **H 576** which have passed the Senate.

WOOD, Secretary

**HCR 56, H 707, H 694, H 526, H 529, H 766, H 767, H 782, H 783, H 716, H 567, H 517, H 659, H 727, H 613**, as amended, **H 646, H 649, H 520, H 521, H 433, H 522, H 524, H 525, H 527, H 528, H 639, H 636, H 546**, and **H 576** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 16, 2006

Mr. Speaker:

I return herewith **H 609** which has failed the Senate.

WOOD, Secretary

**H 609** was filed in the Office of the Chief Clerk.

**Report of Standing Committees**

Mr. Deal asked unanimous consent that **H 777**, as amended, be placed on General Orders for consideration. There being no objection, it was so ordered.

**S 1283** held at the Desk March 16, 2006, was referred to the Ways and Means Committee.

March 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 826, H 827**, and **H 828**.

FIELD(18), Chairman

**H 826, H 827**, and **H 828** were filed for second reading.

March 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 47**, **HCR 60**, **HCR 36**, **HCR 37**, **HJM 14**, and **HJM 20**.

FIELD(18), Chairman

The Speaker Pro Tem announced that the Speaker would sign enrolled **HCR 47**, **HCR 60**, **HCR 36**, **HCR 37**, **HJM 14**, and **HJM 20**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 615**, **H 533**, as amended in the Senate, and **H 601**, as amended in the Senate, to the Governor at 11:05 a.m., as of this date, March 16, 2006.

FIELD(18), Chairman

March 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 13** to the Secretary of State at 11:08 a.m., as of this date, March 16, 2006.

FIELD(18), Chairman

March 17, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1314**, as amended, **S 1342**, **S 1390**, as amended, and **S 1417** and recommend that they do pass.

BLOCK, Chairman

**S 1314**, as amended, **S 1342**, **S 1390**, as amended, and **S 1417** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE JOINT MEMORIAL NO. 24 BY STATE AFFAIRS COMMITTEE

##### A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Constitutions of the United States of America and the State of Idaho guarantee the right of all persons to believe in God, to worship and to speak freely; and

WHEREAS, our country was founded upon the premise that all men are created equal, and that they are endowed with certain unalienable rights by their Creator; and

WHEREAS, it is imperative that as the judiciary of a sovereign nation, our federal courts apply the Constitution of the United States based upon domestic legal authority; and

WHEREAS, bills have been introduced in the United States Senate and the United States Congress S. 520 and H.R. 1070; and

WHEREAS, these two pieces of federal legislation would substantially do the following:

(1) Amend the federal judicial code to prohibit the United States Supreme Court and the federal district courts from exercising jurisdiction over any matter in which relief is sought against an entity of federal, state or local government or an officer or agency of such government concerning that entity's, officer's or agent's acknowledgment of God as the sovereign source of law, liberty or government.

(2) Prohibit a court of the United States from relying upon any law, policy or other action of a foreign state or international organization in interpreting and applying the United States Constitution, other than English constitutional and common law up to the time of adoption of the U.S. Constitution.

(3) Provide that any federal court decision relating to an issue removed from federal jurisdiction by these acts is not binding precedent on state courts.

(4) Provide that any Supreme Court justice or federal court judge who exceeds the jurisdictional limitations of these acts would be deemed to have committed an offense for which the justice or judge may be removed, and to have violated the standard of good behavior required by Article III for judges in the U.S. Constitution.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we request Congress to pass, our Congressional delegation to support, and the President sign, legislation similar to S. 520 and H.R. 1070.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HJM 24** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**SJM 120**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.



Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 800** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 800** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 54.

NAYS -- Boe, LeFavour, Martinez, Mitchell, Pasley-Stuart, Ringo, Rusche, Smith(30). Total -- 8.

Absent and excused -- Barrett, Crow, Ellsworth, Henbest, Jaquet, McGeachin, Sali, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 800** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Speaker and Mr. Raybould to open debate.

The question being, "Shall **H 800** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Eskridge, Field(18), Field(23), Harwood, Henderson, Jaquet, Lake, Loertscher, Mathews, McKague, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Sayler, Schaefer, Shepherd(8), Shirley, Smith(24), Stevenson, Trail, Wills, Mr. Speaker. Total -- 43.

NAYS -- Barrett, Bayer, Black, Boe, Brackett, Edmunson, Garrett, Hart, Henbest, Kemp, LeFavour, Martinez, Miller, Mitchell, Pasley-Stuart, Ringo, Rusche, Shepherd(2), Skippen, Smith(30), Smylie, Snodgrass. Total -- 22.

Absent and excused -- Crow, Ellsworth, McGeachin, Sali, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 800** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 736**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 736**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 54.

NAYS -- Boe, LeFavour, Martinez, Mitchell, Pasley-Stuart, Ringo, Rusche, Smith(30). Total -- 8.

Absent and excused -- Barrett, Crow, Ellsworth, Henbest, Jaquet, McGeachin, Sali, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 736**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

The question being, "Shall **H 736**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 61.

NAYS -- Barrett, LeFavour. Total -- 2.

Absent and excused -- Bradford, Crow, Ellsworth, McGeachin, Sali, Wills, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 736**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 829  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDEPENDENT COUNCILS FOR FISCAL YEAR 2007; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE INDEPENDENT COUNCILS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 830  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR SERVICES FOR THE DEVELOPMENTALLY DISABLED IN THE COMMUNITY DEVELOPMENTAL DISABILITY SERVICES PROGRAM FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE COMMUNITY DEVELOPMENTAL DISABILITY SERVICES PROGRAM; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR SERVICES FOR THE DEVELOPMENTALLY DISABLED IN THE IDAHO STATE SCHOOL AND HOSPITAL PROGRAM; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE IDAHO STATE SCHOOL AND HOSPITAL PROGRAM; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 831  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS TO THE ENVIRONMENTAL REMEDIATION FUND; EXPRESSING LEGISLATIVE INTENT REGARDING THE ENVIRONMENTAL REMEDIATION FUND AND REQUIRING AN ANNUAL REPORT; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO USE OF THE WATER POLLUTION CONTROL FUND; DIRECTING THE ALLOCATION OF SALARY SAVINGS; AND EXPRESSING LEGISLATIVE INTENT REGARDING ONE-TIME FUNDING FOR THE TECHNICAL LEADERSHIP GROUP.

**HOUSE BILL NO. 832  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO THE BOARD OF HEALTH AND WELFARE; AMENDING SECTION 56-1003, IDAHO CODE, TO PROVIDE FOR OVERSIGHT OF THE DEPARTMENT OF HEALTH AND WELFARE BY THE BOARD OF HEALTH AND WELFARE AND TO PROVIDE AN EXCEPTION TO THE POWERS AND DUTIES OF THE DEPARTMENT'S DIRECTOR; AND AMENDING SECTION 56-1005, IDAHO CODE, TO INCREASE THE MEMBERSHIP OF THE BOARD, TO PROVIDE FOR CERTAIN QUALIFICATIONS FOR BOARD MEMBERS APPOINTED BY THE GOVERNOR, TO PROVIDE FOR CERTAIN ADDITIONAL VOTING AND NONVOTING MEMBERS TO THE BOARD, TO REMOVE THE REQUIREMENT THAT A BOARD SECRETARY BE ELECTED, TO PROVIDE FOR MEETINGS AND SPECIAL MEETINGS, TO REVISE BOARD DUTIES, TO REVISE VOTING REQUIREMENTS, TO PROVIDE ADDITIONAL BOARD POWERS AND DUTIES AND TO REQUIRE CERTAIN ISSUES TO BE ADDRESSED IN AN ANNUAL REPORT BY THE BOARD TO THE GOVERNOR AND LEGISLATURE.

**HOUSE BILL NO. 833  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO SUBSTANCE ABUSE; AMENDING SECTION 39-302, IDAHO CODE, TO DEFINE TERMS, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 39-303, IDAHO CODE, RELATING TO THE DESIGNATION OF A STATE SUBSTANCE ABUSE AUTHORITY; AMENDING CHAPTER 3, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-303, IDAHO CODE, TO CREATE THE INTERAGENCY COMMITTEE ON SUBSTANCE ABUSE PREVENTION AND TREATMENT, TO STATE THE PURPOSE OF THE INTERAGENCY COMMITTEE, TO PROVIDE FOR INTERAGENCY COMMITTEE MEMBERSHIP, TO PROVIDE FOR TRAVEL AND EXPENSE REIMBURSEMENT, TO PROVIDE FOR INTERAGENCY COMMITTEE DUTIES, TO PROVIDE FOR INFORMATION REPORTING AND DISTRIBUTION REQUIREMENTS AND PROCEDURES, TO PROVIDE FOR MEETING REQUIREMENTS AND PROCEDURES AND TO PROVIDE FOR SHARING OF INTERAGENCY COMMITTEE ADMINISTRATIVE COSTS; AMENDING SECTION 39-303A, IDAHO CODE, TO ESTABLISH REGIONAL ADVISORY COMMITTEES THAT ADDRESS SUBSTANCE ABUSE, TO PROVIDE FOR APPOINTMENT TO THE REGIONAL ADVISORY COMMITTEES, TO REMOVE A PROVISION REGARDING INFORMATION TO BE PROVIDED TO A COMMISSION ON ALCOHOL AND DRUG ABUSE, TO PROVIDE FOR MEETINGS OF THE REGIONAL ADVISORY COMMITTEE CHAIRS, TO PROVIDE FOR THE SELECTION OF A REPRESENTATIVE TO THE INTERAGENCY COMMITTEE, TO PROVIDE FOR REPORTING REQUIREMENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-304,

IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE IS DESIGNATED AS THE STATE SUBSTANCE ABUSE AUTHORITY AND TO PROVIDE FOR INTERAGENCY COMMITTEE ADVICE TO THE DEPARTMENT ON THE CONTENT OF THE COMPREHENSIVE PROGRAM FOR TREATMENT OF ALCOHOLICS, INTOXICATED PERSONS AND DRUG ADDICTS; PROVIDING A SUNSET PROVISION; AND PROVIDING FOR AN EVALUATION TO BE PERFORMED.

**HOUSE BILL NO. 834**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE IDAHO GUARD AND RESERVE FAMILY SUPPORT FUND; AMENDING SECTION 57-820, IDAHO CODE, TO PROVIDE FOR INVESTMENT OF IDLE MONEYS IN THE FUND AND FOR RETURN OF INTEREST EARNED ON SUCH INVESTMENTS TO THE FUND.

**HOUSE BILL NO. 835**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO MARTIAL LAW AND ACTIVE DUTY; AMENDING SECTION 46-609, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL TO ORDER COMMISSIONED OFFICERS AND ENLISTED PERSONNEL TO SPECIAL DUTY, WITH THEIR CONSENT.

**H 829, H 830, H 831, H 832, H 833, H 834, and H 835** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1427**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Education Committee.

**S 1443, S 1444, S 1445, S 1446, and S 1447**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 817, H 818, and H 819**, by Appropriations Committee, were read the second time by title and filed for third reading.

**SCR 129**, by State Affairs Committee, was read the second time by title and filed for third reading.

**HCR 45, H 497**, as amended in the Senate, and **H 778**, as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**S 1327, S 1414, and S 1428**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**H 795**, by Ways and Means Committee, was read the second time by title and filed for third reading.

**H 825, H 671**, as amended in the Senate, **HCR 50**, as amended, **H 753**, as amended, and **H 570**, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

**S 1442**, by Finance Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

**Consideration of General Orders**

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

March 17, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 737, H 814, and H 777**, as amended, and report them back without recommendation, amended as follows:

**HOUSE AMENDMENT TO H 737**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 33, delete "or replacement water".

CORRECTION TO TITLE

On page 1, in line 9, delete "OR REPLACEMENT"; and in line 10, delete "WATER".

**HOUSE AMENDMENT TO H 814**

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 8, delete "(a)"; and delete lines 13 through 32 and insert: "~~Commencing on July 1, 1999, the annual salaries of the justices of the supreme court and the annual salaries of judges of the district courts shall be increased by four percent (4%), and again commencing on~~

~~July 1, 2000, the annual salary of the justices of the supreme court and the annual salaries of judges of the district courts shall be increased by three and one-half percent (3 1/2%), and again commencing on July 1, 2001, the annual salary of the justices of the supreme court and the annual salaries of judges of the district courts shall be increased by four and one-half percent (4 1/2%), and again commencing on July 1, 2004, the annual salary of the justices of the supreme court and the annual salaries of the judges of the district courts shall be increased by two percent (2%)."~~

#### HOUSE AMENDMENT TO H 777, as amended

##### AMENDMENT TO SECTION 1

On page 2 of the engrossed bill, delete lines 18 through 20 and insert: "be consumed. If a city adopts an ordinance pursuant to this subsection allowing consumption of beer or wine on the premises, no films, still pictures, electronic reproductions or other visual reproductions which are in violation of chapter 41, title 18, Idaho Code (indecent and obscenity), or are in violation of federal law regarding pornography, indecent or obscenity shall be shown or displayed on the premises. As used in this".

##### CORRECTION TO TITLE

On page 1, delete lines 11 and 12 and insert: "THAT STATE AND FEDERAL LAWS REGARDING INDECENCY, OBSCENITY AND PORNOGRAPHY SHALL APPLY TO THE PREMISES WHEN A CITY ADOPTS AN ORDINANCE ALLOWING CONSUMPTION OF BEER OR WINE ON".

We have also had under consideration **H 677**, **H 789**, and **H 761**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**H 737**, as amended, **H 814**, as amended, and **H 777**, as amended, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**H 677**, **H 789**, and **H 761** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

**H 808** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 808** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Collins, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barraclough, Black, Bradford, Clark, Crow, Deal, Ellsworth, McGeachin, Sali, Snodgrass, Wills, Wood. Total -- 12.

Total -- 70.

Whereupon the Speaker declared **H 808** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 809** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **H 809** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, McKague, Miller, Nonini, Pence, Ring, Ringo, Roberts, Rydalch, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(24), Snodgrass, Trail, Mr. Speaker. Total -- 43.

NAYS -- Barrett, Boe, Cannon, Field(18), Field(23), Hart, Lake, Loertscher, Martinez, Mathews, Mitchell, Moyle, Nielsen, Pasley-Stuart, Raybould, Rusche, Saylor, Shirley, Smith(30), Smylie, Stevenson. Total -- 21.

Absent and excused -- Crow, Ellsworth, McGeachin, Sali, Wills, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 809** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 810** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 810** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, Henderson, McGeachin, Sali, Wills, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 810** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mrs. Block asked unanimous consent that **S 1390**, as amended, be returned to the Health and Welfare Committee. There being no objection, it was so ordered.

**H 811** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **H 811** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, McGeachin, Sali, Wills, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 811** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 812** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 812** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 60.

NAYS -- Barrett, Loertscher, McKague, Moyle, Nielsen, Smith(24). Total -- 6.

Absent and excused -- Crow, Ellsworth, McGeachin, Wood. Total -- 4.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 812** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 813** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 813** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Hart, Loertscher, Mathews, McKague. Total -- 5.

Absent and excused -- Crow, Ellsworth, McGeachin, Wood. Total -- 4.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 813** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1430** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **S 1430** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Sali. Total -- 2.

Absent and excused -- Crow, Ellsworth, McGeachin, Wood. Total -- 4.

Paired Vote:

AYE -- Loertscher. NAY -- Sali.  
(Pair enumerated in roll call above.)  
Total -- 70.

Whereupon the Speaker declared **S 1430** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1431** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **S 1431** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Lake, Loertscher, Nielsen. Total -- 4.

Absent and excused -- Crow, Ellsworth, McGeachin, Wood. Total -- 4.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.  
(Pair enumerated in roll call above.)  
Total -- 70.

Whereupon the Speaker declared **S 1431** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1432** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **S 1432** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Crow, Ellsworth, McGeachin, Wood. Total -- 4.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.  
(Pair enumerated in roll call above.)  
Total -- 70.

Whereupon the Speaker declared **S 1432** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1434** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1434** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- Field(23), Loertscher. Total -- 2.

Absent and excused -- Crow, Ellsworth, McGeachin, Sali, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1434** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1435** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **S 1435** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, McGeachin, Sali, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1435** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1436** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1436** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2),

Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Crow, Ellsworth, McGeachin, Sali, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1436** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 20, 2006. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

### Consideration of Messages from the Governor and the Senate

March 17, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1259, S 1260, S 1316, S 1317, S 1348, S 1360,** and **S 1383** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1259, S 1260, S 1316, S 1317, S 1348, S 1360,** and **S 1383** and, when so signed, ordered them returned to the Senate.

March 17, 2006

Mr. Speaker:

I return herewith enrolled **H 593, H 614, H 584, H 587, H 711, H 718, H 565,** as amended, **H 611,** as amended, **H 664, H 632, H 633, H 631, H 432, H 619, H 491, H 538, H 539, H 645, H 605, H 606,** and **H 607** which have been signed by the President.

WOOD, Secretary

Enrolled **H 593, H 614, H 584, H 587, H 711, H 718, H 565,** as amended, **H 611,** as amended, **H 664, H 632, H 633, H 631, H 432, H 619, H 491, H 538, H 539, H 645, H 605, H 606,** and **H 607** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Denney moved that the House adjourn until 10 a.m., Monday, March 20, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:18 p.m.  
BRUCE NEWCOMB, Speaker

ATTEST: PAMM JUKER, Chief Clerk

**SEVENTY-FIRST LEGISLATIVE DAY  
MONDAY, MARCH 20, 2006**

**Report of Standing Committees**

March 20, 2006

House of Representatives

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 24, H 829, H 830, H 831, H 832, H 833, H 834, and H 835** and House Amendments to **H 737, H 814, and H 777**, as amended.

FIELD(18), Chairman

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Ellsworth. Total -- 1.

Total -- 70.

**HJM 24** was referred to the State Affairs Committee.

Prayer was offered by Chaplain Jim Hardenbrook.

**H 832 and H 833** were referred to the Health and Welfare Committee.

The Pledge of Allegiance was led by Carl Dayton, Page.

**H 835** was referred to the Transportation and Defense Committee.

**Approval of Journal**

**H 829, H 830, H 831, and H 834** were filed for second reading.

March 20, 2006

March 20, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-eighth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 56, H 707, H 694, H 526, H 529, H 766, H 767, H 782, H 783, H 716, H 567, H 517, H 659, H 727, H 613, as amended, H 646, H 649, H 520, H 521, H 433, H 522, H 524, H 525, H 527, H 528, H 639, H 636, H 546, and H 576.**

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

The Speaker announced he was about to sign enrolled **HCR 56, H 707, H 694, H 526, H 529, H 766, H 767, H 782, H 783, H 716, H 567, H 517, H 659, H 727, H 613, as amended, H 646, H 649, H 520, H 521, H 433, H 522, H 524, H 525, H 527, H 528, H 639, H 636, H 546, and H 576,** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

**Consideration of Messages from the  
Governor and the Senate**

March 17, 2006

March 20, 2006

Mr. Speaker:

I transmit herewith **SCR 132** which has passed the Senate.

WOOD, Secretary

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 737, as amended, H 814, as amended, and H 777, as amended,** as amended.

FIELD(18), Chairman

**SCR 132** was filed for first reading.

**H 737, as amended, H 814, as amended, and H 777, as amended, as amended,** were filed for first reading of engrossed bills.

March 17, 2006

March 20, 2006

Mr. Speaker:

I return herewith **HCR 38, HCR 58, and HCR 54** which have passed the Senate.

WOOD, Secretary

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 593, H 614, H 584, H 587, H 711, H 718, H 565, as amended, H 611, as amended, H 664, H 632, H 633, H 631, H 432, H 619, H 491, H 538, H 539, H 645, H 605, H 606, and H 607** to the Governor at 1:45 p.m., as of this date, March 17, 2006.

FIELD(18), Chairman

**HCR 38, HCR 58, and HCR 54** were referred to the Judiciary, Rules, and Administration Committee for enrolling.



March 17, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1356**, as amended, and **S 1425** and recommend that they do pass.

FIELD(18), Chairman

**S 1356**, as amended, and **S 1425** were filed for second reading.

March 17, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 822** and **H 823** and recommend that they do pass.

BLACK, Chairman

**H 822** and **H 823** were filed for second reading.

March 20, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 816** and recommend that it do pass.

CROW, Chairman

**H 816** was filed for second reading.

March 20, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **SJM 119** and recommend that it do pass.

DEAL, Chairman

**SJM 119** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

**SCR 132**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Ways and Means Committee.

There being no objection, the House advanced to the Ninth Order of Business.

#### First Reading of Engrossed Bills

**H 737**, as amended, and **H 777**, as amended, as amended, by State Affairs Committee, were introduced, read the first time by title and filed for second reading.

**H 814**, as amended, by Ways and Means Committee, was introduced, read the first time by title and filed for second reading.

#### Second Reading of Bills and Joint Resolutions

**H 826**, **H 827**, and **H 828**, by Appropriations Committee, were read the second time by title and filed for third reading.

**S 1314**, as amended, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

**S 1342**, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**S 1417**, **S 1443**, **S 1444**, **S 1445**, **S 1446**, and **S 1447**, by Finance Committee, were read the second time by title and filed for third reading.

Mr. Moyle asked unanimous consent that **H 817** and **H 818** retain their places on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

#### Third Reading of Bills and Joint Resolutions

**H 819** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 819** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- Loertscher, Sali. Total -- 2.

Absent and excused -- Bedke, Deal, Ellsworth, Harwood, Smith(24). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 819** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1442** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **S 1442** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Crow, McKague, Sali, Wood. Total -- 4.

Absent and excused -- Deal, Ellsworth. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1442** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **H 474**, as amended, retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**H 768** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cannon to open debate.

Mr. Denney moved that the House recess until 4 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 4 p.m.

#### RECESS

The House reconvened at 4 p.m., Mr. Denney in the Chair.

Roll call showed 64 members present.

Absent and excused -- Bell, Crow, Ellsworth, Raybould, Stevenson, Mr. Speaker. Total -- 6.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

**H 768** was before the House for final consideration.

The question being, "Shall **H 768** pass?"

Roll call resulted as follows:

AYES -- Boe, Bradford, Cannon, Henbest, Lake, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Ringo, Rusche, Sayler, Shirley, Skippen, Smith(30), Smith(24), Trail. Total -- 18.

NAYS -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Bolz, Brackett, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Smylie, Snodgrass, Wills, Wood. Total -- 46.

Absent and excused -- Bell, Ellsworth, Jaquet, Raybould, Stevenson, Mr. Speaker. Total -- 6.

Paired Vote:

AYE -- Rusche. NAY -- Crow.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 768** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

**H 764** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Martinez to open debate.

The question being, "Shall **H 764** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Bell, Crow, Ellsworth, Jaquet, Raybould, Stevenson, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 764** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 728** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 728** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Bell, Crow, Ellsworth, Jaquet, Pence, Raybould, Stevenson, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 728** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 780** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall **H 780** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Bell, Crow, Ellsworth, Jaquet, McGeachin, Raybould, Stevenson, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 780** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 781** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Roberts to open debate.

The question being, "Shall **H 781** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Bell, Crow, Ellsworth, Jaquet, Lake, Raybould, Stevenson, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 781** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 791** and **HCR 62** retain their places on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**H 771** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Andrus to open debate.

The question being, "Shall **H 771** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Bell, Crow, Ellsworth, Jaquet, Raybould, Stevenson, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 771** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 772** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Shirley to open debate.

The question being, "Shall **H 772** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Bell, Crow, Ellsworth, Jaquet, Raybould, Stevenson, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 772** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 773** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **H 773** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Bedke, Bell, Black, Crow, Ellsworth, Jaquet, Raybould, Stevenson, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 773** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 774** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **H 774** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Bedke, Bell, Crow, Ellsworth, Jaquet, Raybould, Smith(24), Stevenson, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 774** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 775** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Pence to open debate.

The question being, "Shall **H 775** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Bell, Crow, Ellsworth, Jaquet, Raybould, Stevenson, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 775** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HJR 6** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Deal to open debate.

The question being, "Shall **HJR 6** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 60.

NAYS -- Mitchell, Rusche, Skippen. Total -- 3.

Absent and excused -- Bell, Crow, Ellsworth, Jaquet, Raybould, Stevenson, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, **HJR 6** passed the House. Title was approved and the resolution was ordered transmitted to the Senate.

**HJR 7** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bilbao to open debate.

The question being, "Shall **HJR 7** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 59.

NAYS -- Loertscher, Rusche, Sali, Skippen. Total -- 4.

Absent and excused -- Bell, Crow, Ellsworth, Jaquet, Raybould, Stevenson, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, **HJR 7** passed the House. Title was approved and the resolution was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

### Consideration of Messages from the Governor and the Senate

March 20, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1250, S 1251, S 1252, S 1299, S 1311, S 1312, S 1318, S 1319, S 1320, S 1322, S 1323, S 1324, S 1326, S 1328, S 1335, S 1336, S 1345, S 1347, S 1362, S 1371, S 1375, S 1385, S 1391, S 1396, S 1416, S 1422, SJR 107, and SJM 118** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced enrolled **S 1250, S 1251, S 1252, S 1299, S 1311, S 1312, S 1318, S 1319, S 1320, S 1322, S 1323, S 1324, S 1326, S 1328, S 1335, S 1336, S 1345, S 1347, S 1362, S 1371, S 1375, S 1385, S 1391, S 1396, S 1416, S 1422, SJR 107, and SJM 118** would be signed by the Speaker, and when so signed, ordered them returned to the Senate.

March 20, 2006

Mr. Speaker:

I return herewith enrolled **HCR 47, HCR 60, HCR 36, HCR 37, HJM 14, and HJM 20** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 47, HCR 60, HCR 36, HCR 37, HJM 14, and HJM 20** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Tuesday, March 21, 2006. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 5:11 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**SEVENTY-SECOND LEGISLATIVE DAY  
TUESDAY, MARCH 21, 2006**

House of Representatives

The House convened at 10 a.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Megan Lake, Page.

**Approval of Journal**

March 21, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-First Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

March 20, 2006

Mr. Speaker:

I transmit herewith S 1243, as amended, S 1386, as amended, S 1423, as amended, S 1449, S 1450, S 1451, and S 1452 which have passed the Senate.

WOOD, Secretary

S 1243, as amended, S 1386, as amended, S 1423, as amended, S 1449, S 1450, S 1451, and S 1452 were filed for first reading.

March 20, 2006

Mr. Speaker:

I return herewith HCR 55, H 637, H 544, H 472, as amended, H 634, as amended, H 788, H 652, H 653, H 722, H 514, H 515, H 599, H 734, H 696, H 724, H 688, and H 706 which have passed the Senate.

WOOD, Secretary

HCR 55, H 637, H 544, H 472, as amended, H 634, as amended, H 788, H 652, H 653, H 722, H 514, H 515, H 599, H 734, H 696, H 724, H 688, and H 706 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 20, 2006

Mr. Speaker:

I return herewith H 648, as amended in the Senate, H 624, as amended in the Senate, and H 673, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 648, as amended in the Senate, H 624, as amended in the Senate, and H 673, as amended in the Senate, were ordered held at the Desk.

Mr. Bradford asked unanimous consent that the House concur in the Senate amendments to H 648, as amended in the Senate. There being no objection, it was so ordered.

Mrs. Field(18) asked unanimous consent that S 1425 be placed on General Orders for consideration. There being no objection, it was so ordered.

Ms. Kemp asked unanimous consent that the House concur in the Senate amendments to H 624, as amended in the Senate. There being no objection, it was so ordered.

Mr. Snodgrass asked unanimous consent that the House concur in the Senate amendments to H 673, as amended in the Senate. There being no objection, it was so ordered.

H 648, as amended in the Senate, H 624, as amended in the Senate, and H 673, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**Report of Standing Committees**

March 21, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled HCR 38, HCR 58, and HCR 54.

FIELD(18), Chairman

The Speaker Pro Tem announced that the Speaker would sign enrolled HCR 38, HCR 58, and HCR 54, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 21, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled HCR 47, HCR 60, HCR 36, HCR 37, HJM 14, and HJM 20 to the Secretary of State at 8:01 a.m., as of this date, March 21, 2006.

FIELD(18), Chairman

March 20, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration H 820 and recommend that it do pass.

WOOD, Chairman

H 820 was filed for second reading.

March 20, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **HCR 63, S 1338, S 1339, and S 1343** and recommend that they do pass.

BLOCK, Chairman

**HCR 63, S 1338, S 1339, and S 1343** were filed for second reading.

March 20, 2006

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **SCR 130** and recommend that it do pass.

RAYBOULD, Chairman

**SCR 130** was filed for second reading.

March 21, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1437** and report it back with amendments attached to be placed on General Orders for consideration.

DEAL, Chairman

**S 1437** was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 64 BY STATE AFFAIRS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO EVALUATE, ADOPT AND IMPLEMENT CERTAIN STANDARDS AND RULES RELATING TO WATER QUALITY.

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

WHEREAS, the Department of Environmental Quality has been designated by the Legislature as the primary agency to meet the goals and requirements of the Clean Water Act and to coordinate and administer Idaho's ground water quality protection programs; and

WHEREAS, surface water quality standards under the Clean Water Act include designated uses for navigable waters and criteria for such designated uses, and revisions of those uses and criteria must be submitted to the U.S. Environmental Protection Agency for approval; and

WHEREAS, surface water quality standards under the Clean Water Act may also include provisions regarding mixing zones, variances and low flows and the decision to include such

provisions in the water quality standards is reserved to the state under the Clean Water Act; and

WHEREAS, decisions concerning ground water are within the sole jurisdiction of the state, and state ground water quality standards do not require the approval of the U.S. Environmental Protection Agency; and

WHEREAS, any changes in Idaho's water quality standards proposed by the Department of Environmental Quality must comply with the provisions of the Idaho Environmental Protection and Health Act and will be subjected to legislative review and approval; and

WHEREAS, the Idaho Environmental Protection and Health Act states the Legislature's intent that environmental quality programs be promulgated and managed so that the benefits of pollution control measures have a reasonable relationship to the public health costs, private property rights and the environmental and economic impacts of such measures; and

WHEREAS, the Idaho Water Quality Act states the Legislature's intent that the state of Idaho fully meet the goals and requirements of the Clean Water Act and that the rules promulgated to implement the Clean Water Act not impose requirements beyond those of the Clean Water Act; and

WHEREAS, it is the Legislature's intent that Idaho's surface water quality standards not apply to manmade waterways and private waters within the state unless otherwise required by the Clean Water Act; and

WHEREAS, the Legislature recognizes that the federal Safe Drinking Water Act regulates public water systems and that drinking water standards may not be appropriate for use as water quality standards when natural conditions make such standards unattainable, such as in the case of arsenic; and

WHEREAS, the Legislature recognizes that the water quality standards and the ground water quality rules both contain provisions that allow the use of natural background as a standard when natural conditions exceed numeric standards.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature encourages the Department of Environmental Quality to evaluate, adopt and implement water quality standards, rules and other provisions that fully consider natural conditions that exist in Idaho for all criteria and that the Department adopt uses for water bodies that are attainable.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Environmental Quality to propose changes to its rules regarding mixing zones, variances and low flows only when there is broad agreement among affected parties concerning those changes.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Environmental Quality to take full advantage of the flexibility available under the Clean Water Act, the Idaho Ground Water Quality Plan and Idaho laws and rules in defining, adopting and implementing mixing zones, variances, site-specific conditions, criteria and water quality standards.

**HCR 64** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 737**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 737**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 61.

NAYS -- Barrett, LeFavour. Total -- 2.

Absent and excused -- Barraclough, Henbest, Lake, Mitchell, Pence, Wills, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 737**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

The question being, "Shall **H 737**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker Pro Tem declared **H 737**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 823** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 823** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood. Total -- 61.

NAYS -- Barrett, LeFavour. Total -- 2.

Absent and excused -- Barraclough, Henbest, Lake, Mitchell, Pence, Wills, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 823** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Deal to open debate.

The question being, "Shall **H 823** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bastian, Bedke, Bilbao, Block, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Harwood, Henbest, Kemp, Miller, Moyle, Nonini, Pasley-Stuart, Raybould, Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 33.

NAYS -- Barraclough, Barrett, Bayer, Bell, Black, Boe, Bolz, Brackett, Bradford, Clark, Crow, Hart, Henderson, Jaquet, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Mitchell, Nielsen, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Smylie, Wood. Total -- 36.

Absent and excused -- Garrett. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 823** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.



**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 836  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MENTAL HEALTH SERVICES IN THE CHILDREN'S MENTAL HEALTH PROGRAM FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE CHILDREN'S MENTAL HEALTH PROGRAM; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MENTAL HEALTH SERVICES IN THE COMMUNITY MENTAL HEALTH SERVICES PROGRAM; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE COMMUNITY MENTAL HEALTH SERVICES PROGRAM; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE DRUG COURT, MENTAL HEALTH COURT AND FAMILY COURT SERVICES FUND; PROVIDING LEGISLATIVE INTENT FOR OVERSIGHT BY THE IDAHO COUNCIL FOR CHILDREN'S MENTAL HEALTH; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 837  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PSYCHIATRIC HOSPITALIZATION IN THE COMMUNITY HOSPITALIZATION PROGRAM FOR FISCAL YEAR 2007; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PSYCHIATRIC HOSPITALIZATION IN THE STATE HOSPITAL NORTH PROGRAM FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE STATE HOSPITAL NORTH PROGRAM; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PSYCHIATRIC HOSPITALIZATION IN THE STATE HOSPITAL SOUTH PROGRAM FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE STATE HOSPITAL SOUTH PROGRAM; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THE DEPARTMENT TO PURSUE CONTRACTS FOR COMMUNITY HOSPITALIZATION; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 838  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES IN THE PHYSICAL HEALTH SERVICES

PROGRAM FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE PHYSICAL HEALTH SERVICES PROGRAM; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES IN THE EMERGENCY MEDICAL SERVICES PROGRAM FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE EMERGENCY MEDICAL SERVICES PROGRAM; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES IN THE LABORATORY SERVICES PROGRAM FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE LABORATORY SERVICES PROGRAM; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES IN THE SUBSTANCE ABUSE SERVICES PROGRAM FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE SUBSTANCE ABUSE SERVICES PROGRAM; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO SPECIAL HEALTH PROGRAMS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 839  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS FROM THE PERMANENT BUILDING FUND TO THE DIVISION OF PUBLIC WORKS FOR THE VARIOUS PURPOSES SPECIFIED; EXPRESSING LEGISLATIVE INTENT CONCERNING THE USE OF MONEYS APPROPRIATED IN THIS ACT; EXEMPTING THE APPROPRIATIONS FROM THE PROVISIONS OF CHAPTER 36, TITLE 67, IDAHO CODE, AND FROM THE PROVISIONS OF SECTION 67-3516, IDAHO CODE; AUTHORIZING THE USE OF TAX ANTICIPATION NOTES; DIRECTING THE TRANSFER OF MONEYS FROM THE GENERAL FUND TO THE PERMANENT BUILDING FUND FOR FISCAL YEAR 2007; PROVIDING FOR THE TRANSFER OF MONEYS FROM THE MISCELLANEOUS REVENUE FUND IN THE DIVISION OF VETERANS SERVICES TO THE PERMANENT BUILDING FUND FOR FISCAL YEAR 2006; AND DECLARING AN EMERGENCY FOR SECTION 6 OF THIS ACT.

**H 836, H 837, H 838, and H 839** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1243**, as amended, by Brandt, was introduced, read the first time by title, and ordered held at the Desk.

**S 1386**, as amended, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

**S 1423**, as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

**S 1449, S 1450, S 1451, and S 1452**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**H 829, H 830, and H 831**, by Appropriations Committee, were read the second time by title and filed for third reading.

**H 834, H 822, and H 777**, as amended, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

**S 1356**, as amended, and **SJM 119**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**H 816**, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**H 814**, as amended, by Ways and Means Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**H 817** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

The question being, "Shall **H 817** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Black, Smylie. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 817** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 818** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Harwood to open debate.

The question being, "Shall **H 818** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Smylie. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 818** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 826** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **H 826** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 60.

NAYS -- Barrett, Hart, Loertscher, McGeachin, McKague, Rydalch, Sali, Wood. Total -- 8.

Absent and excused -- Bedke, Smylie. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 826** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 827** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **H 827** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 53.

NAYS -- Andrus, Barrett, Clark, Hart, Lake, Loertscher, McKague, Moyle, Nielsen, Nonini, Roberts, Rydalch, Sali, Shepherd(8), Smith(24), Wood. Total -- 16.

Absent and excused -- Smylie. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 827** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 828** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen to open debate.

The question being, "Shall **H 828** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- Hart, Jaquet, Lake, McKague, Nonini, Rydalch. Total -- 6.

Absent and excused -- Smylie. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 828** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1417** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

Pursuant to Rule 38(3), Mr. Nielsen disclosed a conflict of interest regarding **S 1417**.

Mrs. McGeachin asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1417**. There being no objection, it was so ordered.

The question being, "Shall **S 1417** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Edmunson, Eskridge, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, LeFavour, Martinez, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills. Total -- 46.

NAYS -- Barrett, Bayer, Clark, Crow, Denney, Ellsworth, Hart, Harwood, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nonini, Raybould, Roberts, Rydalch, Sali, Shepherd(8). Total -- 21.

Absent and excused -- Smylie, Wood, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1417** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:30 p.m.

## RECESS

### Afternoon Session

The House reconvened at 1:30 p.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**S 1443** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bayer to open debate.

The question being, "Shall **S 1443** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Loertscher, Mathews, Moyle, Sali, Smith(24). Total -- 6.

Absent and excused -- Crow, Roberts, Smylie. Total -- 3.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1443** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1444** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

The question being, "Shall **S 1444** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Roberts, Smylie. Total -- 3.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1444** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1445** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall **S 1445** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Roberts. Total -- 1.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1445** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1446** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bayer to open debate.

The question being, "Shall **S 1446** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Harwood, Ringo, Roberts. Total -- 3.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1446** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1447** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall **S 1447** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Harwood, Ringo, Roberts. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1447** passed the House. Title was approved and the bill was ordered returned to the Senate.

**H 474**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

The question being, "Shall **H 474**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Clark, Harwood, Roberts. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 474**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 791** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Speaker to open debate.

Mr. Speaker asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 791**. There being no objection, it was so ordered.

The question being, "Shall **H 791** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Andrus, Barrett, McKague, Rydalch, Shepherd(8). Total -- 5.

Absent and excused -- Snodgrass. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 791** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HCR 62** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ellsworth to open debate.

Mrs. Ellsworth asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **HCR 62**. There being no objection, it was so ordered.

The question being, "Shall **HCR 62** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Barrett. Total -- 1.

Absent and excused -- Bedke, Snodgrass. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 62** adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that **S 1389**, as amended in the House, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**S 1389**, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Garrett to open debate.

Mrs. Garrett asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1389**, as amended in the House. There being no objection, it was so ordered.

The question being, "Shall **S 1389**, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Stevenson, Trail, Wills, Wood. Total -- 57.

NAYS -- Barrett, Loertscher, Moyle. Total -- 3.

Absent and excused -- Bedke, Bilbao, Bradford, Crow, McGeachin, Roberts, Sali, Smith(24), Snodgrass, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1389**, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

**H 745** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Martinez to open debate.

The question being, "Shall **H 745** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Bedke, Bilbao, Bradford, Roberts, Skippen, Snodgrass, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 745** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 443**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 443**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Bilbao, Roberts, Skippen, Snodgrass, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 443**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

**HCR 45** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McGeachin to open debate.

The question being, "Shall **HCR 45** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 45** adopted by voice vote and ordered the resolution transmitted to the Senate.

**H 795** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ellsworth to open debate.

The question being, "Shall **H 795** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bell, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills. Total -- 51.

NAYS -- Andrus, Barrett, Bayer, Harwood, Lake, Loertscher, McKague, Nonini, Rydalch, Sali. Total -- 10.

Absent and excused -- Bedke, Bilbao, Bradford, Kemp, Roberts, Skippen, Snodgrass, Wood, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 795** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

#### Consideration of Messages from the Governor and the Senate

March 21, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1430, S 1431, S 1432, S 1434, S 1435, and S 1436** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that the Speaker would sign enrolled **S 1430, S 1431, S 1432, S 1434, S 1435, and S 1436** and, when so signed, ordered them returned to the Senate.

March 21, 2006

Mr. Speaker:

I return herewith enrolled **HCR 56, H 707, H 694, H 526, H 529, H 766, H 767, H 782, H 783, H 716, H 567, H 517, H 659, H 727, H 613, as amended, H 646, H 649, H 520, H 521, H 433, H 522, H 524, H 525, H 527, H 528, H 639, H 636, H 546, and H 576** which have been signed by the President.

WOOD, Secretary

Enrolled **H 707, H 694, H 526, H 529, H 766, H 767, H 782, H 783, H 716, H 567, H 517, H 659, H 727, H 613, as amended, H 646, H 649, H 520, H 521, H 433, H 522, H 524, H 525, H 527, H 528, H 639, H 636, H 546, and H 576** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HCR 56** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Wednesday, March 22, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 3:04 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

#### SEVENTY-THIRD LEGISLATIVE DAY WEDNESDAY, MARCH 22, 2006

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Ellie Wladyka, Page.

#### Approval of Journal

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-second Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 21, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 530, H 555, and H 615**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

March 21, 2006

Mr. Speaker:

I transmit herewith **S 1454, S 1455, and S 1418**, as amended, which have passed the Senate. WOOD, Secretary

**S 1454, S 1455, and S 1418**, as amended, were filed for first reading.

March 21, 2006

Mr. Speaker:

I return herewith **H 640, H 602**, as amended, **H 762, H 709**, as amended, **H 719**, as amended, **H 738**, as amended, **H 752, H 562**, as amended, **H 513, H 412, H 541, H 638, H 684, H 596, H 492**, and **H 466** which have passed the Senate.

WOOD, Secretary

**H 640, H 602**, as amended, **H 762, H 709**, as amended, **H 719**, as amended, **H 738**, as amended, **H 752, H 562**, as amended, **H 513, H 412, H 541, H 638, H 684, H 596, H 492**, and **H 466** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 21, 2006

Mr. Speaker:

I return herewith **H 695**, as amended in the Senate, and **H 676**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

**H 695**, as amended in the Senate, and **H 676**, as amended in the Senate, were ordered held at the Desk.

Mr. Wills asked unanimous consent that the House concur in the Senate amendments to **H 695**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Roberts asked unanimous consent that the House concur in the Senate amendments to **H 676**, as amended in the Senate. There being no objection, it was so ordered.

**H 695**, as amended in the Senate, and **H 676**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**Report of Standing Committees**

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 64, H 836, H 837, H 838, and H 839**.

FIELD(18), Chairman

**HCR 64** was referred to the Environment, Energy, and Technology Committee.

**H 836, H 837, H 838, and H 839** were filed for second reading.

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 55, H 637, H 544, H 472**, as amended, **H 634**, as amended, **H 788, H 652, H 653, H 722, H 514, H 515, H 599, H 734, H 696, H 724, H 688, H 706, and H 443**, as amended in the Senate.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HCR 55, H 637, H 544, H 472**, as amended, **H 634**, as amended, **H 788, H 652, H 653, H 722, H 514, H 515, H 599, H 734, H 696, H 724, H 688, H 706, and H 443**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 648**, as amended in the Senate, **H 624**, as amended in the Senate, and **H 673**, as amended in the Senate.

FIELD(18), Chairman

**H 648**, as amended in the Senate, **H 624**, as amended in the Senate, and **H 673**, as amended in the Senate, were filed for first reading of engrossed bills.

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 707, H 694, H 526, H 529, H 766, H 767, H 782, H 783, H 716, H 657, H 517, H 659, H 727, H 613**, as amended, **H 646, H 649, H 520, H 521, H 433, H 522, H 524, H 525, H 527, H 528, H 639, H 636, H 546, and H 576** to the Governor at 3:55 p.m., as of this date, March 21, 2006.

FIELD(18), Chairman



March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 56** to the Secretary of State at 3:44 p.m., as of this date, March 21, 2006. FIELD(18), Chairman

March 21, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **SJM 120** and recommend that it do pass.

STEVENSON, Chairman

**SJM 120** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 65

##### BY WAYS AND MEANS COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THE IDAHO STATE BOARD OF EDUCATION TO CONDUCT A STUDY OF PERSONNEL ISSUES AND CHALLENGES FACING IDAHO'S INSTITUTIONS OF HIGHER EDUCATION INCLUDING THE AREAS OF RECRUITMENT AND RETENTION, AND TO REPORT ITS FINDINGS TO THE COMMERCE AND HUMAN RESOURCES COMMITTEES AND EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE DURING THE FIRST REGULAR SESSION OF THE FIFTY-NINTH IDAHO LEGISLATURE.

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

WHEREAS, the Legislature acknowledges the importance of an educated citizenry and work force as essential to Idaho's economy and the well-being of its citizens; and

WHEREAS, the Legislature acknowledges the efforts of Idaho's public postsecondary institutions to provide outstanding educational opportunities; and

WHEREAS, the Legislature acknowledges the importance of recruiting and retaining highly educated, qualified and respected faculty to ensure continued educational excellence at Idaho's institutions of higher education; and

WHEREAS, the Legislature acknowledges that Idaho's postsecondary institutions compete nationally and internationally with other institutions when recruiting and retaining faculty.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho State Board of Education is hereby requested to conduct a study of personnel issues and challenges facing Idaho's institutions of higher education and that such study should include the areas of faculty recruitment and retention.

BE IT FURTHER RESOLVED that the Idaho State Board of Education shall report its findings, recommendations and proposed legislation, if any, to the Commerce and Human Resources Committee and the Education Committee of the House of Representatives and to the Commerce and Human Resources Committee and the Education Committee of the Senate during the First Regular Session of the Fifty-ninth Idaho Legislature.

#### HOUSE CONCURRENT RESOLUTION NO. 66

##### BY EDUCATION COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND URGING THE IDAHO STATE BOARD OF EDUCATION TO PROPOSE CHANGES TO THE IDAHO NO CHILD LEFT BEHIND COMPLIANCE AGREEMENT PLAN THAT WOULD PLACE A TEMPORARY SUSPENSION ON THE IMPOSITION OF SANCTIONS FOR NON-TITLE I SCHOOLS UNTIL TWELVE MONTHS AFTER STATE FUNDING IS MADE AVAILABLE.

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

WHEREAS, the 2001 Reauthorization of the Elementary and Secondary Education Act of 1965, commonly referred to as the No Child Left Behind Act (NCLB), raises the accountability of the state and local education agencies to increase the academic achievement of students at all levels of public education; and

WHEREAS, NCLB requires that all students achieve at proficiency or above in reading, mathematics and science within twelve (12) years of enactment; and

WHEREAS, schools and district and charter local education agencies and the state are challenged to implement programs and procedures that will help students who are not reaching proficiency improve academic achievement to the proficient level or above within this time frame; and

WHEREAS, under NCLB, federal funding is provided under Title I to schools with student populations composed of more than forty percent of students who participate in the free and reduced lunch program; and

WHEREAS, the Idaho State Board of Education places specific sanctions on the schools and district and charter local education agencies that do not meet Adequate Yearly Progress; and

WHEREAS, under NCLB, the Title I schools receive an allocation of federal funds each year for supplemental services to remediate and provide the instruction and programs needed in the schools and classrooms to facilitate students who are not meeting the proficiency standards on the Idaho Standards Achievement Test (ISAT). Federal funding for supplemental services in Title I schools includes certified remedial teachers and paraprofessionals who help children meet the proficiency standards in reading, math and, beginning in 2007, science; and

WHEREAS, under the NCLB Compliance Agreement Plan submitted by the Idaho State Board of Education to the United States Department of Education, the sanctions of NCLB apply to both Title I and non-Title I schools in the state of Idaho; and

WHEREAS, under NCLB, no federal funding is provided for remediation at non-Title I schools; and

WHEREAS, non-Title I schools educate thousands of children who qualify for the free and reduced lunch program, with many of these schools comprised of twenty percent or more of the student population participating in the free and reduced lunch program; and

WHEREAS, parents and teachers in non-Title I schools are making heroic efforts to raise funds for reading and math programs and to provide parent volunteers and additional teaching time to raise these students to proficient levels in reading and math; however, parent volunteers and teachers in non-Title I schools cannot provide adequate resources in comparison to Title I schools; and

WHEREAS, the state of Idaho provides no additional remediation funding to non-Title I schools to address the Adequate Yearly Progress deficiencies.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho State Board of Education is urged to propose changes to the NCLB Compliance Agreement Plan implementing NCLB in the state of Idaho that would place a temporary suspension on the imposition of sanctions on the non-Title I schools until twelve months after state funding is made available.

**HOUSE JOINT MEMORIAL NO. 25**  
**BY WAYS AND MEANS COMMITTEE**  
A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, AND TO THE UNITED STATES SECRETARIES OF THE INTERIOR AND OF ENERGY.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, policies of the federal government have placed much of the Outer Continental Shelf off-limits to oil and natural gas production; and

WHEREAS, development of oil and natural gas resources, where allowed off our shore, has coexisted for decades with recreational and commercial activities while benefitting the entire nation; and

WHEREAS, America's increased dependence on foreign energy supplies and global competition for oil and natural gas will create a threat to our national security; and

WHEREAS, since 2000, natural gas and oil prices have more than doubled; and

WHEREAS, rising energy costs are taking a toll on poor families throughout the nation and, in a recent annual survey by the National Energy Assistance Directors' Association, 32% of families had to sacrifice medical care, 24% failed to make their

rent or mortgage payment, 20% were without food for at least a day, and 44% skipped paying or paid less than their home energy bill in the past year; and

WHEREAS, the nation's farming and ranching sectors depend on a reliable and affordable supply of energy to run equipment, fertilize crops, and transport products to market; and

WHEREAS, the Economic Research Service of the United States Department of Agriculture estimates that farmers' fuel expenses for 2005 exceeded their 2004 fuel expenses by 37%, and higher energy prices mean increased costs to farmers and ranchers, who already face tremendous economic challenges; and

WHEREAS, in spite of significant progress in energy efficiency, the United States will still need 32% more energy to support economic growth by 2025; and

WHEREAS, inland states throughout the west are doing more to increase domestic energy production, and the public lands that lie off our nation's coasts also hold enormous potential for energy production, which could significantly help to meet the energy needs of all Americans.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we encourage the President of the United States of America, the Honorable George W. Bush, to revoke administrative withdrawals on offshore energy development on the nation's Outer Continental Shelf and direct the Minerals Management Service to contract for test wells to be drilled in order to provide needed energy resources to the United States in an environmentally responsible manner.

BE IT FURTHER RESOLVED, that we encourage the Congress of the United States of America to make the nation's Outer Continental Shelf available for energy development in an environmentally responsible manner.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States of America, the President of the Senate and the Speaker of the House of Representatives of Congress, the congressional delegation representing the State of Idaho in the Congress of the United States, and the United States Secretaries of the Interior and of Energy.

**HCR 65, HCR 66, and HJM 25** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 840**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2007; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEY; AUTHORIZING THE

EXPENDITURE OF ALL RECEIPTS COLLECTED; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING DIRECTION TO CONDUCT A MARKET ANALYSIS; DIRECTING THE DEPARTMENT OF HEALTH AND WELFARE TO STUDY PARENT-DIRECTED SERVICES FOR CHILDREN WITH DEVELOPMENTAL DISABILITIES; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 841**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO WATER; AMENDING HOUSE BILL NO. 800, AS ENACTED BY THE SECOND REGULAR SESSION OF THE FIFTY-EIGHTH IDAHO LEGISLATURE, BY THE ADDITION OF A NEW SECTION 3 TO PLACE AN EMERGENCY CLAUSE IN THE BILL; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 842**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO THE IDAHO REGULATORY TAKINGS ACT; AMENDING SECTION 67-8001, IDAHO CODE, TO REVISE THE DECLARATION OF PURPOSE; AMENDING SECTION 67-8002, IDAHO CODE, TO REVISE THE DEFINITION OF "REGULATORY TAKING" AND TO DEFINE "PER SE TAKING"; AND AMENDING SECTION 67-8003, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO REGULATORY OR ADMINISTRATIVE ACTIONS THAT HAVE RESULTED OR WILL RESULT IN A TAKING OF PRIVATE PROPERTY BY A GOVERNMENTAL AGENCY OR ENTITY.

**H 840**, **H 841**, and **H 842** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1418**, as amended, by Finance Committee, was introduced, read the first time by title, and referred to the Ways and Means Committee.

**S 1454** and **S 1455**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

**First Reading of Engrossed Bills**

**H 673**, as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title and referred to the Ways and Means Committee.

**H 648**, as amended in the Senate, by Commerce and Human Resources Committee, was introduced, read the first time by title and filed for second reading.

**H 624**, as amended in the Senate, by Education Committee, was introduced, read the first time by title and filed for second reading.

**Second Reading of Bills and Joint Resolutions**

**H 820**, by Ways and Means Committee, was read the second time by title and filed for third reading.

**HCR 63**, by State Affairs Committee, was read the second time by title and filed for third reading.

**S 1338**, **S 1339**, and **S 1343**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

**SCR 130**, by State Affairs Committee, was read the second time by title and filed for third reading.

**S 1449**, **S 1450**, **S 1451**, and **S 1452**, by Finance Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 829** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 829** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Barraclough, Bedke. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 829** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 830** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 830** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 56.

NAYS -- Andrus, Barrett, Clark, Crow, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Sali, Smith(24), Wood. Total -- 14.

Total -- 70.

Whereupon the Speaker declared **H 830** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 831** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **H 831** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Bradford, Denney, Wood. Total -- 3.  
Total -- 70.

Whereupon the Speaker declared **H 831** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 822** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**H 822** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

At this time, Mr. Denney took the Chair.

Mr. Deal asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 822**. There being no objection, it was so ordered.

The question being, "Shall **H 822** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- Bradford, Crow, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 822** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 825** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Black to open debate.

The question being, "Shall **H 825** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 66.

NAYS -- Barrett, Wood. Total -- 2.

Absent and excused -- Bedke, Mr. Speaker. Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 825** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **S 1363**, as amended in the House, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**S 1363**, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Schaefer, Mr. Roberts, and Mrs. Garrett to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **S 1363**, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- Barrett. Total -- 1.  
Total -- 70.

Whereupon the Speaker declared **S 1363**, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mrs. Crow asked unanimous consent that **H 816** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**H 671**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **H 671**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen,

Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Eskridge, Nonini. Total -- 2.  
Total -- 70.

Whereupon the Speaker declared **H 671**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

**H 497**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Kemp to open debate.

The question being, "Shall **H 497**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Barrett, Cannon, Harwood, Mitchell. Total -- 4.  
Absent and excused -- Nonini. Total -- 1.  
Total -- 70.

Whereupon the Speaker declared **H 497**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

**HCR 50**, as amended, was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

Mr. Nielsen asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **HCR 50**, as amended. There being no objection, it was so ordered.

The question being, "Shall **HCR 50**, as amended, be adopted?"

Whereupon the Speaker declared **HCR 50**, as amended, adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Denney moved that the House recess until 1:15 p.m.  
Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

### RECESS

#### Afternoon Session

The House reconvened at 1:15 p.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

There being no objection, the House returned to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 843 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO MINIMUM WAGE LAW; AMENDING SECTION 44-1502, IDAHO CODE, TO INCREASE THE MINIMUM WAGE, TO PROVIDE FOR AN ANNUAL CALCULATION TO ADJUST THE MINIMUM WAGE BASED ON THE CONSUMER PRICE INDEX FOR A SPECIFIED PREVIOUS PERIOD OF TIME, TO DELETE OBSOLETE LANGUAGE, TO PROVIDE AN ALTERNATIVE WAGE FOR PERSONS WHO HAVE NOT ATTAINED EIGHTEEN YEARS OF AGE AND TO PROVIDE FOR AN ANNUAL CALCULATION TO ADJUST SUCH ALTERNATIVE WAGE BASED ON THE CONSUMER PRICE INDEX FOR A SPECIFIED PREVIOUS PERIOD OF TIME.

**H 843** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**H 753**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Smith(30) to open debate.

The question being, "Shall **H 753**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Barraclough, Crow, Eskridge, McGeachin, McKague, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 753**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 570**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **H 570**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Crow, Eskridge, Hart, McGeachin, McKague, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 570**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 778**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

The question being, "Shall **H 778**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Anderson, Crow, Eskridge, Hart, Harwood, McGeachin, McKague, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 778**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 834** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Loertscher to open debate.

The question being, "Shall **H 834** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 64.

NAYS -- None.

Absent and excused -- Crow, Eskridge, Hart, Harwood, McGeachin, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 834** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 814**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smith(24) to open debate.

At this time, the Speaker took the Chair.

Mr. Lake asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 814**, as amended. There being no objection, it was so ordered.

The question being, "Shall **H 814**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Bastian, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Deal, Edmunson, Field(18), Field(23), Garrett, Henbest, Henderson, Kemp, LeFavour, McGeachin, Miller, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 41.

NAYS -- Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Collins, Denney, Ellsworth, Hart, Harwood, Jaquet, Lake, Loertscher, Martinez, Mathews, McKague, Mitchell, Moyle, Nonini, Rusche, Rydalch, Sali, Sayler, Schaefer, Stevenson, Wood. Total -- 27.

Absent and excused -- Crow, Eskridge. Total -- 2.

Paired Vote:

AYE -- McGeachin. NAY -- Hart.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 814**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 777**, as amended, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 777**, as amended, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Black, Boe, Bradford, Chadderdon, Clark, Deal, Garrett, Henbest, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Sayler, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Smylie, Trail, Mr. Speaker. Total -- 30.

NAYS -- Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Brackett, Cannon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Harwood, Henderson, Lake, Loertscher, Mathews, McKague, Moyle, Nielsen, Nonini, Raybould, Roberts, Rydalch, Sali, Schaefer, Shirley, Snodgrass, Stevenson, Wills, Wood. Total -- 38.

Absent and excused -- Hart, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 777**, as amended, as amended, failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

**S 1300**, as amended, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) to open debate.

The question being, "Shall **S 1300**, as amended, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- Hart. Total -- 1.

Absent and excused -- Denney. Total -- 1.

Paired Vote:

AYE -- McGeachin. NAY -- Hart.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1300**, as amended, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Trail asked unanimous consent that **S 1334** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**S 1321**, having previously been read the third time at length, was placed before the House for final consideration.

The question being, "Shall **S 1321** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler,

Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Hart, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1321** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1379** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mitchell to open debate.

The question being, "Shall **S 1379** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Hart, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1379** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1351** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **S 1351** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler,



Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Hart, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1351** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that **S 1388** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**S 1352** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **S 1352** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Hart, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1352** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1353** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **S 1353** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Hart, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1353** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1296** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **S 1296** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Hart, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1296** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1332**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **S 1332**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler,

Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Hart, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1332**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mrs. Field(18) asked unanimous consent that **S 1399** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**S 1403** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) to open debate.

The question being, "Shall **S 1403** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Hart, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1403** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1331** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **S 1331** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Block, Hart, McGeachin. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1331** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1297** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. LeFavour to open debate.

The question being, "Shall **S 1297** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bastian, Bayer, Bilbao, Black, Block, Boe, Bradford, Cannon, Chadderdon, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 47.

NAYS -- Barraclough, Barrett, Bedke, Bell, Brackett, Clark, Collins, Crow, Ellsworth, Henderson, Mathews, McKague, Moyle, Nonini, Raybould, Roberts, Shepherd(8), Smith(24), Wood. Total -- 19.

Absent and excused -- Bolz, Hart, Lake, McGeachin. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1297** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1397** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **S 1397** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Black, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo,

Rusche, Rydalch, Sali, Sayler, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 50.

NAYS -- Barrett, Bedke, Crow, Harwood, Lake, McKague, Roberts, Schaefer, Shepherd(8), Smith(24), Mr. Speaker. Total -- 11.

Absent and excused -- Block, Boe, Bolz, Hart, McGeachin, Moyle, Nonini, Shepherd(2), Wood. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **S 1397** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1374** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **S 1374** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Block, Boe, Bolz, Crow, Henderson, McGeachin, Moyle, Shepherd(2), Wood. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **S 1374** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

### Report of Standing Committees

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have not printed **H 840**.

FIELD(18), Chairman

**H 840** was returned to the Appropriations Committee.

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 843**.

FIELD(18), Chairman

**H 843** was referred to the State Affairs Committee.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Denney moved that the House adjourn until 10 a.m., Thursday, March 23, 2006. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:05 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### SEVENTY-FOURTH LEGISLATIVE DAY THURSDAY, MARCH 23, 2006

House of Representatives

The House convened at 10 a.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Pastor James Kirby.

The Pledge of Allegiance was led by Michael Kelsey, Page.

### Approval of Journal

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-Third Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 22, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 783, H 782, H 767, H 766, H 727, H 718, H 716, H 711, H 707, H 694, H 659, H 646, H 645, H 639, H 636, H 633, H 632, H 631, H 619, H 611, as amended, H 606, H 605, H 601, as amended in the Senate, H 593, H 587, H 584, H 576, H 565, as amended, H 546, H 539, H 538, H 533, as amended in the Senate, H 529, H 528, H 527, H 526, H 525, H 524, H 521, H 520, H 517, H 491, H 433, and H 432**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

March 22, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1442** for the signature of the Speaker. WOOD, Secretary

The Speaker Pro Tem announced that the Speaker would sign enrolled **S 1442** and, when so signed, ordered it returned to the Senate.

March 22, 2006

Mr. Speaker:

I return herewith enrolled **HCR 38, HCR 58, and HCR 54** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 38, HCR 58, and HCR 54** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 22, 2006

Mr. Speaker:

I transmit herewith **SCR 133** which has passed the Senate. WOOD, Secretary

**SCR 133** was filed for first reading.

March 22, 2006

Mr. Speaker:

I return herewith **HCR 59, HJM 21, H 712, H 545, H 686, H 687, H 729, H 582, H 680, H 793, H 794, H 797, H 798, H 799, and H 594** which have passed the Senate.

WOOD, Secretary

**HCR 59, HJM 21, H 712, H 545, H 686, H 687, H 729, H 582, H 680, H 793, H 794, H 797, H 798, H 799, and H 594** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 23, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1417, S 1443, S 1444, S 1445, S 1446, and S 1447** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that the Speaker would sign enrolled **S 1417, S 1443, S 1444, S 1445, S 1446, and S 1447** and, when so signed, ordered them returned to the Senate.

March 23, 2006

Mr. Speaker:

I return herewith enrolled **HCR 55, H 637, H 544, H 472, as amended, H 634, as amended, H 788, H 652, H 653, H 722, H 514, H 515, H 599, H 734, H 696, H 724, H 688, H 706, and H 443, as amended in the Senate, which have been signed by the President.** WOOD, Secretary

Enrolled **H 637, H 544, H 472, as amended, H 634, as amended, H 788, H 652, H 653, H 722, H 514, H 515, H 599, H 734, H 696, H 724, H 688, H 706, and H 443, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.**

Enrolled **HCR 55** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

**Report of Standing Committees**

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 65, HCR 66, HJM 25, H 841, and H 842.**

FIELD(18), Chairman

**HCR 65** was referred to the Commerce and Human Resources Committee.

**HCR 66** was referred to the Education Committee.

**H 842** was referred to the State Affairs Committee.

**HJM 25 and H 841** were filed for second reading.

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 640, H 602, as amended, H 762, H 709, as amended, H 719, as**

amended, **H 738**, as amended, **H 752**, **H 562**, as amended, **H 513**, **H 412**, **H 541**, **H 638**, **H 684**, **H 596**, **H 492**, **H 466**, **H 671**, as amended in the Senate, and **H 497**, as amended in the Senate.

FIELD(18), Chairman

The Speaker Pro Tem announced that the Speaker would sign enrolled **H 640**, **H 602**, as amended, **H 762**, **H 709**, as amended, **H 719**, as amended, **H 738**, as amended, **H 752**, **H 562**, as amended, **H 513**, **H 412**, **H 541**, **H 638**, **H 684**, **H 596**, **H 492**, **H 466**, **H 671**, as amended in the Senate, and **H 497**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 695**, as amended in the Senate, and **H 676**, as amended in the Senate.

FIELD(18), Chairman

**H 695**, as amended in the Senate, and **H 676**, as amended in the Senate, were filed for first reading of engrossed bills.

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1415** and recommend that it do pass.

WOOD, Chairman

**S 1415** was filed for second reading.

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **HCR 64** and recommend that it do pass.

RAYBOULD, Chairman

**HCR 64** was filed for second reading.

March 22, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 833**, **SCR 128**, and **S 1340**, as amended, and recommend that they do pass.

BLOCK, Chairman

**H 833**, **SCR 128**, and **S 1340**, as amended, were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

**SCR 133**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Ways and Means Committee.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 844 BY APPROPRIATIONS COMMITTEE

##### AN ACT

RELATING TO APPROPRIATIONS; STATING INTENT OF THE LEGISLATURE; DIRECTING THE DEPARTMENT OF ADMINISTRATION TO PAY ESTIMATED FISCAL YEAR 2007 INCREASES IN GROUP MEDICAL INSURANCE PREMIUMS, TO PAY ONE MONTH OF GROUP MEDICAL INSURANCE PREMIUMS AND TO PAY BASIC LIFE AND DISABILITY PREMIUMS FOR THE EMPLOYER FOR SEVEN MONTHS; APPROPRIATING ADDITIONAL MONEYS FOR FISCAL YEAR 2007 TO STATE AGENCIES AND STATE INSTITUTIONS FOR PERSONNEL COSTS; APPROPRIATING ADDITIONAL MONEYS TO STATE AGENCIES FOR FISCAL YEAR 2007 FOR PERSONNEL COSTS OF TARGETED JOB CLASSIFICATIONS; APPROPRIATING ADDITIONAL MONEYS TO THE ATTORNEY GENERAL FOR SPECIFIED PERSONNEL COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE SCHOOL FOR THE DEAF AND THE BLIND FOR SPECIFIED PERSONNEL COSTS; DIRECTING STATE AGENCIES AND INSTITUTIONS REGARDING THE USE AND REPORTING OF SALARY SAVINGS; APPROPRIATING ADDITIONAL MONEYS FOR FISCAL YEAR 2007 TO STATE AGENCIES AND STATE INSTITUTIONS FOR PERSONNEL COSTS; AND EXPRESSING LEGISLATIVE INTENT THAT THE DEPARTMENT OF ADMINISTRATION USE RESERVES TO COVER THE COSTS OF MENTAL HEALTH INSURANCE PARITY FOR STATE EMPLOYEES FOR FISCAL YEAR 2007.

#### HOUSE BILL NO. 845 BY APPROPRIATIONS COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF TEACHERS; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS DIVISION OF TEACHERS; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2007; PROVIDING MONEYS FOR THE UNEMPLOYMENT INSURANCE PROGRAM; DIRECTING THAT AN AMOUNT BE DISTRIBUTED FOR MASTER TEACHER AWARD PAYMENTS; DIRECTING THAT \$500,000 BE ALLOCATED FOR TRAINING TO SERVE THE NEEDS OF GIFTED AND TALENTED STUDENTS; AND AMENDING SECTION

33-1004E, IDAHO CODE, TO PROVIDE FOR A BASE SALARY INCREASE FOR INSTRUCTIONAL STAFF AND TO INCREASE THE MINIMUM INSTRUCTIONAL STAFF SALARY TO \$30,000.

**HOUSE BILL NO. 846**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF OPERATIONS; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS DIVISION OF OPERATIONS FOR FISCAL YEAR 2007; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2007; DIRECTING THAT \$9,800,000 BE EXPENDED FOR TECHNOLOGY AND REMEDIATION PROGRAMS; APPROPRIATING THE AMOUNT OF GENERAL FUND MONEY NECESSARY AS DETERMINED BY SECTION 33-1002D, IDAHO CODE, FOR PROPERTY TAX REPLACEMENT; PROVIDING AN ESTIMATE OF DISCRETIONARY FUNDS PER SUPPORT UNIT; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE THE LOCAL DISTRICTS' CONTRIBUTION CALCULATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1004E, IDAHO CODE, TO PROVIDE FOR A BASE SALARY INCREASE FOR CLASSIFIED STAFF; PROVIDING FOR THE TRANSFER OF FUNDS TO THE PUBLIC EDUCATION STABILIZATION FUND; AND DECLARING AN EMERGENCY FOR SECTION 9 OF THIS ACT.

**HOUSE BILL NO. 847**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF CHILDREN'S PROGRAMS; PROVIDING A DESCRIPTION OF THE PUBLIC SCHOOLS DIVISION OF CHILDREN'S PROGRAMS AND PROVIDING THE AMOUNTS TO BE EXPENDED; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING MONEYS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2007; DIRECTING THAT \$5,500,000 OF THE MONEYS ACCRUING PURSUANT TO SECTIONS 63-2506 AND 63-2552A, IDAHO CODE, AND SUCH OTHER MONEYS WHICH MAY BECOME AVAILABLE PURSUANT TO SECTION 63-7439, IDAHO CODE, BE EXPENDED FOR THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THE DISTRIBUTION OF FUNDS FOR THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO FEATURES OF THE IDAHO SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THAT \$2,800,000 BE USED FOR THE LITERACY PROGRAMS AND EXPRESSING LEGISLATIVE INTENT THAT THE STATE DEPARTMENT

OF EDUCATION AND THE STATE BOARD OF EDUCATION COORDINATE CERTAIN PROGRAMS; DIRECTING THAT \$6,040,000 BE ALLOCATED FOR PROGRAMS FOR STUDENTS WITH NON-ENGLISH OR LIMITED-ENGLISH PROFICIENCY; DIRECTING THAT \$1,100,080 BE DISTRIBUTED TO THE IDAHO DIGITAL LEARNING ACADEMY; AND GRANTING AUTHORITY TO TRANSFER FUNDS BETWEEN THE FIVE DIVISIONS OF THE EDUCATIONAL SUPPORT PROGRAM BUDGET.

**HOUSE BILL NO. 848**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF ADMINISTRATORS; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2007; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2007; EXPRESSING LEGISLATIVE INTENT THAT CERTAIN STATE FUNDED BENEFITS BE PAID; AND AMENDING SECTION 33-1004E, IDAHO CODE, TO INCREASE BASE SALARIES FOR ADMINISTRATIVE STAFF.

**H 844, H 845, H 846, H 847, and H 848** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**First Reading of Engrossed Bills**

**H 695**, as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title and filed for second reading.

**H 676**, as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

**Second Reading of Bills and Joint Resolutions**

**H 836, H 837, H 838, and H 839**, by Appropriations Committee, were read the second time by title and filed for third reading.

**SJM 120**, by State Affairs Committee, was read the second time by title and filed for third reading.

**S 1454 and S 1455**, by Finance Committee, were read the second time by title and filed for third reading.

**H 648**, as amended in the Senate, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

**H 624**, as amended in the Senate, by Education Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**S 1449** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1449** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Raybould, Ring, Rydalch, Salyer, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood. Total -- 50.

NAYS -- Barrett, Loertscher, Sali. Total -- 3.

Absent and excused -- Anderson, Bedke, Black, Deal, Edmunson, Garrett, Henbest, Henderson, Miller, Nonini, Pence, Ringo, Roberts, Rusche, Skippen, Snodgrass, Mr. Speaker. Total -- 17.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1449** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1450** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1450** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Salyer, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- Barrett, Hart, Martinez, McKague. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1450** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1451** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1451** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Salyer, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Nonini. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1451** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1452** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1452** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Salyer, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Nonini. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1452** passed the House. Title was approved and the bill was ordered returned to the Senate.

**H 816** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Crow and Mr. Lake to open debate.

The question being, "Shall **H 816** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Mitchell, Nonini. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 816** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 820** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

The question being, "Shall **H 820** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Rusche, Shepherd(8). Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 820** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HCR 63** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen to open debate.

Ms. Henbest asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **HCR 63**. There being no objection, it was so ordered.

The question being, "Shall **HCR 63** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Hart, Loertscher, McGeachin, McKague, Nielsen, Sali, Shepherd(8). Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 63** adopted and ordered the resolution transmitted to the Senate.

**S 1334** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

Mr. Trail asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1334**. There being no objection, it was so ordered.

The question being, "Shall **S 1334** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Henbest, Lake, Mitchell. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1334** passed the House. Title was approved and the bill was ordered returned to the Senate.



Mr. Moyle asked unanimous consent that **S 1388** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**S 1399** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **S 1399** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Lake, Sali. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1399** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1395**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bilbao to open debate.

The question being, "Shall **S 1395**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Clark, Crow, Harwood, Loertscher, McKague, Roberts, Shepherd(8), Wood. Total -- 9.

Absent and excused -- Field(23), Lake, Sali. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1395**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

### Report of Standing Committees

**S 1247** held at the Desk February 15, 2006, was referred to the State Affairs Committee.

**S 1429** held at the Desk March 16, 2006, was referred to the State Affairs Committee.

**S 1243**, as amended, held at the Desk March 21, 2006, was referred to the State Affairs Committee.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

Mr. Moyle moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:15 p.m.

### RECESS

#### Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**S 1275** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) to open debate.

The question being, "Shall **S 1275** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 59.

NAYS -- None.

Absent and excused -- Bedke, Crow, Edmunson, Eskridge, Loertscher, McGeachin, McKague, Nielsen, Sali, Skippen, Snodgrass. Total -- 11.

Total -- 70.

Whereupon the Speaker declared **S 1275** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1400**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1400**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Barrett. Total -- 1.

Absent and excused -- Bedke, Black, Crow, Deal, Edmunson, Eskridge, Sali, Snodgrass. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1400**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1407** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

At this time, Mr. Denney took the Chair.

The question being, "Shall **S 1407** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth,

Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bedke, Black, Deal, Edmunson, Eskridge, Sali, Snodgrass. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1407** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1408** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ellsworth to open debate.

Mr. Lake asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1408**. There being no objection, it was so ordered.

At this time, Mr. Moyle took the Chair.

The question being, "Shall **S 1408** pass?"

Roll call resulted as follows:

AYES -- Anderson, Bastian, Bilbao, Block, Boe, Bolz, Bradford, Deal, Ellsworth, Eskridge, Field(18), Field(23), Henbest, Jaquet, Kemp, LeFavour, Martinez, McGeachin, Miller, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Shepherd(2), Shirley, Skippen, Smith(30), Trail, Wills, Mr. Speaker. Total -- 34.

NAYS -- Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Edmunson, Garrett, Hart, Harwood, Henderson, Lake, Loertscher, Mathews, McKague, Mitchell, Moyle, Nonini, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Smith(24), Smylie, Snodgrass, Stevenson, Wood. Total -- 34.

Absent and excused -- Black, Denney. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1408** failed to pass the House and ordered the bill returned to the Senate.

**S 1409**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

Mr. Clark asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1409**, as amended. There being no objection, it was so ordered.

The question being, "Shall **S 1409**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Bastian, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Henderson, Jaquet, Kemp, LeFavour, Martinez, McGeachin, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Salyer, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills, Mr. Speaker. Total -- 47.

NAYS -- Andrus, Barraclough, Barrett, Bayer, Bedke, Crow, Garrett, Harwood, Henbest, Lake, Loertscher, Mathews, McKague, Moyle, Nonini, Roberts, Sali, Shepherd(8), Smylie, Stevenson, Wood. Total -- 21.

Absent and excused -- Black, Denney. Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1409**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1295** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nonini to open debate.

The question being, "Shall **S 1295** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Salyer, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 64.

NAYS -- Mr. Speaker. Total -- 1.

Absent and excused -- Bedke, Black, Denney, Nielsen, Smith(24). Total -- 5.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1295** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1373** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

The question being, "Shall **S 1373** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Salyer, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Black, Denney, Smith(24). Total -- 4.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1373** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1411** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Lake to open debate.

The question being, "Shall **S 1411** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Salyer, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bedke, Black, Crow, Denney, Henderson. Total -- 5.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1411** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1413** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1413** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Black, Crow, Denney, Henderson, Jaquet. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1413** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1401** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Sali to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **S 1401** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp, Lake, LeFavour, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 59.

NAYS -- Boe, Martinez, Mitchell, Pasley-Stuart, Ringo, Smith(30). Total -- 6.

Absent and excused -- Denney, Henderson, Shepherd(2), Smith(24), Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1401** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Snodgrass, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which **S 1408** failed to pass the House.

**S 1408** was ordered held at the Desk.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Thirteenth Order of Business.

### Miscellaneous and Unfinished Business

Notice having been served and having voted on the prevailing side, Mr. Snodgrass moved that the House now reconsider the vote by which **S 1408** failed to pass the House. Seconded by Mrs. Field(18).

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Anderson, Bastian, Black, Block, Boe, Bolz, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Jaquet, LeFavour, Martinez, Miller, Pence, Ring, Ringo, Rusche, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Snodgrass, Wills, Mr. Speaker. Total -- 28.

NAYS -- Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Edmunson, Garrett, Hart, Harwood, Henbest, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Mitchell, Moyle, Nonini, Pasley-Stuart, Raybould, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Smith(24), Smylie, Stevenson, Wood. Total -- 39.

Absent and excused -- Henderson, Nielsen, Trail. Total -- 3.  
Total -- 70.

Whereupon the Speaker declared the motion to reconsider failed and **S 1408**, having failed to pass the House, was returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 9 a.m., Friday, March 24, 2006. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:12 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**SEVENTY-FIFTH LEGISLATIVE DAY  
FRIDAY, MARCH 24, 2006**

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Pastor Andrew Stinson.

The Pledge of Allegiance was led by Brock Larsen, Page.

**Approval of Journal**

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fourth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 23, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 664, H 614, and H 607**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

March 23, 2006

Mr. Speaker:

I transmit herewith **S 1457** which has passed the Senate.

WOOD, Secretary

**S 1457** was filed for first reading.

March 23, 2006

Mr. Speaker:

I return herewith **H 801, H 802, H 803, H 804, H 805, H 743, H 808, H 809, H 810, H 811, H 812, H 813, H 650**, as amended, and **H 776** which have passed the Senate.

WOOD, Secretary

**H 801, H 802, H 803, H 804, H 805, H 743, H 808, H 809, H 810, H 811, H 812, H 813, H 650**, as amended, and **H 776** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 23, 2006

Mr. Speaker:

I return herewith **H 421**, as amended in the Senate, and **H 422**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

**H 421**, as amended in the Senate, and **H 422**, as amended in the Senate, were ordered held at the Desk.

**Report of Standing Committees**

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 844, H 845, H 846, H 847**, and **H 848**.

FIELD(18), Chairman

**H 844, H 845, H 846, H 847**, and **H 848** were filed for second reading.

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 59, HJM 21, H 712, H 545, H 686, H 687, H 729, H 582, H 680, H 793, H 794, H 797, H 798, H 799**, and **H 594**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HCR 59, HJM 21, H 712, H 545, H 686, H 687, H 729, H 582, H 680, H 793, H 794, H 797, H 798, H 799**, and **H 594**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 637, H 544, H 472**, as amended, **H 634**, as amended, **H 788, H 652, H 653, H 722, H 514, H 515, H 599, H 734, H 696, H 724, H 688, H 706**, and **H 443**, as amended in the Senate, to the Governor at 11:25 a.m., as of this date, March 23, 2006.

FIELD(18), Chairman

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 38, HCR 58, HCR 54**, and **HCR 55** to the Secretary of State at 11:18 a.m., as of this date, March 23, 2006.

FIELD(18), Chairman

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **HCR 65** and recommend that it do pass.

SCHAEFER, Chairman

**HCR 65** was filed for second reading.

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1386**, as amended, and recommend that it do pass.

STEVENSON, Chairman

**S 1386**, as amended, was filed for second reading.

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **S 1423**, as amended, and recommend that it do pass.

BLACK, Chairman

**S 1423**, as amended, was filed for second reading.

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HCR 66** and recommend that it do pass.

BARRACLOUGH, Chairman

**HCR 66** was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 849  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2007; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEY; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING DIRECTION TO CONDUCT A MARKET ANALYSIS; DIRECTING THE DEPARTMENT OF

HEALTH AND WELFARE TO STUDY PARENT-DIRECTED SERVICES FOR CHILDREN WITH DEVELOPMENTAL DISABILITIES; DIRECTING THE ALLOCATION OF SALARY SAVINGS; AND PROVIDING LEGISLATIVE INTENT REGARDING THE FISCAL IMPACT ON RESPITE CARE SERVICES.

**HOUSE BILL NO. 850  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-102, IDAHO CODE, TO REVISE THE DEFINITION OF "INJURY"; AND AMENDING SECTION 72-451, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO COMPENSATION FOR PSYCHOLOGICAL ACCIDENTS AND INJURIES.

**HOUSE BILL NO. 851  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2007; APPROPRIATING ADDITIONAL MONEYS FOR FISCAL YEAR 2006; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CERTAIN TRANSFERS BEING CONTINUOUSLY APPROPRIATED; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR AIRPORT DEVELOPMENT GRANTS; AUTHORIZING THE TRANSFER OF HIGHWAY FUNDS TO THE TOURISM AND PROMOTION FUND; DIRECTING THE ALLOCATION OF SALARY SAVINGS; AND DECLARING AN EMERGENCY FOR SECTION 2 OF THIS ACT.

**HOUSE BILL NO. 852  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE LEGISLATIVE COUNCIL TO DEVELOP AN INTEGRATED STATE ENERGY PLAN; STATING CERTAIN CONDITIONS REGARDING THE EXPENDITURE OF FUNDS; AND DECLARING AN EMERGENCY.

**H 849, H 850, H 851, and H 852** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1457**, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**HJM 25, H 841, and H 833**, by Ways and Means Committee, were read the second time by title and filed for third reading.

**S 1415**, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

**HCR 64 and H 695**, as amended in the Senate, by State Affairs Committee, were read the second time by title and filed for third reading.

**SCR 128**, by State Affairs Committee, was read the second time by title and filed for third reading.

**S 1340**, as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**H 676**, as amended in the Senate, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 836** retain its place on the Third Reading Calendar. There being no objection, it was so ordered.

**H 837** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 837** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 60.

NAYS -- Barrett, Loertscher, Mathews, McKague, Moyle, Nielsen, Sali, Smith(24). Total -- 8.

Absent and excused -- McGeachin, Roberts. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 837** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 838** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 838** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Loertscher, McKague, Nielsen, Sali. Total -- 4.

Absent and excused -- McGeachin, Roberts. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 838** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 839** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 839** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Block, Crow, Roberts. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 839** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1454** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1454** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Crow. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1454** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1455** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1455** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- Loertscher. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1455** passed the House. Title was approved and the bill was ordered returned to the Senate.

**H 836** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 836** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Loertscher, McKague, Sali, Wood. Total -- 5.

Absent and excused -- Clark. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 836** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 648**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bradford to open debate.

The question being, "Shall **H 648**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 68.

NAYS -- Wood. Total -- 1.

Absent and excused -- Clark. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 648**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

**H 624**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.



At this time, the Speaker recognized Ms. Kemp to open debate.

The question being, "Shall **H 624**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- Hart, Lake, McGeachin, McKague, Moyle, Roberts, Sali. Total -- 7.

Absent and excused -- Saylor. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 624**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Denney asked unanimous consent that **S 1388** retain its place on the Third Reading Calendar until Monday, March 27, 2006. There being no objection, it was so ordered.

**S 1266**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood to open debate.

The question being, "Shall **S 1266**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bradford, Trail. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1266**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1412**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall **S 1412**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bradford, Mitchell, Smith(24), Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1412**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

**SCR 125** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **SCR 125** be adopted?"

Whereupon the Speaker declared **SCR 125** adopted by voice vote and ordered the resolution returned to the Senate.

**SCR 126** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **SCR 126** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller,

Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bradford, Loertscher, Mitchell, Trail.

Total -- 4.

Total -- 70.

Whereupon the Speaker declared **SCR 126** adopted and ordered the resolution returned to the Senate.

**S 1350**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **S 1350**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bradford, Trail. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1350**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

**SCR 129** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **SCR 129** be adopted?"

Whereupon the Speaker declared **SCR 129** adopted by voice vote and ordered the resolution returned to the Senate.

**S 1327** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **S 1327** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 65.

NAYS -- Barrett, Sali. Total -- 2.

Absent and excused -- Crow, Trail, Wills. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1327** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1414** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **S 1414** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Harwood, Shepherd(8), Wood. Total -- 4.

Absent and excused -- Bedke, Crow, Denney, Lake, Nonini, Smith(24), Stevenson, Wills. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1414** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1428** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **S 1428** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 65.

NAYS -- Saylor. Total -- 1.

Absent and excused -- Jaquet, Lake, Smith(24), Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1428** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1314**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **S 1314**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Henderson, Lake, Smith(24). Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1314**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1342** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Martinez to open debate.

The question being, "Shall **S 1342** pass?"

Roll call resulted as follows:

AYES -- Bilbao, Black, Block, Boe, Brackett, Cannon, Garrett, Henbest, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Saylor, Schaefer, Shepherd(2), Skippen, Smith(30), Smith(24), Smylie, Stevenson, Wills. Total -- 29.

NAYS -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bolz, Bradford, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henderson, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Nonini, Raybould, Roberts, Rydalch, Sali, Shepherd(8), Shirley, Snodgrass, Wood, Mr. Speaker. Total -- 39.

Absent and excused -- Clark, Trail. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1342** failed to pass the House and ordered the bill returned to the Senate.

**S 1356**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **S 1356**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Black, Clark, Deal, Field(18), Ring, Trail, Wills. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1356**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

**SJM 119** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **SJM 119** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henderson, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 53.

NAYS -- Henbest, Jaquet, Kemp, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Ringo, Rusche, Sayler. Total -- 11.

Absent and excused -- Boe, Clark, Field(18), Smith(30), Trail, Wills. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **SJM 119** adopted and ordered the memorial returned to the Senate.

**S 1338** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **S 1338** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Harwood, Wood. Total -- 3.

Absent and excused -- Deal, Smith(24), Trail. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1338** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1339** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **S 1339** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Deal, Smith(24), Trail. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1339** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1343** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shepherd(8) to open debate.

The question being, "Shall **S 1343** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bradford, Deal, Field(23), Smith(24), Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1343** passed the House. Title was approved and the bill was ordered returned to the Senate.

**SCR 130** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Barraclough to open debate.

The question being, "Shall **SCR 130** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- Ellsworth, Moyle, Sali. Total -- 3.

Absent and excused -- Bayer, Deal, Field(23), Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **SCR 130** adopted and ordered the resolution returned to the Senate.

Mr. Denney asked unanimous consent that **SJM 120** retain its place on the Third Reading Calendar until Monday, March 27, 2006. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 833** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 833** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler,

Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bayer, Deal, Field(23), Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 833** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 833** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Bayer, Hart, Harwood, Loertscher, Mathews, McGeachin, McKague, Rydalch, Sali, Shepherd(8), Wood. Total -- 12.

Absent and excused -- Trail. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 833** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 841** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 841** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,

Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bayer, Deal, Field(23), Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 841** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 841** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Boe, Pasley-Stuart, Ringo, Rusche, Sali, Smith(30). Total -- 6.

Absent and excused -- Barrett, Crow, Trail. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 841** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

#### Consideration of Messages from the Governor and the Senate

March 24, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1296, S 1297, S 1321, S 1331, S 1332**, as amended, **S 1351, S 1352, S 1353, S 1374, S 1379, S 1397**, and **S 1403** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1296, S 1297, S 1321, S 1331, S 1332**, as amended, **S 1351, S 1352, S 1353, S 1374, S 1379, S 1397**, and **S 1403** and, when so signed, ordered them returned to the Senate.

March 24, 2006

Mr. Speaker:

I return herewith enrolled **H 640, H 602**, as amended, **H 762, H 709**, as amended, **H 719**, as amended, **H 738**, as amended, **H 752, H 562**, as amended, **H 513, H 412, H 541, H 638, H 684, H 596, H 492, H 466, H 671**, as amended in the Senate, and **H 497**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 640, H 602**, as amended, **H 762, H 709**, as amended, **H 719**, as amended, **H 738**, as amended, **H 752, H 562**, as amended, **H 513, H 412, H 541, H 638, H 684, H 596, H 492, H 466, H 671**, as amended in the Senate, and **H 497**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mr. Denney moved that the House adjourn until 10 a.m., Monday, March 27, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:15 p.m.

BRUCE NEWCOMB, Speaker

ATTEST: PAMM JUKER, Chief Clerk

#### SEVENTY-EIGHTH LEGISLATIVE DAY MONDAY, MARCH 27, 2006

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused -- Anderson, Clark, Henbest, Henderson, Smylie. Total -- 5.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Michael Kelsey, Page.

#### Approval of Journal

March 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fifth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

March 24, 2006

March 24, 2006

Mr. Speaker:

I transmit herewith **S 1456, S 1458, S 1459, S 1460, S 1461,**  
and **S 1463** which have passed the Senate. WOOD, Secretary

**S 1456, S 1458, S 1459, S 1460, S 1461,** and **S 1463** were  
filed for first reading.

March 24, 2006

Mr. Speaker:

I return herewith **HJM 18,** as amended, **HCR 48, HCR 49,**  
**HCR 51, HCR 52,** and **HCR 53** which have passed the Senate.

WOOD, Secretary

**HJM 18,** as amended, **HCR 48, HCR 49, HCR 51,**  
**HCR 52,** and **HCR 53** were referred to the Judiciary, Rules, and  
Administration Committee for enrolling.

**Report of Standing Committees**

March 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND  
ADMINISTRATION report that we have printed **H 849, H 850,**  
**H 851,** and **H 852.** FIELD(18), Chairman

**H 850** was referred to the State Affairs Committee.

**H 849, H 851,** and **H 852** were filed for second reading.

March 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND  
ADMINISTRATION, report that we have enrolled **H 801,**  
**H 802, H 803, H 804, H 805, H 743, H 808, H 809, H 810,**  
**H 811, H 812, H 813, H 650,** as amended, **H 776, H 648,** as  
amended in the Senate, and **H 624,** as amended in the Senate.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 801,**  
**H 802, H 803, H 804, H 805, H 743, H 808, H 809, H 810,**  
**H 811, H 812, H 813, H 650,** as amended, **H 776, H 648,** as  
amended in the Senate, and **H 624,** as amended in the Senate,  
and, when so signed, ordered them transmitted to the Senate for  
the signature of the President.

March 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND  
ADMINISTRATION, report that we have transmitted enrolled  
**H 640, H 602,** as amended, **H 762, H 709,** as amended, **H 719,**  
as amended, **H 738,** as amended, **H 752, H 562,** as amended,  
**H 513, H 412, H 541, H 638, H 684, H 596, H 492, H 466,**  
**H 671,** as amended in the Senate, and **H 497,** as amended in the  
Senate, to the Governor at 1:30 p.m., as of this date,  
March 24, 2006. FIELD(18), Chairman

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND  
DEFENSE, report that we have had under consideration **S 1367**  
and recommend that it do pass.

WOOD, Chairman

**S 1367** was filed for second reading.

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE,  
report that we have had under consideration **SCR 124** and  
**S 1390,** as amended, and recommend that they do pass.

BLOCK, Chairman

**SCR 124** and **S 1390,** as amended, were filed for second  
reading.

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE,  
report that we have had under consideration **H 832** and report it  
back with amendments attached to be placed on General Orders  
for consideration.

BLOCK, Chairman

**H 832** was placed on General Orders for consideration.

March 27, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that  
we have had under consideration **S 1243,** as amended, **S 1247,**  
and **S 1429** and recommend that they do pass.

DEAL, Chairman

**S 1243,** as amended, **S 1247,** and **S 1429** were filed for  
second reading.

There being no objection, the House advanced to the Eighth  
Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 853  
BY WAYS AND MEANS COMMITTEE  
AN ACT**

RELATING TO PERSONS UNDER TWENTY-ONE  
YEARS OF AGE ENTERING OR BEING IN PLACES WHERE  
ALCOHOLIC BEVERAGES ARE SERVED OR CONSUMED;  
AMENDING SECTION 23-944, IDAHO CODE, TO PROVIDE  
THAT IT SHALL NOT BE UNLAWFUL FOR, NOR SHALL  
SECTION 23-943, IDAHO CODE, BE CONSTRUED TO  
RESTRICT, ANY PERSON UNDER THE AGE OF  
TWENTY-ONE YEARS FROM ENTERING OR BEING IN  
ANY MOVIE THEATER THAT IS ALLOWED TO SELL  
BEER OR WINE FOR CONSUMPTION ON THE PREMISES

PURSUANT TO A VALID LICENSE AND WHICH MOVIE THEATER HAD A LICENSE THAT WAS VALID AND NOT SUSPENDED OR REVOKED ON JANUARY 1, 2006, TO PROVIDE THAT STATE AND FEDERAL LAWS REGARDING PORNOGRAPHY, INDECENCY OR OBSCENITY SHALL APPLY TO THE PREMISES AND TO DEFINE THE TERM "MOVIE THEATER"; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 854**  
**BY APPROPRIATIONS COMMITTEE**

AN ACT

RELATING TO HIGHWAY TRANSPORTATION PROJECTS; APPROVING BONDING AUTHORITY TO FINANCE CERTAIN HIGHWAY TRANSPORTATION PROJECTS; PROVIDING A LIST OF HIGHWAY TRANSPORTATION PROJECTS TO BE FINANCED WITH BOND PROCEEDS; AUTHORIZING A TRANSFER OF FUNDS FOR DEBT SERVICE; PROVIDING LEGISLATIVE INTENT AUTHORIZING THE STATE TRANSPORTATION BOARD TO ADJUST ALLOCATION OF BOND PROCEEDS; EXPRESSING LEGISLATIVE DESIRE THAT THE DEPARTMENT USE A FEDERAL APPROPRIATION ON PROJECTS WITH THE GREATEST PUBLIC SAFETY NEEDS; PROVIDING THAT THIS ACT DOES NOT PROHIBIT FUTURE REQUESTS FOR BONDING AUTHORITY; DECLARING AN EMERGENCY AND PROVIDING THAT BONDS AUTHORIZED BE ISSUED NOT LATER THAN JULY 1, 2007.

**H 853** and **H 854** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 844**, **H 845**, **H 846**, **H 847**, and **H 848**, by Appropriations Committee, were read the second time by title and filed for third reading.

**HCR 65**, by Ways and Means Committee, was read the second time by title and filed for third reading.

**S 1386**, as amended, by Resources and Environment Committee, was read the second time by title and filed for third reading.

**S 1423**, as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

**HCR 66**, by Education Committee, was read the second time by title and filed for third reading.

**S 1457**, by Finance Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**HJM 25** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **HJM 25** be adopted?"

Whereupon the Speaker declared **HJM 25** adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Denney asked unanimous consent that **HCR 64** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

**H 695**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 695**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Clark, Henbest, Henderson, Smith(24), Smylie, Snodgrass. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 695**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

**H 676**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.



At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 676**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Clark, Henbest, Henderson, Smith(24), Smylie, Snodgrass. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 676**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

**S 1388** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **S 1388** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Clark, Crow, Henbest, Henderson, Smith(24), Smylie. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1388** passed the House. Title was approved and the bill was ordered returned to the Senate.

**SJM 120** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **SJM 120** be adopted?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Anderson, Clark, Henbest, Henderson, Smith(24), Smylie. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **SJM 120** adopted and ordered the memorial returned to the Senate.

**S 1415** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills and Mrs. Wood to open debate.

The question being, "Shall **S 1415** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Anderson, Clark, Henbest, Henderson, Smith(24), Smylie. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1415** passed the House. Title was approved and the bill was ordered returned to the Senate.

**SCR 128** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Block to open debate.

The question being, "Shall **SCR 128** be adopted?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 50.

NAYS -- Barrett, Bayer, Hart, Harwood, Loertscher, Mathews, McGeachin, McKague, Mitchell, Moyle, Nielsen, Rydalch, Sali, Shepherd(8). Total -- 14.

Absent and excused -- Anderson, Clark, Henbest, Henderson, Smith(24), Smylie. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **SCR 128** adopted and ordered the resolution returned to the Senate.

**S 1340**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **S 1340**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Anderson, Clark, Henbest, Henderson, Smith(24), Smylie. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1340**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

**HCR 64** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **HCR 64** be adopted?"

Whereupon the Speaker declared **HCR 64** adopted by voice vote and ordered the resolution transmitted to the Senate.

There being no objection, the House returned to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

**S 1456, S 1458, S 1459, S 1460, S 1461, and S 1463**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 844** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 844** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Clark, Henbest, Henderson, McKague, Smith(24), Smylie. Total -- 7.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 844** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **H 844** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Loertscher, Sali. Total -- 3.

Absent and excused -- Anderson, Clark, Henbest, Henderson, Smylie. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 844** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **HCR 65** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 65** be read the first time by title, second time by title, and third time at length and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Clark, Henbest, Henderson, McKague, Smith(24), Smylie. Total -- 7.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 65** was read the first time by title, second time by title, and third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **HCR 65** be adopted?"

Whereupon the Speaker declared **HCR 65** adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1386**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1386**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Clark, Henbest, Henderson, McKague, Smith(24), Smylie. Total -- 7.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1386**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **S 1386**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 47.

NAYS -- Barrett, Bastian, Bayer, Bedke, Crow, Hart, Harwood, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nonini, Rydalch, Sali, Smith(24), Wood. Total -- 18.

Absent and excused -- Anderson, Clark, Henbest, Henderson, Smylie. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1386**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1423**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1423**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Clark, Henbest, Henderson, McKague, Smith(24), Smylie. Total -- 7.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1423**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Shepherd (2) to open debate.

The question being, "Shall **S 1423**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring,

Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Anderson, Clark, Henbest, Henderson, Smylie. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1423**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **HCR 66** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 66** be read the first time by title, second time by title, and third time at length and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Clark, Henbest, Henderson, McKague, Smith(24), Smylie. Total -- 7.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 66** was read the first time by title, second time by title, and third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Barraclough to open debate.

The question being, "Shall **HCR 66** be adopted?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring,

Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Anderson, Clark, Crow, Henbest, Henderson, Smylie. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **HCR 66** adopted and ordered the resolution transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1457** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1457** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Anderson, Clark, Henbest, Henderson, McKague, Smith(24), Smylie. Total -- 7.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1457** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

Mr. Bolz asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1457**. There being no objection, it was so ordered.

The question being, "Shall **S 1457** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson,

Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Hart, Loertscher, Mathews, McGeachin, McKague, Wood. Total -- 7.

Absent and excused -- Anderson, Clark, Henbest, Henderson, Smylie. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1457** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Tuesday, March 28, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:50 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### SEVENTY-NINTH LEGISLATIVE DAY TUESDAY, MARCH 28, 2006

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Kevin Andrus, Page.

### Approval of Journal

March 28, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-eighth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

March 27, 2006

OFFICE OF THE GOVERNOR  
Boise

Mr. Speaker:

I transmit herewith **S 1453** and **S 1438** which have passed the Senate.

WOOD, Secretary

**S 1453** and **S 1438** were filed for first reading.

March 24, 2006

March 27, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Mr. Speaker:

I return herewith **HCR 50**, as amended, which has passed the Senate.

WOOD, Secretary

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**HCR 50**, as amended, was referred to the Judiciary, Rules, and Administration Committee for enrolling.

**H 443**, as amended in the Senate, **H 472**, as amended, **H 514**, **H 515**, **H 522**, **H 544**, **H 567**, **H 599**, **H 613**, as amended, **H 634**, as amended, **H 637**, **H 649**, **H 652**, **H 653**, **H 688**, **H 696**, **H 706**, **H 722**, **H 724**, **H 734**, and **H 788**

**Report of Standing Committees**

March 28, 2006

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 853** and **H 854**.

FIELD(18), Chairman

March 27, 2006

**H 853** was referred to the State Affairs Committee.

Mr. Speaker:

I transmit herewith enrolled **S 1275**, **S 1295**, **S 1334**, **S 1373**, **S 1395**, as amended, **S 1399**, **S 1400**, as amended, **S 1401**, **S 1407**, **S 1409**, as amended, **S 1411**, **S 1413**, **S 1449**, **S 1450**, **S 1451**, and **S 1452** for the signature of the Speaker.

**H 854** was held at the Desk.

WOOD, Secretary

March 28, 2006

The Speaker announced he was about to sign enrolled **S 1275**, **S 1295**, **S 1334**, **S 1373**, **S 1395**, as amended, **S 1399**, **S 1400**, as amended, **S 1401**, **S 1407**, **S 1409**, as amended, **S 1411**, **S 1413**, **S 1449**, **S 1450**, **S 1451**, and **S 1452** and, when so signed, ordered them returned to the Senate.

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 18**, as amended, **HCR 48**, **HCR 49**, **HCR 51**, **HCR 52**, **HCR 53**, **H 695**, as amended in the Senate, and **H 676**, as amended in the Senate.

FIELD(18), Chairman

March 27, 2006

The Speaker announced he was about to sign enrolled **HJM 18**, as amended, **HCR 48**, **HCR 49**, **HCR 51**, **HCR 52**, **HCR 53**, **H 695**, as amended in the Senate, and **H 676**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

Mr. Speaker:

I return herewith enrolled **HCR 59**, **HJM 21**, **H 712**, **H 545**, **H 686**, **H 687**, **H 729**, **H 582**, **H 680**, **H 793**, **H 794**, **H 797**, **H 798**, **H 799**, and **H 594** which have been signed by the President.

WOOD, Secretary

March 28, 2006

Enrolled **H 712**, **H 545**, **H 686**, **H 687**, **H 729**, **H 582**, **H 680**, **H 793**, **H 794**, **H 797**, **H 798**, **H 799**, and **H 594** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1404** and recommend that it do pass.

DEAL, Chairman

Enrolled **HCR 59** and **HJM 21** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

**S 1404** was ordered held at the desk.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

**S 1453**, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

**S 1438**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Education Committee.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**H 849**, **H 851**, and **H 852**, by Appropriations Committee, were read the second time by title and filed for third reading.

**S 1367**, by Transportation Committee, was read the second time by title and filed for third reading.

**SCR 124**, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

**S 1390**, as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**S 1243**, as amended, and **S 1247**, by Brandt, were read the second time by title and filed for third reading.

**S 1429**, by State Affairs Committee, was read the second time by title and filed for third reading.

**S 1456**, **S 1458**, **S 1459**, **S 1460**, **S 1461**, and **S 1463**, by Finance Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

### Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

### Report of the Committee of the Whole House

March 28, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 761**, **S 1425**, **S 1437**, and **H 832** and report them back without recommendation, amended as follows:

### HOUSE AMENDMENTS TO H 761

#### AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 24, delete "54-1003" and insert: "54-1006"; delete lines 26 through 43, and on page 2 delete lines 1 through 21 and insert:

"54-1006. IDAHO ELECTRICAL BOARD. (1) The Idaho electrical board, hereinafter known as the board, is hereby created and made a part of the division of building safety. It shall be the responsibility and duty of the administrator of the division of building safety to administer and enforce the provisions of this ~~act~~ chapter, and to serve as secretary to the Idaho electrical board.

(2) The board shall consist of nine (9) members to be appointed by the governor with power of removal for cause. Two (2) members shall be licensed journeymen or master electricians; two (2) members shall be employees or officers of licensed electrical contractors; one (1) member shall be a licensed specialty journeyman or contractor; one (1) member shall be an employee or officer of an electrical power provider; one (1) member shall be an employee or officer of a manufacturing plant or other large power user; one (1) member shall be an employee or director of a manufacturer or distributor of electrical supplies or materials; and one (1) member shall be from the public at large not directly associated with the electrical industry. Board members shall be appointed for a term of four (4) years. Members of the board shall hold office until expiration of the term to which the member was appointed and until his successor has been duly appointed and qualified. Whenever a vacancy occurs, the governor shall appoint a qualified person to fill the vacancy for the unexpired portion of the term.

(3) All members of the board shall be citizens of the United States, residents of this state for not less than two (2) years and shall be qualified by experience, knowledge and integrity in formulating rules for examinations, in passing on the fitness and qualifications of applicants for electrical contractor and journeyman electrician licenses and in establishing standards for electrical products to be used in electrical installations coming under the provisions of this ~~act~~ chapter.

(4) The members of the board shall, at their first regular meeting following the effective date of this act and every two (2) years thereafter, elect by majority vote of the members of the board, a chairman who shall preside at meetings of the board. In the event the chairman is not present at any board meeting, the board may by majority vote of the members present appoint a temporary chairman. A majority of the members of the board shall constitute a quorum.

(5) The board is authorized and directed to prescribe and amend rules consistent with this ~~act~~ chapter for the administration of this chapter and to effectuate the purpose thereof, and for the examination and licensing of electrical contractors, journeyman electricians, master electricians, specialty electricians, specialty electrical contractors, specialty electrical trainees and apprentice electricians. The board shall also establish the classifications for specialty electrician and specialty electrical contractor licensing and the fees to be charged for permits and inspections of electrical systems. The board shall establish by administrative rule the fines to be paid for citations issued and shall hear appeals regarding the imposition of civil penalties for violations of this chapter and the rules of the Idaho electrical board. The board is authorized to affirm, reject, decrease or increase the penalty imposed by the administrator. However, in no case shall the penalty exceed one thousand dollars (\$1,000) for each offense.

(6) Each member of the board not otherwise compensated by public moneys shall be compensated as provided by section 59-509(h), Idaho Code.

(7) The board shall require applicants for issuance or renewal of an electrical or specialty electrical contractor license to file with the board a bond with one (1) or more corporate surety companies authorized to do business in this state as follows:

(a) The bond shall be conditioned that an electrical or specialty electrical contractor faithfully comply with applicable rules of the board and the terms of any contract that may be included within the scope of such bond as may be determined by the board. The board shall adopt rules to implement the provisions of this paragraph (a);

(b) The bond shall be in the amount of ten thousand dollars (\$10,000), executed by a surety company with the applicant as principal and the state of Idaho as obligee, for its benefit and that of consumers dealing with the applicant; provided however, the board may reduce the amount of the bond required by this paragraph (b) to five thousand dollars (\$5,000) upon a showing that the applicant does not perform work exceeding forty thousand dollars (\$40,000) in gross annual volume and does not enter into contracts with consumers that exceed five thousand dollars (\$5,000);

(c) A surety company shall pay all amounts due to a consumer pursuant to a bond, provided that the board has determined that:

(i) An electrical or specialty electrical contractor has failed to comply with any applicable rule adopted by the board; or

(ii) An electrical or specialty electrical contractor has breached a contract with a consumer, including negligent or improper work in the conduct of the contracting business or failure to fully perform a contract, provided that such contract is within the scope of the bond;

(d) In order for a claim to be payable by the surety company, it must be established that the claim is within the scope of the bond provided in this subsection (7); provided however, it is not necessary for a consumer to reduce a claim to judgment through a court of competent jurisdiction before submitting a claim to a surety company;

(e) A bond shall be continuous unless canceled as provided

for in this subsection (7), and the aggregate liability of a surety company, regardless of the number of claims made against the bond or the number of years the bond remains in force, shall in no event exceed the amount of the bond; and

(f) The bond may be terminated at any time by the contractor. A surety company may terminate the bond on the anniversary date of the bond upon providing thirty (30) days' written notice to the board and to an electrical or specialty electrical contractor on whose behalf a bond has been issued.

(8) License applications for electrical contractors and specialty electrical contractors shall be accompanied by proof of liability insurance in the amount of three hundred thousand dollars (\$300,000) and proof of worker's compensation insurance, if applicable."

#### AMENDMENTS TO SECTION 2

On page 2, delete lines 51 through 53; and on page 3, delete line 1 and insert: "men, and specialty apprentices, ~~including the furnishing of a compliance bond in an amount not to exceed two thousand dollars (\$2,000) for the specialty contractor classification or evidence of coverage by a corporate industry group bond acceptable to the board.~~"; also on page 3, delete lines 10 through 29 and insert:

"(f) Require applicants for issuance or renewal of a plumbing contractor license to file with the board a bond with one (1) or more corporate surety companies authorized to do business in this state as follows:

(i) The bond shall be conditioned that a plumbing contractor faithfully comply with applicable rules of the board and the terms of any contract that may be included within the scope of such bond as may be determined by the board. The board shall adopt rules to implement the provisions of this paragraph (f)(i);

(ii) The bond shall be in the amount of ten thousand dollars (\$10,000), executed by a surety company with the applicant as principal and the state of Idaho as obligee, for its benefit and that of consumers dealing with the applicant; provided however, the board may reduce the amount of the bond required by this paragraph (ii) to five thousand dollars (\$5,000) upon a showing that the applicant does not perform work exceeding forty thousand dollars (\$40,000) in gross annual volume and does not enter into contracts with consumers that exceed five thousand dollars (\$5,000);

(iii) A surety company shall pay all amounts due to a consumer pursuant to a bond, provided that the board has determined that:

(A) A plumbing contractor has failed to comply with any applicable rule adopted by the board; or

(B) A plumbing contractor has breached a contract with a consumer, including negligent or improper work in the conduct of the contracting business or failure to fully perform a contract, provided that such contract is within the scope of the bond;

(iv) In order for a claim to be payable by the surety company, it must be established that the claim is within the scope of the bond provided in this paragraph (f);



provided however, it is not necessary for a consumer to reduce a claim to judgment through a court of competent jurisdiction before submitting a claim to a surety company;

(v) A bond shall be continuous unless canceled as provided for in this paragraph (f), and the aggregate liability of a surety company, regardless of the number of claims made against the bond or the number of years the bond remains in force, shall in no event exceed the amount of the bond; and

(vi) The bond may be terminated at any time by the contractor. A surety company may terminate the bond on the anniversary date of the bond upon providing thirty (30) days' written notice to the board and to the plumbing contractor on whose behalf a bond has been issued."

#### AMENDMENTS TO SECTION 3

On page 3, delete lines 44 through 53; and on page 4, delete lines 1 through 10 and insert:

"(2) The board shall require applicants for issuance or renewal of a heating, ventilation and air conditioning contractor or specialty contractor certificate of competency to file with the board a bond with one (1) or more corporate surety companies authorized to do business in this state as follows:

(a) The bond shall be conditioned that a heating, ventilation and air conditioning contractor or specialty contractor faithfully comply with applicable rules of the board and the terms of any contract that may be included within the scope of such bond as may be determined by the board. The board shall adopt rules to implement the provisions of this paragraph (a);

(b) The bond shall be in the amount of ten thousand dollars (\$10,000), executed by a surety company with the applicant as principal and the state of Idaho as obligee, for its benefit and that of consumers dealing with the applicant; provided however, the board may reduce the amount of the bond required by this paragraph (b) to five thousand dollars (\$5,000) upon a showing that the applicant does not perform work exceeding forty thousand dollars (\$40,000) in gross annual volume and does not enter into contracts with consumers that exceed five thousand dollars (\$5,000);

(c) A surety company shall pay all amounts due to a consumer pursuant to a bond, provided that the board has determined that:

(i) A heating, ventilation and air conditioning contractor or specialty contractor has failed to comply with any applicable rule adopted by the board; or

(ii) A heating, ventilation and air conditioning contractor or specialty contractor has breached a contract with a consumer, including negligent or improper work in the conduct of the contracting business or failure to fully perform a contract, provided that such contract is within the scope of the bond;

(d) In order for a claim to be payable by the surety company, it must be established that the claim is within the scope of the bond provided in this subsection (2); provided however, it is not necessary for a consumer to reduce a

claim to judgment through a court of competent jurisdiction before submitting a claim to a surety company;

(e) A bond shall be continuous unless canceled as provided for in this subsection (2), and the aggregate liability of a surety company, regardless of the number of claims made against the bond or the number of years the bond remains in force, shall in no event exceed the amount of the bond; and

(f) The bond may be terminated at any time by the contractor. A surety company may terminate the bond on the anniversary date of the bond upon providing thirty (30) days' written notice to the board and to a heating, ventilation and air conditioning contractor or specialty contractor on whose behalf a bond has been issued.";

also on page 4, in line 11, delete "License" and insert: "Certificate of competency".

#### AMENDMENT TO THE BILL

On page 4, following line 14, insert:

"SECTION 4. This act shall be in full force and effect on and after July 1, 2007."

#### CORRECTIONS TO TITLE

On page 1, delete lines 2 through 22 and insert:

"RELATING TO CONTRACTOR LICENSING; AMENDING SECTION 54-1006, IDAHO CODE, TO AUTHORIZE THE IDAHO ELECTRICAL BOARD TO SET FORTH BONDING REQUIREMENTS, TO SET FORTH LICENSE APPLICATION REQUIREMENTS AND TO REVISE TERMINOLOGY; AMENDING SECTION 54-2606, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE IDAHO PLUMBING BOARD AND TO SET FORTH LICENSE APPLICATION REQUIREMENTS; AMENDING SECTION 54-5007, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO REQUIREMENTS FOR CERTIFICATES OF COMPETENCY FOR HEATING, VENTILATION AND AIR CONDITIONING CONTRACTORS AND SPECIALTY CONTRACTORS; AND PROVIDING AN EFFECTIVE DATE."

#### HOUSE AMENDMENT TO S 1425

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 21, delete "On or after July 1, 2006, when" and insert: "When".

#### HOUSE AMENDMENT TO S 1437

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 23 through 26 and insert:

"(2) Commencing on the first Monday in January 2007, the salary then in effect for each officer named in subsection (1) of this section shall be increased by four percent (4%) per annum. Commencing on the first Monday in January 2008 and on the first Monday in each subsequent year, the salary then in effect for each officer named in subsection (1) of this section shall be

increased by a percentage equal to the salary percentage increase, if any, effective for classified state employees for the respective year."

#### CORRECTION TO TITLE

On page 1, delete line 4 and insert: "BY FOUR PERCENT PER ANNUM ON THE FIRST MONDAY IN 2007 AND BY A CERTAIN PERCENTAGE FOR SUBSEQUENT YEARS."

#### HOUSE AMENDMENT TO H 832

##### AMENDMENTS TO SECTION 2

On page 5 of the printed bill, in line 26, following "½" insert: "and"; in line 28, delete "½ and" and insert: "½"; delete lines 29 and 30; in line 34, following "½" insert: "and"; in line 35, delete "½ and" and insert: "½"; and delete lines 36 and 37.

We have also had under consideration **H 677** and **H 789**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**H 761**, as amended, and **H 832**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**S 1425**, as amended in the House, and **S 1437**, as amended in the House, were filed for first reading.

**H 677** and **H 789** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

**H 845** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

Mr. Bedke asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 845**. There being no objection, it was so ordered.

The question being, "Shall **H 845** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal,

Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 845** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 846** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **H 846** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- Boe, Henbest, Jaquet, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Ringo, Rusche, Sayler, Smith(30). Total -- 12.

Total -- 70.

Whereupon the Speaker declared **H 846** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 847** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **H 847** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Crow. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 847** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 848** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

Mr. Bayer asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 848**. There being no objection, it was so ordered.

The question being, "Shall **H 848** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Black. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 848** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Wednesday, March 29, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:45 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

## EIGHTIETH LEGISLATIVE DAY WEDNESDAY, MARCH 29, 2006

House of Representatives

The House convened at 10 a.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Carl Dayton, Page.

### Approval of Journal

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-Ninth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 28, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1266**, as amended, **S 1314**, as amended, **S 1327**, **S 1338**, **S 1339**, **S 1343**, **S 1350**, as amended, **S 1356**, as amended, **S 1414**, **S 1428**, **S 1454**, **S 1455**, **S 1412**, as amended, **SCR 125**, **SCR 126**, **SCR 129**, **SCR 130**, and **SJM 119** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that the Speaker would sign enrolled **S 1266**, as amended, **S 1314**, as amended, **S 1327**, **S 1338**, **S 1339**, **S 1343**, **S 1350**, as amended, **S 1356**, as amended, **S 1414**, **S 1428**, **S 1454**, **S 1455**, **S 1412**, as amended, **SCR 125**, **SCR 126**, **SCR 129**, **SCR 130**, and **SJM 119** and, when so signed, ordered them returned to the Senate.

March 28, 2006

Mr. Speaker:

I return herewith enrolled **H 801**, **H 802**, **H 803**, **H 804**, **H 805**, **H 743**, **H 808**, **H 809**, **H 810**, **H 811**, **H 812**, **H 813**, **H 650**, as amended, **H 776**, **H 648**, as amended in the Senate, and **H 624**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 801**, **H 802**, **H 803**, **H 804**, **H 805**, **H 743**, **H 808**, **H 809**, **H 810**, **H 811**, **H 812**, **H 813**, **H 650**, as amended, **H 776**, **H 648**, as amended in the Senate, and **H 624**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 28, 2006

Mr. Speaker:

I transmit herewith **S 1464, S 1465, S 1466, S 1467, S 1469,** and **S 1441**, as amended, which have passed the Senate.

WOOD, Secretary

**S 1464, S 1465, S 1466, S 1467, S 1469,** and **S 1441**, as amended, were filed for first reading.

March 28, 2006

Mr. Speaker:

I return herewith **HJM 22, HCR 62, H 819, H 754, H 756, H 757, H 726, H 765, H 630,** as amended, **H 817, H 818, H 826, H 827, H 828, H 663,** as amended, **H 705,** as amended, **H 735,** as amended, **H 758, H 731, H 784, H 829, H 830, H 831, H 750,** as amended, **H 763, H 796, H 764, H 728, H 780, H 781, H 474,** as amended, and **H 745** which have passed the Senate.

WOOD, Secretary

**HJM 22, HCR 62, H 819, H 754, H 756, H 757, H 726, H 765, H 630,** as amended, **H 817, H 818, H 826, H 827, H 828, H 663,** as amended, **H 705,** as amended, **H 735,** as amended, **H 758, H 731, H 784, H 829, H 830, H 831, H 750,** as amended, **H 763, H 796, H 764, H 728, H 780, H 781, H 474,** as amended, and **H 745** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 28, 2006

Mr. Speaker:

I return herewith **H 744** which has failed the Senate.

WOOD, Secretary

**H 744** was filed in the Office of the Chief Clerk.

March 28, 2006

Mr. Speaker:

I return herewith **H 713,** as amended, as amended in the Senate, and **H 561,** as amended in the Senate, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

**H 713,** as amended, as amended in the Senate, and **H 561,** as amended in the Senate, as amended in the Senate, were ordered held at the Desk.

Mrs. Chadderdon asked unanimous consent that the House concur in the Senate amendments to **H 713,** as amended, as amended in the Senate. There being no objection, it was so ordered.

Mr. Roberts asked unanimous consent that the House concur in the Senate amendments to **H 561,** as amended in the Senate, as amended in the Senate. There being no objection, it was so ordered.

**H 713,** as amended, as amended in the Senate, and **H 561,** as amended in the Senate, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**Report of Standing Committees**

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed House Amendments to **H 761, S 1425, S 1437,** and **H 832.**

FIELD(18), Chairman

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 50,** as amended.

FIELD(18), Chairman

The Speaker Pro Tem announced that the Speaker would sign enrolled **HCR 50,** as amended, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 761,** as amended, and **H 832,** as amended.

FIELD(18), Chairman

**H 761,** as amended, and **H 832,** as amended, were filed for first reading of engrossed bills.

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 712, H 545, H 686, H 687, H 729, H 582, H 680, H 793, H 794, H 797, H 798, H 799,** and **H 594** to the Governor at 11:40 a.m., as of this date, March 28, 2006.

FIELD(18), Chairman

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 59** and **HJM 21** to the Secretary of State at 11:25 a.m., as of this date, March, 28, 2006.

FIELD(18), Chairman

March 28, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1370** and recommend that it do pass.

BLOCK, Chairman

**S 1370** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 67**

**BY WAYS AND MEANS COMMITTEE**

**A CONCURRENT RESOLUTION**

PROVIDING LEGISLATIVE FINDINGS AND RECOGNIZING, HONORING AND COMMENDING CARL F. BIANCHI FOR HIS YEARS OF SERVICE TO THE LEGISLATURE OF THE STATE OF IDAHO AND TO THE IDAHO COURTS UPON HIS RETIREMENT.

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

WHEREAS, in August 1993, Carl F. Bianchi was hired by the Legislative Council as the first Director of Legislative Services and helped establish the tradition of a professional centralized nonpartisan staff serving Idaho's citizen legislators; and

WHEREAS, Carl, prior to his legislative staff tenure, had a distinguished career as Administrative Director of the Courts in Idaho from 1973 to 1993; and

WHEREAS, Carl is a graduate of Hamilton College and Duke Law School and is a Fellow of the National Institute for Court Management; and

WHEREAS, Carl is an attorney and has been certified for appointment as a circuit executive by the United States Court of Appeals and as a mediator by the Idaho Supreme Court; and

WHEREAS, Carl has authored the following books, studies and articles over the years: "Justice for the Times: A Centennial History of the Idaho State Courts," "Keep the Children Out of Jail: A Report on an Informal Survey of Juvenile Detention Facilities in Idaho," "Comprehensive Planning and a Judicial Planning Program for the Hawaii Court System," "Are Idaho's Small Claims Departments Working?," "Analysis of Scheduling and Calendar Management Procedures in District Court One of Pierce County, Washington, Tacoma, Washington," "Analysis of Magistrate Court Caseload Management and Records Administration in Three Iowa Jurisdictions: Woodbury (Sioux City), Dickinson and Plymouth Counties," "1977 Report on an Informal Survey of Juvenile Detention Facilities," and "A Training Manual for Court Planners: Translating State Umbrella Goals into Operational Goals and Objectives"; and

WHEREAS, from 1990 to 1994 Carl filled a presidential appointment as a member of the Board of Directors of the State Justice Institute and also chaired the National Conference of State Court Administrators for two years, and throughout his career has served on many national committees involving the courts; and

WHEREAS, Carl chaired the Council of State Governments West Committee of Legislative Services Agency/Research Directors Committee until 2005 and was a member of the Council of State Government's national Executive Committee; and

WHEREAS, Carl helped the Legislature move into the technology era during his tenure as Director of Legislative Services making the institution both more efficient and accessible to the public; and

WHEREAS, Carl has been the commensurate professional, always treating legislators and members of the public with warmth, friendliness, professionalism and a sense of humor; and

WHEREAS, Carl embodies the culture of customer service of the Legislative Services Office and loyalty to the institution of the Legislature; and

WHEREAS, Carl will be retiring in August 2006 as Director of the Legislative Services Office.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we recognize, honor and commend Carl F. Bianchi for his years of service to the Idaho Legislature, for his positive contributions to the Legislature, its employees and the legislative process, as well as for his years of service to the Idaho courts, and we wish him well in retirement.

**HCR 67** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 855**

**BY REVENUE AND TAXATION COMMITTEE**

**AN ACT**

RELATING TO THE SALES AND USE TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622SS, IDAHO CODE, TO PROVIDE A SALES AND USE TAX REBATE FOR RETAILERS WHO HAVE INCURRED MINIMUM COSTS IN PUTTING IN AN INTERCHANGE ON AN INTERSTATE HIGHWAY AND/OR FREEWAY INTERCHANGE IMPROVEMENTS ON LAND OWNED BY THE STATE OF IDAHO OR ANY OF ITS POLITICAL SUBDIVISIONS AND UTILITY INFRASTRUCTURE INSTALLED WITHIN THE PUBLIC RIGHTS-OF-WAY, TO PROVIDE PROCEDURES, TO PROVIDE WHEN THE REBATE IS NO LONGER PAID AND TO DEFINE TERMS; DECLARING AN EMERGENCY AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 856**

**BY WAYS AND MEANS COMMITTEE**

**AN ACT**

RELATING TO ANNEXATION INTO A CITY; AMENDING SECTION 50-222, IDAHO CODE, TO PROVIDE CONDITIONS THAT MUST BE MET FOR LAND OUTSIDE A NEGOTIATED AREA OF IMPACT TO BE ANNEXED INTO A CITY AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 857**

**BY WAYS AND MEANS COMMITTEE**

**AN ACT**

RELATING TO ADMINISTRATIVE RULES; CONTINUING CERTAIN RULES IN FULL FORCE AND EFFECT UNTIL JULY 1, 2007; CONTINUING RULES APPROVED OR EXTENDED BY ADOPTION OF A

CONCURRENT RESOLUTION OF THE FIRST REGULAR SESSION OF THE FIFTY-EIGHTH IDAHO LEGISLATURE IN FULL FORCE AND EFFECT UNTIL JULY 1, 2007, OR UNTIL SUCH TIME AS THEY SHALL EXPIRE; PROVIDING THAT RULES REJECTED BY CONCURRENT RESOLUTION SHALL BE NULL, VOID AND OF NO FORCE AND EFFECT; AUTHORIZING AGENCIES TO AMEND OR REPEAL CERTAIN RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURE ACT AND DECLARING THE EFFECT OF THIS ACT UPON ADMINISTRATIVE RULES; AND PROVIDING SEVERABILITY.

**HOUSE BILL NO. 858**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES; AMENDING SECTION 56-1012, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 56-1013, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY AND TO MODIFY RULEMAKING AUTHORITY; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1013A, IDAHO CODE, TO CREATE AN IDAHO EMERGENCY MEDICAL SERVICES PHYSICIAN COMMISSION AND TO PROVIDE FOR THE GOVERNANCE OF THE COMMISSION; AMENDING SECTION 56-1016, IDAHO CODE, TO ELIMINATE GRANDFATHER RIGHTS FOR AMBULANCES AND TO PROVIDE FOR SUPERVISION OF THE MEDICAL SERVICES PROVIDED BY PERSONNEL AFFILIATED WITH LICENSED AMBULANCE OR NON-TRANSPORT SERVICE; AND AMENDING SECTION 56-1017, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY.

**HOUSE BILL NO. 859**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO TAXATION POLICIES FOR FUNDING PUBLIC SCHOOLS; AMENDING SECTION 33-701, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL MAINTENANCE AND OPERATION LEVIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-802, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT LEVIES THAT MAY BE IMPOSED WITHOUT VOTER APPROVAL, TO PROVIDE BUDGET STABILIZATION LEVIES FOR CERTAIN DISTRICTS, TO DELETE THE LOCAL DISTRICT CONTRIBUTION FOR SCHOOL FORMULA PURPOSES, TO CONTINUE IN EFFECT ALL VOTER APPROVED LEVIES FOR THE TERM AUTHORIZED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-802A, IDAHO CODE, TO CLARIFY REFERENCES TO SCHOOL LEVIES; REPEALING SECTION 33-808, IDAHO CODE, RELATING TO NOTICE OF ADJUSTMENT TO MARKET VALUE FOR ASSESSMENT PURPOSES UPON TERMINATION OF A REVENUE ALLOCATION AREA; AMENDING SECTION 33-905, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL

CORRECTION; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE HOW THE EDUCATIONAL SUPPORT PROGRAM IS CALCULATED, TO PROVIDE ELIGIBILITY FOR CHARTER DISTRICTS TO CONTINUE TO RECEIVE SCHOOL FORMULA MONEYS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 33-1002A, IDAHO CODE, RELATING TO THE LOCAL DISTRICT CONTRIBUTION REDUCTION AND REPEALING SECTION 33-1002D, IDAHO CODE, RELATING TO PROPERTY TAX REPLACEMENT; AMENDING SECTION 33-1003, IDAHO CODE, TO DELETE REFERENCE TO AN OBSOLETE PROVISION AND TO MAKE TECHNICAL CORRECTIONS; TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL UTILIZE THE PROVISIONS OF SECTIONS 33-802, 33-1002, 33-1002A, 33-1002D AND 33-1003, IDAHO CODE, AS THEY EXISTED PRIOR TO AMENDMENT OR REPEAL BY THE PROVISIONS OF THIS ACT FOR THE PURPOSES OF FUNDING PUBLIC SCHOOLS THROUGH THE END OF FISCAL YEAR 2006; AMENDING SECTION 33-1004, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1114, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT MAINTENANCE AND OPERATION LEVIES; AMENDING SECTION 33-1408, IDAHO CODE, TO REVISE THE SPECIAL LEVY FOR TUITION AND TO EXEMPT THE LEVY FROM THE THREE PERCENT PROPERTY TAX CAP; AMENDING SECTION 33-5208, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-2908, IDAHO CODE, TO DELETE REFERENCE TO PROPERTY TAX FOR SCHOOLS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-315, IDAHO CODE, TO PROVIDE APPLICATION TO CHARTER SCHOOL DISTRICTS LEVYING A MAINTENANCE AND OPERATION LEVY IN THE PRIOR CALENDAR YEAR; AMENDING SECTION 63-802A, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT MAINTENANCE AND OPERATION LEVIES, TO PROVIDE APPLICATION TO SCHOOL DISTRICTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-811, IDAHO CODE, TO DELETE REFERENCE TO PROPERTY TAX ALLOCATED FOR SCHOOLS; AMENDING SECTION 63-3619, IDAHO CODE, TO INCREASE THE SALES TAX TO SIX PERCENT; AMENDING SECTION 63-3621, IDAHO CODE, TO INCREASE THE USE TAX TO SIX PERCENT; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE THE DISTRIBUTION FOR SALES TAX REVENUES, TO DELETE REFERENCE TO MAINTENANCE AND OPERATION TAXES FOR SCHOOL DISTRICTS AND TO MAKE A TECHNICAL CORRECTION; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

**H 855, H 856, H 857, H 858, and H 859** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

### First Reading of Engrossed Bills

**H 761**, as amended, by State Affairs Committee, was introduced, read the first time by title and filed for second reading.

**H 832**, as amended, by Ways and Means Committee, was introduced, read the first time by title and filed for second reading.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**H 849** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **H 849** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Moyle, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 49.

NAYS -- Andrus, Barrett, Clark, Crow, Denney, Hart, Lake, Loertscher, Mathews, McGeachin, McKague, Nielsen, Nonini, Roberts, Rydalch, Sali, Shepherd(8), Smith(24), Wood. Total -- 19.

Absent and excused -- Bayer, Mr. Speaker. Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 849** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 851** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

The question being, "Shall **H 851** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini,

Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 851** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 852** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **H 852** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 66.

NAYS -- Barrett. Total -- 1.

Absent and excused -- Bedke, Moyle, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 852** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1456** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1456** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring,

Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 63.

NAYS -- Barrett, Crow, Loertscher, McKague, Sali. Total -- 5.

Absent and excused -- Smith(24), Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1456** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1458** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1458** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- McKague, Moyle, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1458** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1459** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **S 1459** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor,

Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- McKague, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1459** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1460** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **S 1460** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1460** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1461** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Harwood to open debate.

The question being, "Shall **S 1461** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor,



Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Edmunson, Mr. Speaker. Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1461** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1463** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall **S 1463** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1463** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1367** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hart to open debate.

The question being, "Shall **S 1367** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler,

Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 66.

NAYS -- Bolz. Total -- 1.

Absent and excused -- Field(23), Henderson, Mr. Speaker. Total -- 3.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1367** passed the House. Title was approved and the bill was ordered returned to the Senate.

**SCR 124** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nielsen to open debate.

The question being, "Shall **SCR 124** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Field(23), Mr. Speaker. Total -- 3.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **SCR 124** passed the House. Title was approved and the resolution was ordered returned to the Senate.

**S 1390**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Block to open debate.

Ms. Henbest asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1390**, as amended. There being no objection, it was so ordered.

The question being, "Shall **S 1390**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Bell, Bilbao, Black, Block, Boe, Bradford, Chadderdon, Collins, Deal, Eskridge, Field(18), Field(23), Garrett, Henbest, Jaquet, LeFavour, Martinez, Miller,

Pasley-Stuart, Pence, Ring, Ringo, Rusche, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wills. Total -- 34.

NAYS -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bolz, Brackett, Cannon, Clark, Crow, Denney, Edmunson, Ellsworth, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Nonini, Raybould, Roberts, Rydalch, Sali, Shepherd(8), Smith(24), Stevenson, Wood. Total -- 34.

Absent and excused -- Mitchell, Mr. Speaker. Total -- 2.

Paired Votes:

AYE -- Bilbao.	NAY -- Lake.
AYE -- Bell.	NAY -- Stevenson.
AYE -- Pasley-Stuart.	NAY -- Raybould.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1390**, as amended, failed to pass the House and ordered the bill returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Friday, March 31, 2006. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

#### Consideration of Messages from the Governor and the Senate

March 29, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1340**, as amended, **S 1386**, as amended, **S 1388**, **S 1389**, as amended in the House, **S 1415**, **S 1423**, as amended, **S 1457**, **SJM 120**, and **SCR 128** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that the Speaker would sign enrolled **S 1340**, as amended, **S 1386**, as amended, **S 1388**, **S 1389**, as amended in the House, **S 1415**, **S 1423**, as amended, **S 1457**, **SJM 120**, and **SCR 128** and, when so signed, ordered them returned to the Senate.

March 29, 2006

Mr. Speaker:

I return herewith enrolled **HJM 18**, as amended, **HCR 48**, **HCR 49**, **HCR 51**, **HCR 52**, **HCR 53**, **H 695**, as amended in the Senate, and **H 676**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 695**, as amended in the Senate, and **H 676**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HJM 18**, as amended, **HCR 48**, **HCR 49**, **HCR 51**, **HCR 52**, and **HCR 53** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

There being no objection, the House advanced to the Eighth Order of Business.

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

**S 1425**, as amended in the House, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

**S 1437**, as amended in the House, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

**S 1464**, **S 1465**, **S 1466**, **S 1467**, and **S 1469**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

**S 1441**, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Thursday, March 30, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:44 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

#### EIGHTY-FIRST LEGISLATIVE DAY THURSDAY, MARCH 30, 2006

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- McGeachin, Smylie. Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Megan Lake, Page.

**Approval of Journal**

March 30, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eightieth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

Mr. Deal asked unanimous consent that **S 1437**, as amended in the House, be returned to the State Affairs Committee. There being no objection, it was so ordered.

March 29, 2006

Mr. Speaker:

I transmit herewith **S 1470, S 1471, S 1473, S 1474, S 1475, S 1476, S 1477, S 1478, S 1479, S 1480, S 1481, and S 1472** which have passed the Senate.

WOOD, Secretary

**S 1470, S 1471, S 1473, S 1474, S 1475, S 1476, S 1477, S 1478, S 1479, S 1480, S 1481, and S 1472** were filed for first reading.

March 29, 2006

Mr. Speaker:

I return herewith **H 791, H 836, H 837, H 838, H 839, H 814**, as amended, **H 760**, as amended, **H 742**, as amended, **H 771, H 772, H 773, H 774, and H 775** which have passed the Senate.

WOOD, Secretary

**H 791, H 836, H 837, H 838, H 839, H 814**, as amended, **H 760**, as amended, **H 742**, as amended, **H 771, H 772, H 773, H 774, and H 775** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

**H 421**, as amended in the Senate, and **H 422**, as amended in the Senate, held at the Desk March 24, 2006, were before the House for concurrence in the Senate amendments.

Mr. Lake asked unanimous consent that the House concur in the Senate amendments to **H 421**, as amended in the Senate. Mr. Loertscher objected.

Mr. Lake moved that the House concur in the Senate amendments to **H 421**, as amended in the Senate. Seconded by Mr. Smith(24).

Mrs. Crow asked unanimous consent that **H 421**, as amended in the Senate, be returned to the Revenue and Taxation Committee. Ms. Jaquet objected.

Mrs. Crow moved that **H 421**, as amended in the Senate, be returned to the Revenue and Taxation Committee. Seconded by Mrs. Wood.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Kemp, Lake, Loertscher, Mathews, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Shirley, Skippen, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 47.

NAYS -- Anderson, Bastian, Boe, Edmunson, Eskridge, Henbest, Henderson, Jaquet, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Shepherd(2), Smith(30), Smith(24), Trail. Total -- 20.

Absent and excused -- Barraclough, McGeachin, Smylie. Total -- 3.

Total -- 70.

Whereupon the Speaker declared the motion carried and **H 421**, as amended in the Senate, was returned to the Revenue and Taxation Committee.

Mr. Lake asked unanimous consent that the House concur in the Senate amendments to **H 422**, as amended in the Senate. Mrs. Crow objected.

Mr. Lake moved that the House concur in the Senate amendments to **H 422**, as amended in the Senate. Seconded by Mr. Smith(24).

Mrs. Crow asked unanimous consent that **H 422**, as amended in the Senate, be returned to the Revenue and Taxation Committee. Ms. Jaquet objected.

Mrs. Crow moved that **H 422**, as amended in the Senate, be returned to the Revenue and Taxation Committee. Seconded by Mrs. Wood.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion carried by voice vote and **H 422**, as amended in the Senate, was returned to the Revenue and Taxation Committee.

**Report of Standing Committees**

March 30, 2006

March 30, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 67, H 855, H 856, H 857, H 858, and H 859.**

FIELD(18), Chairman

**H 855** was referred to the Revenue and Taxation Committee.

**H 856** was referred to the Local Government Committee.

**HCR 67, H 857, H 858, and H 859** were filed for second reading.

March 30, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 22, HCR 62, H 819, H 754, H 756, H 757, H 726, H 765, H 630,** as amended, **H 817, H 818, H 826, H 827, H 828, H 663,** as amended, **H 705,** as amended, **H 735,** as amended, **H 758, H 731, H 784, H 829, H 830, H 831, H 750,** as amended, **H 763, H 796, H 764, H 728, H 780, H 781, H 474,** as amended, and **H 745.**

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HJM 22, HCR 62, H 819, H 754, H 756, H 757, H 726, H 765, H 630,** as amended, **H 817, H 818, H 826, H 827, H 828, H 663,** as amended, **H 705,** as amended, **H 735,** as amended, **H 758, H 731, H 784, H 829, H 830, H 831, H 750,** as amended, **H 763, H 796, H 764, H 728, H 780, H 781, H 474,** as amended, and **H 745,** and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 30, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 713,** as amended, as amended in the Senate, and **H 561,** as amended in the Senate, as amended in the Senate.

FIELD(18), Chairman

**H 713,** as amended, as amended in the Senate, and **H 561,** as amended in the Senate, as amended in the Senate, were filed for first reading of engrossed bills.

March 30, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 801, H 802, H 803, H 804, H 805, H 743, H 808, H 809, H 810, H 811, H 812, H 813, H 650,** as amended, **H 776, H 648,** as amended in the Senate, and **H 624,** as amended in the Senate, to the Governor at 11 a.m., as of this date, March 29, 2006.

FIELD(18), Chairman

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 695,** as amended in the Senate, and **H 676,** as amended in the Senate, to the Governor at 1:52 p.m., as of this date, March 29, 2006.

FIELD(18), Chairman

March 30, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 18,** as amended, **HCR 48, HCR 49, HCR 51, HCR 52,** and **HCR 53** to the Secretary of State at 1:45 p.m., as of this date, March 29, 2006.

FIELD(18), Chairman

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 853** and recommend that it do pass.

DEAL, Chairman

**H 853** was filed for second reading.

March 30, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1427** and recommend that it do pass.

BARRACLOUGH, Chairman

**S 1427** was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 860  
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR JUDICIAL SALARY INCREASES FOR FISCAL YEAR 2007.

**HOUSE BILL NO. 861  
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2007; APPROPRIATING ADDITIONAL MONEYS TO THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2007; APPROPRIATING ADDITIONAL MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2007; APPROPRIATING ADDITIONAL MONEYS TO THE

SUPERINTENDENT OF PUBLIC INSTRUCTION/STATE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2007; APPROPRIATING ADDITIONAL MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2007; APPROPRIATING ADDITIONAL MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2007; AND APPROPRIATING ADDITIONAL MONEYS TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2007.

**HOUSE BILL NO. 862  
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR COMMISSIONER SALARIES FOR FISCAL YEAR 2007; APPROPRIATING ADDITIONAL MONEYS TO THE STATE TAX COMMISSION FOR COMMISSIONER SALARIES FOR FISCAL YEAR 2007; AND APPROPRIATING ADDITIONAL MONEYS TO THE INDUSTRIAL COMMISSION FOR COMMISSIONER SALARIES FOR FISCAL YEAR 2007.

**H 860, H 861, and H 862** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1470, S 1471, S 1473, S 1474, S 1475, S 1476, S 1477, S 1478, S 1479, S 1480, and S 1481**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

**S 1472**, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

**First Reading of Engrossed Bills**

**H 713**, as amended, as amended in the Senate, by Education Committee, was introduced, read the first time by title and filed for second reading.

**H 561**, as amended in the Senate, as amended in the Senate, by Transportation and Defense Committee, was introduced, read the first time by title and filed for second reading.

**Second Reading of Bills and Joint Resolutions**

**S 1370**, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**S 1425**, as amended in the House, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

**S 1464, S 1465, S 1466, S 1467, and S 1469**, by Finance Committee, were read the second time by title and filed for third reading.

**H 761**, as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

**H 832**, as amended, by Ways and Means Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Fifth Order of Business.

**Report of Standing Committees**

March 30, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 860, H 861, and H 862**.

FIELD(18), Chairman

**H 860, H 861, and H 862** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

At this time, Mr. Denney took the Chair.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **HCR 67** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 67** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydaldh, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Block, Bradford, Edmunson, McGeachin, Nonini, Ring, Smylie, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 67** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

**HCR 67** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Speaker to open debate.

The question being, "Shall **HCR 67** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 67** adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 857** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 857** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Block, Bradford, Edmunson, McGeachin, Nonini, Ring, Smylie, Wood. Total -- 8.  
Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 857** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ellsworth to open debate.

The question being, "Shall **H 857** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills. Total -- 57.

NAYS -- Barraclough, Barrett, Harwood, Loertscher, Mathews, McKague, Moyle, Sali, Wood. Total -- 9.

Absent and excused -- McGeachin, Ring, Smylie, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 857** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1370** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1370** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Block, Bradford, Edmunson, McGeachin, Nonini, Ring, Smylie, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1370** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Rusche to open debate.

The question being, "Shall **S 1370** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills, Wood. Total -- 65.

NAYS -- None.

Absent and excused -- McGeachin, Ring, Smylie, Stevenson, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1370** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1425**, as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1425**, as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Block, Bradford, Edmunson, McGeachin, Nonini, Ring, Smylie, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1425**, as

amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Field(18) to open debate.

The question being, "Shall **S 1425**, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills, Wood. Total -- 64.

NAYS -- None.

Absent and excused -- Crow, McGeachin, Ring, Smylie, Stevenson, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1425**, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1464** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1464** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Block, Bradford, Edmunson, McGeachin, Nonini, Ring, Smylie, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1464** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bayer to open debate.

The question being, "Shall **S 1464** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Crow, Kemp, McGeachin, Ring, Smylie, Stevenson, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1464** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1465** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1465** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Sayler.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Block, Bradford, Edmunson, McGeachin, Nonini, Ring, Smylie, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1465** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1465** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, LeFavour, Martinez, Mathews, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Rusche, Rydalch, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills. Total -- 51.

NAYS -- Barrett, Hart, Loertscher, McKague, Moyle, Sali, Schaefer, Wood. Total -- 8.

Absent and excused -- Bedke, Crow, Kemp, Lake, McGeachin, Nonini, Ring, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1465** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1466** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1466** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Sayler.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Block, Bradford, Edmunson, McGeachin, Nonini, Ring, Smylie, Wood. Total -- 8.

Total -- 70.



Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1466** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1466** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, LeFavour, Martinez, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills. Total -- 56.

NAYS -- Andrus, Loertscher, Mathews, Sali, Wood. Total -- 5.

Absent and excused -- Crow, Kemp, Lake, McGeachin, Nonini, Ring, Roberts, Smylie, Mr. Speaker. Total -- 9.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1466** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1467** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1467** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Block, Bradford, Edmunson, McGeachin, Nonini, Ring, Smylie, Wood. Total -- 8.  
Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1467** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall **S 1467** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills. Total -- 57.

NAYS -- Barrett, McKague, Sali, Wood. Total -- 4.

Absent and excused -- Crow, Kemp, Lake, McGeachin, Nonini, Roberts, Schaefer, Smylie, Mr. Speaker. Total -- 9.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1467** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1469** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1469** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Block, Bradford, Edmunson, McGeachin, Nonini, Ring, Smylie, Wood. Total -- 8.  
Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1469** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall **S 1469** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Lake, LeFavour, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 61.

NAYS -- Loertscher, Sali. Total -- 2.

Absent and excused -- Bedke, Crow, Kemp, McGeachin, Roberts, Smylie, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1469** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 761**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 761**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Block, Bradford, Edmunson, McGeachin, Nonini, Ring, Smylie, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 761**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Black to open debate.

The question being, "Shall **H 761**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bell, Bilbao, Black, Block, Boe, Bradford, Chadderdon, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Henbest, Henderson, Jaquet, LeFavour, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Rydalch, Saylor, Shepherd(2), Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills. Total -- 40.

NAYS -- Andrus, Barrett, Bayer, Bedke, Bolz, Brackett, Cannon, Clark, Crow, Denney, Field(23), Hart, Harwood, Lake, Loertscher, Mathews, McKague, Moyle, Nielsen, Raybould, Roberts, Sali, Schaefer, Shepherd(8), Shirley, Wood. Total -- 26.

Absent and excused -- Kemp, McGeachin, Smylie, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 761**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 832**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 832**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche,

Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Block, Bradford, Edmunson, McGeachin, Nonini, Ring, Smylie, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 832**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **H 832**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Lake, LeFavour, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 59.

NAYS -- Barrett, Loertscher, Nonini, Rydalch, Sali. Total -- 5.

Absent and excused -- Bayer, Field(23), Kemp, McGeachin, Smylie, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 832**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 858** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 858** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen,

Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Block, Bradford, Edmunson, McGeachin, Nonini, Ring, Smylie, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 858** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Martinez to open debate.

The question being, "Shall **H 858** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills. Total -- 64.

NAYS -- McKague, Wood. Total -- 2.

Absent and excused -- Harwood, McGeachin, Smylie, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 858** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mrs. Ellsworth asked unanimous consent that the following letter be printed in the Journal. There being no objection, it was so ordered.

March 28, 2006

The Honorable Lawrence Denney  
Majority Leader

Dear Representative Denney:

Thank you for your continued interest in the establishment of an Emergency Medical Services (EMS) Physician Commission that would assume the current authority of the state Board of Medicine specific to EMS.

The EMS Bureau is sensitive to your concerns about the difficulty for rural volunteer ambulance services to accommodate state mandates with significant cost implications. I am writing this letter to address rulemaking pursuant to the authority established in the revised version of S 1342 (currently known as RSPAP214) as passed during the 2006 Legislative Session. If any such rulemaking has significant financial implications on rural volunteer EMS agencies, that financial impact will be borne by the state.

We have a proud history of accommodating the needs of local EMS agencies as they evolve to provide better quality patient care and emergency transportation. I look forward to continuing to work with you on improving the performance of the Idaho EMS system.

Sincerely,  
/s/ DIA GAIMOR  
Chief, Emergency Medical  
Services Bureau

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:30 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 1:30 p.m., Mr. Denney in the Chair.

Roll call showed 68 members present.  
Absent and excused -- McGeachin, Smylie. Total -- 2.  
Total -- 70.

Prior to recess, the House was at the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 853** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 853** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson,

Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills. Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 853** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

Ms. Jaquet asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 853**. There being no objection, it was so ordered.

At this time, the Speaker Pro Tem recognized Ms. Jaquet to open debate.

The question being, "Shall **H 853** pass?"

Roll call resulted as follows:

AYES -- Anderson, Bayer, Bilbao, Black, Boe, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Saylor, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smith(24), Snodgrass, Trail. Total -- 35.

NAYS -- Andrus, Barraclough, Barrett, Bastian, Bell, Block, Bolz, Brackett, Bradford, Cannon, Crow, Denney, Eskridge, Field(23), Lake, Loertscher, Mathews, McKague, Moyle, Nielsen, Nonini, Raybould, Rydalch, Sali, Schaefer, Shirley, Stevenson, Wills, Wood. Total -- 29.

Absent and excused -- Bedke, Field(18), McGeachin, Roberts, Smylie, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 853** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1427** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1427** be

read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills. Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1427** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Pence to open debate.

The question being, "Shall **S 1427** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 65.

NAYS -- None.

Absent and excused -- Black, Henderson, McGeachin, Smylie, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1427** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1470** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State

of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1470** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills. Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1470** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1470** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 65.

NAYS -- None.

Absent and excused -- Black, McGeachin, Schaefer, Smylie, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1470** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1471** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1471** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills. Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1471** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **S 1471** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills. Total -- 59.

NAYS -- Barrett, Lake, McKague, Moyle, Nonini, Wood. Total -- 6.

Absent and excused -- Black, Crow, McGeachin, Smylie, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1471** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1473** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1473** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills. Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1473** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1473** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler,

Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood.  
Total -- 65.

NAYS -- None.

Absent and excused -- Black, Crow, McGeachin, Smylie, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1473** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1474** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1474** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills.  
Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1474** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1474** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson,

Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, McKague, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills.  
Total -- 56.

NAYS -- Barrett, Lake, Loertscher, Mathews, Nielsen, Sali, Schaefer, Wood. Total -- 8.

Absent and excused -- Bedke, Black, Crow, McGeachin, Smylie, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1474** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1475** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1475** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills.  
Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1475** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall **S 1475** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills. Total -- 60.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Bell, Black, Crow, Field(23), Lake, McGeachin, Smylie, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1475** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1476** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1476** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills. Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1476** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1476** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 60.

NAYS -- None.

Absent and excused -- Bedke, Bell, Black, Crow, Field(23), Harwood, Lake, McGeachin, Smylie, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1476** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1477** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1477** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills. Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1477** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.



At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1477** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Stevenson, Trail, Wills, Wood. Total -- 60.

NAYS -- None.

Absent and excused -- Bedke, Bell, Clark, Field(23), Lake, McGeachin, Nonini, Smylie, Snodgrass, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1477** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1478** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1478** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills. Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1478** was read

the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen to open debate.

The question being, "Shall **S 1478** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Stevenson, Trail, Wills. Total -- 59.

NAYS -- None.

Absent and excused -- Bedke, Bell, Field(23), Lake, McGeachin, Nonini, Smith(24), Smylie, Snodgrass, Wood, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1478** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1479** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1479** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills. Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1479** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Harwood to open debate.

The question being, "Shall **S 1479** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 60.

NAYS -- Barrett, Loertscher, Sali. Total -- 3.

Absent and excused -- Bedke, Bell, Lake, McGeachin, Skippen, Smylie, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1479** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1480** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1480** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills. Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1480** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall **S 1480** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Boe, McKague, Mitchell, Pasley-Stuart, Rusche, Wood. Total -- 7.

Absent and excused -- Bedke, Bell, Lake, McGeachin, Smylie. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1480** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1481** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1481** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch,

Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills.  
Total -- 59.

NAYS -- Wood. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(18), Lake, McGeachin, McKague, Roberts, Smylie, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1481** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Harwood to open debate.

The question being, "Shall **S 1481** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Martinez, Mathews, Miller, Mitchell, Nielsen, Nonini, Pence, Ring, Roberts, Rusche, Rydalc, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 53.

NAYS -- Henbest, Lake, LeFavour, Loertscher, McKague, Moyle, Pasley-Stuart, Raybould, Ringo, Sali, Saylor, Trail, Wood. Total -- 13.

Absent and excused -- Bedke, Bell, McGeachin, Smylie. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1481** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 9 a.m., Friday, March 31, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro tem declared the House adjourned at 3:05 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

## EIGHTY-SECOND LEGISLATIVE DAY FRIDAY, MARCH 31, 2006

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused --Bell, Cannon. Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Brock Larsen, Page.

### Approval of Journal

March 31, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-first Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR

Boise

March 30, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 412, H 466, H 492, H 497**, as amended in the Senate, **H 513, H 541, H 545, H 562**, as amended, **H 582, H 594, H 596, H 602**, as amended, **H 624**, as amended in the Senate, **H 638, H 640, H 648**, as amended in the Senate, **H 671**, as amended in the Senate, **H 676**, as amended in the Senate, **H 680, H 684, H 686, H 687, H 695**, as amended in the Senate, **H 709**, as amended, **H 712, H 719**, as amended, **H 729**, and **H 738**, as amended, **H 752, H 762**

Very truly yours,

DIRK A. KEMPTHORNE  
Governor

/s/

March 30, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1300**, as amended, as amended in the House, and **S 1363**, as amended in the House, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1300**, as amended, as amended in the House, and **S 1363**, as amended in the House, and, when so signed, ordered them returned to the Senate.

March 30, 2006

Mr. Speaker:

I return herewith enrolled **HCR 50**, as amended, which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 50**, as amended, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 30, 2006

Mr. Speaker:

I transmit herewith **S 1484** which has passed the Senate.

WOOD, Secretary

**S 1484** was filed for first reading.

March 30, 2006

Mr. Speaker:

I return herewith **HCR 45**, **H 736**, as amended, **H 737**, as amended, **H 844**, **H 739**, **H 833**, and **H 778**, as amended, which have passed the Senate.

WOOD, Secretary

**HCR 45**, **H 736**, as amended, **H 737**, as amended, **H 844**, **H 739**, **H 833**, and **H 778**, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 30, 2006

Mr. Speaker:

I return herewith **H 800** which has failed the Senate.

WOOD, Secretary

**H 800** was filed in the Office of the Chief Clerk.

**Report of Standing Committees**

March 31, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 791**, **H 836**, **H 837**, **H 838**, **H 839**, **H 814**, as amended, **H 760**, as amended, **H 742**, as amended, **H 771**, **H 772**, **H 773**, **H 774**, and **H 775**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 791**, **H 836**, **H 837**, **H 838**, **H 839**, **H 814**, as amended, **H 760**, as amended, **H 742**, as amended, **H 771**, **H 772**, **H 773**, **H 774**, and **H 775**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

**H 854** held at the Desk, March 28, 2006, was referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**HOUSE BILL NO. 863  
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO GOVERNANCE OF SCHOOLS; AMENDING SECTION 33-512, IDAHO CODE, TO DIRECT THE BOARDS OF TRUSTEES OF SCHOOL DISTRICTS TO ADOPT POLICIES AND PROCEDURES FOR NOTIFYING PARENTS OR LEGAL GUARDIANS OF STUDENTS REGARDING SCHOOL CLUBS AND ORGANIZATIONS IN WHICH A STUDENT MAY PARTICIPATE, AND FOR OBTAINING PERMISSION FROM A PARENT OR LEGAL GUARDIAN BEFORE THE STUDENT JOINS OR PARTICIPATES IN A SCHOOL CLUB OR ORGANIZATION; AMENDING SECTION 33-515, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1001, IDAHO CODE, TO DEFINE "CLUB OR ORGANIZATION," TO DEFINE "COMPETITIVE INTERSCHOLASTIC ACTIVITY OR EVENT" AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-1004G, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 864  
BY APPROPRIATIONS COMMITTEE**

AN ACT

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF FACILITIES; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES FOR FISCAL YEAR 2007; TRANSFERRING AND APPROPRIATING CERTAIN FUNDS TO THE BOND LEVY EQUALIZATION FUND; AND AMENDING SECTION 33-906A, IDAHO CODE, TO PROVIDE THAT MONEYS IN THE BOND LEVY EQUALIZATION FUND BE CONTINUOUSLY APPROPRIATED FOR THE BOND LEVY EQUALIZATION SUPPORT PROGRAM.

**HOUSE BILL NO. 865  
BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO THE SALARIES OF ELECTIVE OFFICERS; AMENDING SECTION 59-501, IDAHO CODE, TO PROVIDE THAT THE SALARIES OF ELECTIVE OFFICERS SHALL BE INCREASED BY FOUR PERCENT

PER ANNUM ON THE FIRST MONDAY IN JANUARY OF 2007, AND THEN AGAIN BY THREE PERCENT PER ANNUM ON EACH OF THE FIRST MONDAYS IN JANUARY OF 2008, 2009 AND 2010.

**H 863**, **H 864**, and **H 865** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1484**, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**H 859**, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**S 1472**, by State Affairs Committee, was read the second time by title and filed for third reading.

**H 713**, as amended, as amended in the Senate, by Education Committee, was read the second time by title and filed for third reading.

**H 561**, as amended in the Senate, as amended in the Senate, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

**H 860**, **H 861**, and **H 862**, by Appropriations Committee, were read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1472** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1472** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet,

Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barraclough, Bayer, Bell, Cannon, Field(23), Skippen. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1472** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

Mr. Loertscher asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1472**. There being no objection, it was so ordered.

The question being, "Shall **S 1472** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bell, Cannon, Crow. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1472** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 713**, as amended, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 713**, as amended,

as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barraclough, Bayer, Bell, Cannon, Field(23), Skippen. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 713**, as amended, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chadderdon to open debate.

The question being, "Shall **H 713**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Brackett, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 60.

NAYS -- Barrett, Bolz, Hart, Lake, Ringo, Wood. Total -- 6.

Absent and excused -- Bell, Bradford, Cannon, Crow. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 713**, as amended, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 561**, as amended in the Senate, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 561**, as amended in the Senate, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barraclough, Bayer, Bell, Cannon, Field(23), Skippen. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 561**, as amended in the Senate, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 561**, as amended in the Senate, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Raybould. Total -- 1.

Absent and excused -- Bell, Bradford, Cannon, Crow. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 561**, as amended in the Senate, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 860** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 860** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barraclough, Bayer, Bell, Cannon, Field(23), Skippen. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 860** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **H 860** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bilbao, Black, Block, Boe, Bolz, Brackett, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Miller, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 50.

NAYS -- Barrett, Bayer, Bedke, Crow, Jaquet, Loertscher, Martinez, Mathews, McGeachin, McKague, Mitchell, Nonini, Rusche, Rydalch, Sali, Saylor. Total -- 16.

Absent and excused -- Bell, Bradford, Cannon, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 860** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 862** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 862** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barraclough, Bayer, Bell, Cannon, Field(23), Skippen. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 862** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 862** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 59.

NAYS -- Barrett, Bayer, Loertscher, McGeachin, McKague, Nonini, Rydalch, Sali. Total -- 8.

Absent and excused -- Bell, Cannon, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 862** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, April 3, 2006. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

**Consideration of Messages from the Governor and the Senate**

March 31, 2006

Mr. Speaker:

I return herewith enrolled **HJM 22, HCR 62, H 819, H 754, H 756, H 757, H 726, H 765, H 630**, as amended, **H 817, H 818, H 826, H 827, H 828, H 663**, as amended, **H 705**, as amended, **H 735**, as amended, **H 758, H 731, H 784, H 829, H 830, H 831, H 750**, as amended, **H 763, H 796, H 764, H 728, H 780, H 781, H 474**, as amended, and **H 745** which have been signed by the President.

WOOD, Secretary

Enrolled **H 819, H 754, H 756, H 757, H 726, H 765, H 630**, as amended, **H 817, H 818, H 826, H 827, H 828, H 663**, as amended, **H 705**, as amended, **H 735**, as amended, **H 758, H 731, H 784, H 829, H 830, H 831, H 750**, as amended, **H 763, H 796, H 764, H 728, H 780, H 781, H 474**, as amended, and **H 745** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HJM 22** and **HCR 62** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Monday, April 3, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 10:48 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**EIGHTY-FIFTH LEGISLATIVE DAY  
MONDAY, APRIL 3, 2006**

House of Representatives

The House convened at 10 a.m., Mr. Denney in the Chair.

Roll call showed 67 members present.

Absent and excused -- Bradford, Garrett, Mitchell.  
Total -- 3.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Michael Kelsey, Page.

**Approval of Journal**

April 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-second Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 31, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

**H 776**

/s/ Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

March 31, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1367, S 1456, S 1458, S 1459, S 1460, S 1461, S 1463**, and **SCR 124** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that enrolled **S 1367, S 1456, S 1458, S 1459, S 1460, S 1461, S 1463**, and **SCR 124** would be signed by the Speaker, and when so signed, ordered them returned to the Senate.



March 30, 2006

Mr. Speaker:

I transmit herewith **SCR 134** which has passed the Senate.

WOOD, Secretary

**SCR 134** was filed for first reading.

March 31, 2006

Mr. Speaker:

I transmit herewith **S 1462** and **S 1487** which have passed the Senate.

WOOD, Secretary

**S 1462** and **S 1487** were filed for first reading.

March 31, 2006

Mr. Speaker:

I return herewith **HCR 64**, **HCR 65**, **H 834**, **H 570**, as amended, **H 795**, **H 846**, **H 847**, and **H 822** which have passed the Senate.

WOOD, Secretary

**HCR 64**, **HCR 65**, **H 834**, **H 570**, as amended, **H 795**, **H 846**, **H 847**, and **H 822** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 30, 2006

Mr. Speaker:

I return herewith **H 723**, as amended in the Senate, **H 655**, as amended in the Senate, **H 508**, as amended in the Senate, **H 714**, as amended, as amended in the Senate, and **H 770**, as amended in the Senate, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

**H 723**, as amended in the Senate, **H 655**, as amended in the Senate, **H 508**, as amended in the Senate, **H 714**, as amended, as amended in the Senate, and **H 770**, as amended in the Senate, as amended in the Senate, were ordered held at the Desk.

Mrs. Smith(30) asked unanimous consent that the House concur in the Senate amendments to **H 723**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Deal asked unanimous consent that the House concur in the Senate amendments to **H 655**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Roberts asked unanimous consent that the House not concur in the Senate amendments to **H 508**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Deal asked unanimous consent that the House concur in the Senate amendments to **H 714**, as amended, as amended in the Senate. There being no objection, it was so ordered.

Mr. Roberts asked unanimous consent that the House concur in the Senate amendments to **H 770**, as amended in the Senate, as amended in the Senate. There being no objection, it was so ordered.

**H 723**, as amended in the Senate, **H 655**, as amended in the Senate, **H 714**, as amended, as amended in the Senate, and **H 770**, as amended in the Senate, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**H 508**, as amended in the Senate, was filed in the Office of the Chief Clerk.

### Report of Standing Committees

April 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 863**, **H 864**, and **H 865**.

FIELD(18), Chairman

**H 863**, **H 864**, and **H 865** were filed for second reading.

April 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 45**, **H 736**, as amended, **H 737**, as amended, **H 844**, **H 739**, **H 833**, **H 778**, as amended, **H 713**, as amended, as amended in the Senate, and **H 561**, as amended in the Senate, as amended in the Senate.

FIELD(18), Chairman

The Speaker Pro Tem announced that enrolled **HCR 45**, **H 736**, as amended, **H 737**, as amended, **H 844**, **H 739**, **H 833**, **H 778**, as amended, **H 713**, as amended, as amended in the Senate, and **H 561**, as amended in the Senate, as amended in the Senate, would be signed by the Speaker, and when so signed, ordered them transmitted to the Senate for the signature of the President.

April 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 819**, **H 754**, **H 756**, **H 757**, **H 726**, **H 765**, **H 630**, as amended, **H 817**, **H 818**, **H 826**, **H 827**, **H 828**, **H 663**, as amended, **H 705**, as amended, **H 735**, as amended, **H 758**, **H 731**, **H 784**, **H 829**, **H 830**, **H 831**, **H 750**, as amended, **H 763**, **H 796**, **H 764**, **H 728**, **H 780**, **H 781**, **H 474**, as amended, and **H 745** to the Governor at 12:02 p.m., as of this date, March 31, 2006.

FIELD(18), Chairman

April 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 50**, as amended, to the Secretary of State at 9:59 a.m., as of this date, March 31, 2006.

FIELD(18), Chairman

April 3, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 22** and **HCR 62** to the Secretary of State at 12:06 p.m., as of this date, March 31, 2006.

FIELD(18), Chairman

March 31, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1441**, as amended, and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(18), Chairman

**S 1441**, as amended, was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

**SCR 134**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Education Committee.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1484** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1484** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Barraclough, Bradford, Crow, Deal, Garrett, Mitchell, Shepherd(2), Stevenson, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1484** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

The question being, "Shall **S 1484** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills. Total -- 59.

NAYS -- Barrett, Loertscher, Wood. Total -- 3.

Absent and excused -- Barraclough, Bradford, Deal, Garrett, Mitchell, Shepherd(2), Stevenson, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1484** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 863** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 863** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Barraclough, Bradford, Crow, Deal, Garrett, Mitchell, Shepherd(2), Stevenson, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 863** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nonini to open debate.

The question being, "Shall **H 863** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bayer, Bedke, Bell, Black, Block, Brackett, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(23), Hart, Harwood, Henderson, Loertscher, Mathews, McGeachin, McKague, Moyle, Nonini, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Smylie, Stevenson, Wood. Total -- 35.

NAYS -- Barrett, Bastian, Bilbao, Boe, Bolz, Cannon, Edmunson, Field(18), Henbest, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills, Mr. Speaker. Total -- 32.

Absent and excused -- Bradford, Garrett, Shepherd(2). Total -- 3.

Paired Vote:

AYE -- Eskridge. NAY -- Mitchell.  
(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 863** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 864** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 864** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo,

Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Barraclough, Bradford, Crow, Deal, Garrett, Mitchell, Shepherd(2), Stevenson, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 864** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

Mr. Bayer asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 864**. There being no objection, it was so ordered.

The question being, "Shall **H 864** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 54.

NAYS -- Boe, Henbest, Jaquet, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Shepherd(2), Smith(30), Trail. Total -- 14.

Absent and excused -- Bradford, Garrett. Total -- 2.

Paired Votes:

AYE -- Collins. NAY -- Shepherd(2).

AYE -- Eskridge. NAY -- Mitchell.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 864** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 866 BY APPROPRIATIONS COMMITTEE**

#### AN ACT

DIRECTING THE STATE CONTROLLER TO  
TRANSFER MONEYS FROM THE GENERAL FUND TO  
THE PUBLIC EDUCATION STABILIZATION FUND.

**HOUSE BILL NO. 867**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO COMMUNITY COLLEGES; PROVIDING LEGISLATIVE FINDINGS AND INTENT; AMENDING THE HEADING OF CHAPTER 21, TITLE 33, IDAHO CODE; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2101, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF STATE COMMUNITY COLLEGES BY THE STATE BOARD OF EDUCATION; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2101A, IDAHO CODE, TO PROVIDE FOR ESTABLISHMENT OF COMMUNITY COLLEGE ADVISORY BOARDS AND TO PROVIDE POWERS OF THE BOARDS; AMENDING SECTION 33-2101, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE PROPER TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2101A, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO DELETE CODE REFERENCES; REPEALING SECTIONS 33-2110, 33-2110A AND 33-2110B, IDAHO CODE, RELATING TO TUITION AND RESIDENCY FOR STUDENTS RESIDING OUTSIDE OF A COMMUNITY COLLEGE DISTRICT; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2110, IDAHO CODE, TO PROVIDE RESIDENCY AND TUITION; AMENDING SECTION 33-2139, IDAHO CODE, TO CREATE THE COMMUNITY COLLEGE EQUALIZATION FUND IN THE STATE TREASURY AND TO PROVIDE FOR DISTRIBUTION OF MONEYS IN THE FUND; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2141A, IDAHO CODE, TO PROVIDE FOR DISBURSEMENT OF FUNDS APPROPRIATED TO THE STATE BOARD OF EDUCATION FOR STATE COMMUNITY COLLEGES; AMENDING SECTION 23-404, IDAHO CODE, AS AMENDED BY SECTION 1, SENATE BILL NO. 1388, AS ENACTED BY THE SECOND REGULAR SESSION OF THE FIFTY-EIGHTH IDAHO LEGISLATURE, TO REVISE STATE LIQUOR ACCOUNT DISTRIBUTIONS; AMENDING SECTION 33-2141, IDAHO CODE, TO DELETE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-4306, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 868**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2007 THROUGH FISCAL YEAR 2008.

**H 866, H 867, and H 868** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1462**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

**S 1487**, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

**Consideration of Messages from the Governor and the Senate**

At this time, the Speaker took the Chair.

April 3, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1370, S 1427, S 1464, S 1465, S 1466, S 1467, S 1469, S 1470, S 1471, S 1473, S 1474, S 1475, S 1476, S 1477, S 1478, S 1479, S 1480, and S 1481** for the signature of the Speaker. WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1370, S 1427, S 1464, S 1465, S 1466, S 1467, S 1469, S 1470, S 1471, S 1473, S 1474, S 1475, S 1476, S 1477, S 1478, S 1479, S 1480, and S 1481** and, when so signed, ordered them returned to the Senate.

April 3, 2006

Mr. Speaker:

I return herewith enrolled **H 791, H 836, H 837, H 838, H 839, H 814**, as amended, **H 760**, as amended, **H 742**, as amended, **H 771, H 772, H 773, H 774**, and **H 775** which have been signed by the President. WOOD, Secretary

Enrolled **H 791, H 836, H 837, H 838, H 839, H 814**, as amended, **H 760**, as amended, **H 742**, as amended, **H 771, H 772, H 773, H 774**, and **H 775** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 3, 2006

Mr. Speaker:

I return herewith **H 845, H 848, H 825, H 753**, as amended, **H 820**, and **H 849** which have passed the Senate.

WOOD, Secretary

**H 845, H 848, H 825, H 753**, as amended, **H 820**, and **H 849** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Twelfth Order of Business.

### Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

### Report of the Committee of the Whole House

April 3, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1441**, as amended, and report it back without recommendation, amended as follows:

### HOUSE AMENDMENT TO S 1441, as amended

#### AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, delete lines 18 and 19 and insert: "by the defendant in any civil action if the court finds that the defendant is immune from such action pursuant to this section.".

We have also had under consideration **H 677** and **H 789**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**S 1441**, as amended, as amended in the House, was filed for first reading.

**H 677** and **H 789** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Denney moved that the House adjourn until 10 a.m., Tuesday, April 4, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:50 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### EIGHTY-SIXTH LEGISLATIVE DAY

TUESDAY, APRIL 4, 2006

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Shepherd(2). Total -- 1.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Ellie Wladyka, Page.

April 4, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-fifth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR

Boise

March 31, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 474**, as amended, **H 630**, as amended, **H 650**, as amended, **H 663**, as amended, **H 705**, as amended, **H 726**, **H 728**, **H 731**, **H 735**, as amended, **H 743**, **H 745**, **H 750**, as amended, **H 754**, **H 756**, **H 757**, **H 758**, **H 763**, **H 764**, **H 765**, **H 780**, **H 781**,

**H 784, H 793, H 794, H 796, H 797, H 798, H 799, H 801, H 802, H 803, H 804, H 805, H 808, H 809, H 810, H 811, H 812, H 813, H 817, H 818, H 819, H 826, H 827, H 828, H 829, H 830, and H 831**

/s/ Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

April 3, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1472** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1472** and, when so signed, ordered it returned to the Senate.

April 3, 2006

Mr. Speaker:

I return herewith enrolled **HCR 45, H 736**, as amended, **H 737**, as amended, **H 844, H 739, H 833, H 778**, as amended, **H 713**, as amended, as amended in the Senate, and **H 561**, as amended in the Senate, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 736**, as amended, **H 737**, as amended, **H 844, H 739, H 833, H 778**, as amended, **H 713**, as amended, as amended in the Senate, and **H 561**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HCR 45** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

April 3, 2006

Mr. Speaker:

I transmit herewith **SCR 135, S 1490, and SCR 136** which have passed the Senate.

WOOD, Secretary

**SCR 135, S 1490, and SCR 136** were filed for first reading.

April 3, 2006

Mr. Speaker:

I return herewith **HJM 25, H 852, HCR 67, H 832**, as amended, and **H 858** which have passed the Senate.

WOOD, Secretary

**HJM 25, H 852, HCR 67, H 832**, as amended, and **H 858** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

April 4, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 866, H 867, and H 868**.

FIELD(18), Chairman

**H 866 and H 868** were filed for second reading.

**H 867** was ordered held at the Desk.

April 4, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 64, HCR 65, H 834, H 570**, as amended, **H 795, H 846, H 847, H 822, H 845, H 848, H 825, H 753**, as amended, **H 820**, and **H 849**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HCR 64, HCR 65, H 834, H 570**, as amended, **H 795, H 846, H 847, H 822, H 845, H 848, H 825, H 753**, as amended, **H 820**, and **H 849**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 4, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 723**, as amended in the Senate, **H 655**, as amended in the Senate, **H 714**, as amended, as amended in the Senate, and **H 770**, as amended in the Senate, as amended in the Senate.

FIELD(18), Chairman

**H 723**, as amended in the Senate, **H 655**, as amended in the Senate, **H 714**, as amended, as amended in the Senate, and **H 770**, as amended in the Senate, as amended in the Senate, were filed for first reading of engrossed bills.

April 4, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 791, H 836, H 837, H 838, H 839, H 814**, as amended, **H 760**, as amended, **H 742**, as amended, **H 771, H 772, H 773, H 774**, and **H 775** to the Governor at 1:55 p.m., as of this date, April 3, 2006.

FIELD(18), Chairman

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**SCR 135**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Ways and Means Committee.

**SCR 136**, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 869  
BY APPROPRIATIONS COMMITTEE**

AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2007 THROUGH FISCAL YEAR 2008; AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION; AND EXPRESSING LEGISLATIVE INTENT WITH REGARD TO FUTURE FUNDING.

**HOUSE BILL NO. 870  
BY APPROPRIATIONS COMMITTEE**

AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; AND DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE ECONOMIC RECOVERY RESERVE FUND TO THE IDAHO WATER RESOURCE BOARD REVOLVING DEVELOPMENT FUND.

**HOUSE BILL NO. 871  
BY APPROPRIATIONS COMMITTEE**

AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE STATE BOARD OF EDUCATION FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2007.

**HOUSE BILL NO. 872  
BY APPROPRIATIONS COMMITTEE**

AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE AND LABOR FOR FISCAL YEAR 2007 THROUGH FISCAL YEAR 2008.

**HOUSE BILL NO. 873  
BY APPROPRIATIONS COMMITTEE**

AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; CREATING THE INCUMBENT WORKER TRAINING REVOLVING LOAN FUND; DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE ECONOMIC RECOVERY RESERVE FUND TO THE INCUMBENT WORKER TRAINING REVOLVING LOAN FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE AND LABOR FOR FISCAL YEAR 2007 THROUGH FISCAL YEAR 2008.

**HOUSE BILL NO. 874  
BY APPROPRIATIONS COMMITTEE**

AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE ECONOMIC RECOVERY RESERVE FUND TO THE RURAL ECONOMIC DEVELOPMENT AND INTEGRATED FREIGHT TRANSPORTATION REVOLVING LOAN FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE AND LABOR FOR FISCAL YEAR 2007 THROUGH FISCAL YEAR 2008.

**H 869, H 870, H 871, H 872, H 873, and H 874** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1441**, as amended, as amended in the House, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

**S 1490**, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

**First Reading of Engrossed Bills**

**H 723**, as amended in the Senate, and **H 714**, as amended, as amended in the Senate, by State Affairs Committee, were introduced, read the first time by title and filed for second reading.

**H 655**, as amended in the Senate, by Business Committee, was introduced, read the first time by title and filed for second reading.

**H 770**, as amended in the Senate, as amended in the Senate, by Education Committee, was introduced, read the first time by title and filed for second reading.

### Second Reading of Bills and Joint Resolutions

**H 865**, by State Affairs Committee, was read the second time by title and filed for third reading.

**S 1487**, by Finance Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Fifth Order of Business.

### Report of Standing Committees

April 4, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 25**, **H 852**, **HCR 67**, **H 832**, as amended, and **H 858**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HJM 25**, **H 852**, **HCR 67**, **H 832**, as amended, and **H 858**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 866** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 866** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Barraclough, Ellsworth, Field(23), Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 866** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **H 866** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bradford, Shepherd(2). Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 866** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 868** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 868** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Barraclough, Ellsworth, Field(23), Shepherd(2). Total -- 4.

Total -- 70.



Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 868** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen and Ms. Henbest to open debate.

The question being, "Shall **H 868** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Schaefer, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 50.

NAYS -- Barrett, Bayer, Crow, Denney, Hart, Harwood, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nonini, Rydalch, Sali, Shepherd(8), Wood. Total -- 17.

Absent and excused -- Clark, Roberts, Shepherd(2). Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 868** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1441**, as amended, as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1441**, as amended, as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Saylor, Schaefer,

Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Barraclough, Ellsworth, Field(23), Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1441**, as amended, as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **S 1441**, as amended, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Boe, Hart, Henbest, LeFavour, Ringo, Smith(24). Total -- 6.

Absent and excused -- Bell, Roberts, Shepherd(2). Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1441**, as amended, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1490** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1490** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney,

Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Barraclough, Ellsworth, Field(23), Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1490** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

Mr. Bayer asked unanimous consent that, pursuant to Rule 22, discussion of be allowed in debate of **S 1490**. There being no objection, it was so ordered.

The question being, "Shall **S 1490** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderton, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- Barrett, Rydalch, Sali. Total -- 3.

Absent and excused -- Shepherd(2). Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1490** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 723**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 723**, as amended in the Senate, be read the

first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderton, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Barraclough, Ellsworth, Field(23), Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 723**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Smith(30) to open debate.

The question being, "Shall **H 723**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderton, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Bayer, Bedke, Hart, Harwood, Lake, Loertscher, Mathews, McKague, Sali, Shepherd(8), Snodgrass. Total -- 12.

Absent and excused -- Shepherd(2). Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 723**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Deal moved that all rules of the House interfering with the immediate consideration of **H 655**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 655**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Barraclough, Ellsworth, Field(23), Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 655**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 655**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Bell, Crow, Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 655**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 714**, as amended, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 714**, as amended, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Barraclough, Ellsworth, Field(23), Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 714**, as amended, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 714**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney,

Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bell, Crow, Schaefer, Shepherd(2).  
Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 714**, as amended, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 770**, as amended in the Senate, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 770**, as amended in the Senate, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Barraclough, Ellsworth, Field(23), Shepherd(2). Total -- 4.  
Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 770**, as amended in the Senate, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

Mr. Roberts asked unanimous consent, pursuant to Rule 46, that **H 770**, as amended in the Senate, as amended in the Senate, be corrected as follows:

On page 1, line 24 underscore the parenthesis preceding the number 3.

There being no objection, it was so ordered.

The question being, "Shall **H 770**, as amended in the Senate, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bell, Black, Crow, Shepherd(2), Smith(24). Total -- 5.  
Total -- 70.

Whereupon the Speaker declared **H 770**, as amended in the Senate, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 865** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 865** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Sayler,

Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Barraclough, Ellsworth, Field(23), Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 865** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

Mr. Smylie asked unanimous consent that, pursuant to Rule 38(3), he be excused from voting on **H 865** due to a conflict of interest. There being no objection, it was so ordered.

The question being, "Shall **H 865** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Lake, Martinez, McGeachin, McKague, Miller, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Salyer, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Bayer, Kemp, LeFavour, Loertscher, Mathews, Mitchell, Nonini, Rydalch, Sali. Total -- 10.

Absent and excused -- Shepherd(2), Smylie, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 865** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1487** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1487** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney,

Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Salyer, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Barraclough, Ellsworth, Field(23), Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1487** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1487** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Salyer, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Roberts, Shepherd(2), Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1487** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**H 861** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 861** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Loertscher, Mathews, Sali. Total -- 4.

Absent and excused -- Roberts, Shepherd(2), Smylie, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 861** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

#### **Consideration of Messages from the Governor and the Senate**

April 4, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1425**, as amended in the House, **S 1484**, **S 1487**, and **S 1490** for the signature of the Speaker. WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1425**, as amended in the House, **S 1484**, **S 1487**, and **S 1490** and, when so signed, ordered them returned to the Senate.

April 4, 2006

Mr. Speaker:

I return herewith enrolled **HCR 64**, **HCR 65**, **H 834**, **H 570**, as amended, **H 795**, **H 846**, **H 847**, **H 822**, **H 845**, **H 848**, **H 825**, **H 753**, as amended, **H 820**, **H 849**, **HJM 25**, **H 852**, **HCR 67**, **H 832**, as amended, and **H 858** which have been signed by the President.

WOOD, Secretary

Enrolled **H 834**, **H 570**, as amended, **H 795**, **H 846**, **H 847**, **H 822**, **H 845**, **H 848**, **H 825**, **H 753**, as amended, **H 820**, **H 849**, **H 852**, **H 832**, as amended, and **H 858** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HCR 64**, **HCR 65**, **HJM 25**, and **HCR 67** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

There being no objection, the House advanced to the Eighth Order of Business.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 875 BY APPROPRIATIONS COMMITTEE AN ACT**

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2007 AND FISCAL YEAR 2008; DIRECTING THE EXPENDITURE OF FUNDS FOR CERTAIN PARK PROJECTS; DIRECTING THAT MONEYS SHALL BE EXPENDED FOR THE EAGLE ISLAND STATE PARK PLANNING COMMITTEE AND THE EASTERN IDAHO STATE PARK SEARCH COMMITTEE; DIRECTING THAT MONEYS SHALL BE EXPENDED ON PARK REPAIRS AND MAINTENANCE; DIRECTING THAT THE DEPARTMENT OF PARKS AND RECREATION REPORT TO THE JOINT FINANCE-APPROPRIATIONS COMMITTEE; DIRECTING THAT THE EAGLE ISLAND STATE PARK PLANNING COMMITTEE SHALL PRODUCE A COMPREHENSIVE PLAN FOR THE DEVELOPMENT OF EAGLE ISLAND STATE PARK; ACKNOWLEDGING THAT NET PROCEEDS DERIVED FROM EAGLE ISLAND STATE PARK'S NATURAL RESOURCES SHALL BE USED ON PARK DEVELOPMENT AND IMPROVEMENTS; AND DECLARING AN EMERGENCY.

#### **HOUSE BILL NO. 876 BY REVENUE AND TAXATION COMMITTEE AN ACT**

RELATING TO TAXATION; PROVIDING A SHORT TITLE; AMENDING SECTION 33-701, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL MAINTENANCE AND OPERATION LEVIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-802, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT LEVIES THAT MAY BE IMPOSED WITHOUT VOTER APPROVAL, TO PROVIDE BUDGET STABILIZATION LEVIES FOR CERTAIN DISTRICTS, TO DELETE THE LOCAL DISTRICT CONTRIBUTION FOR SCHOOL FORMULA PURPOSES, TO CONTINUE IN EFFECT ALL VOTER APPROVED LEVIES FOR THE TERM AUTHORIZED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-802A, IDAHO CODE, TO CLARIFY REFERENCES TO SCHOOL LEVIES; REPEALING SECTION 33-808, IDAHO CODE, RELATING TO NOTICE OF ADJUSTMENT TO MARKET VALUE FOR ASSESSMENT PURPOSES UPON TERMINATION OF A REVENUE ALLOCATION AREA; AMENDING SECTION

33-905, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE HOW THE EDUCATIONAL SUPPORT PROGRAM IS CALCULATED, TO PROVIDE ELIGIBILITY FOR CHARTER DISTRICTS TO CONTINUE TO RECEIVE SCHOOL FORMULA MONEYS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 33-1002A, IDAHO CODE, RELATING TO THE LOCAL DISTRICT CONTRIBUTION REDUCTION AND REPEALING SECTION 33-1002D, IDAHO CODE, RELATING TO PROPERTY TAX REPLACEMENT; AMENDING SECTION 33-1003, IDAHO CODE, TO DELETE REFERENCE TO AN OBSOLETE PROVISION AND TO MAKE TECHNICAL CORRECTIONS; TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL UTILIZE THE PROVISIONS OF SECTIONS 33-802, 33-1002, 33-1002A, 33-1002D AND 33-1003, IDAHO CODE, AS THEY EXISTED PRIOR TO AMENDMENT OR REPEAL BY THE PROVISIONS OF THIS ACT FOR THE PURPOSES OF FUNDING PUBLIC SCHOOLS THROUGH THE END OF FISCAL YEAR 2006; AMENDING SECTION 33-1004, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1114, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT MAINTENANCE AND OPERATION LEVIES; AMENDING SECTION 33-1408, IDAHO CODE, TO REVISE THE SPECIAL LEVY FOR TUITION AND TO EXEMPT THE LEVY FROM THE THREE PERCENT PROPERTY TAX CAP; AMENDING SECTION 33-5208, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-2908, IDAHO CODE, TO DELETE REFERENCE TO PROPERTY TAX FOR SCHOOLS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-315, IDAHO CODE, TO PROVIDE APPLICATION TO CHARTER SCHOOL DISTRICTS LEVYING A MAINTENANCE AND OPERATION LEVY IN THE PRIOR CALENDAR YEAR; AMENDING SECTION 63-602G, IDAHO CODE, TO PROVIDE THAT THE FIRST SEVENTY-FIVE THOUSAND DOLLARS OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF THE HOMESTEAD OR FIFTY PERCENT OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF THE HOMESTEAD, WHICHEVER IS THE LESSER, SHALL BE EXEMPT FROM PROPERTY TAXATION, TO DEFINE HOMESTEAD, TO PROVIDE FOR CERTAIN ANNUAL ADJUSTMENTS TO THE MAXIMUM AMOUNT SUBJECT TO PROPERTY TAX EXEMPTION, TO PROVIDE FOR PUBLICATION AND DISSEMINATION OF ADJUSTMENTS AND TO PROVIDE THAT THE PUBLICATION OF ADJUSTMENTS SHALL BE EXEMPT FROM THE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-802A, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT MAINTENANCE AND OPERATION LEVIES, TO PROVIDE APPLICATION TO SCHOOL DISTRICTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-811,

IDAHO CODE, TO DELETE REFERENCE TO PROPERTY TAX ALLOCATED FOR SCHOOLS; AMENDING SECTION 63-3619, IDAHO CODE, TO INCREASE THE SALES TAX TO SIX AND ONE-QUARTER PERCENT; AMENDING SECTION 63-3621, IDAHO CODE, TO INCREASE THE USE TAX TO SIX AND ONE-QUARTER PERCENT; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE THE DISTRIBUTION FOR SALES TAX REVENUES, TO DELETE REFERENCE TO MAINTENANCE AND OPERATION TAXES FOR SCHOOL DISTRICTS, TO PROVIDE DISTRIBUTION TO THE PUBLIC EDUCATION STABILIZATION FUND AND TO MAKE A TECHNICAL CORRECTION; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

**H 875** and **H 876** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

#### Report of Standing Committees

April 4, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 869**, **H 870**, **H 871**, **H 872**, **H 873**, **H 874**, **H 875**, and **H 876**.

FIELD(18), Chairman

**H 869**, **H 870**, **H 871**, **H 872**, **H 873**, **H 874**, **H 875**, and **H 876** were filed for second reading.

April 4, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 723**, as amended in the Senate, **H 655**, as amended in the Senate, **H 714**, as amended, as amended in the Senate, and **H 770**, as amended in the Senate, as amended in the Senate.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 723**, as amended in the Senate, **H 655**, as amended in the Senate, **H 714**, as amended, as amended in the Senate, and **H 770**, as amended in the Senate, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 4, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 736**, as amended, **H 737**, as amended, **H 844**, **H 739**, **H 833**,

**H 778**, as amended, **H 713**, as amended, as amended in the Senate, and **H 561**, as amended in the Senate, as amended in the Senate, to the Governor at 11 a.m., as of this date, April 4, 2006.

FIELD(18), Chairman

April 4, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 45** to the Secretary of State at 11:06 a.m., as of this date, April 4, 2006.

FIELD(18), Chairman

April 4, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 421**, as amended in the Senate, and **H 422**, as amended in the Senate, and recommend that they be referred to the House for consideration of Senate amendments.

CROW, Chairman

**H 421**, as amended in the Senate, and **H 422**, as amended in the Senate, were ordered held at the desk.

Mr. Lake asked unanimous consent that the House concur in the Senate amendments to **H 421**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Lake asked unanimous consent that the House concur in the Senate amendments to **H 422**, as amended in the Senate. There being no objection, it was so ordered.

**H 421**, as amended in the Senate, and **H 422**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Wednesday, April 5, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 4:42 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**EIGHTY-SEVENTH LEGISLATIVE DAY  
WEDNESDAY, APRIL 5, 2006**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused -- Shepherd(2). Total -- 1.  
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Nathan Barry, Page.

**Approval of Journal**

April 5, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-sixth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

April 5, 2006

Mr. Speaker:

I return herewith enrolled **H 723**, as amended in the Senate, **H 655**, as amended in the Senate, **H 714**, as amended, as amended in the Senate, and **H 770**, as amended in the Senate, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 723**, as amended in the Senate, **H 655**, as amended in the Senate, **H 714**, as amended, as amended in the Senate, and **H 770**, as amended in the Senate, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 4, 2006

Mr. Speaker:

I transmit herewith **S 1491**, **S 1482**, as amended, and **S 1493** which have passed the Senate.

WOOD, Secretary

**S 1491**, **S 1482**, as amended, and **S 1493** were filed for first reading.



April 4, 2006

Mr. Speaker:

I return herewith **H 860, H 862, H 857, H 853, and H 864** which have passed the Senate.

WOOD, Secretary

**H 860, H 862, H 857, H 853, and H 864** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

#### Report of Standing Committees

April 5, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 860, H 862, H 857, H 853, and H 864**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 860, H 862, H 857, H 853, and H 864**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 5, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 421**, as amended in the Senate, and **H 422**, as amended in the Senate.

FIELD(18), Chairman

**H 421**, as amended in the Senate, and **H 422**, as amended in the Senate, were filed for first reading of engrossed bills.

April 5, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 834, H 570**, as amended, **H 795, H 846, H 847, H 822, H 845, H 848, H 825, H 753**, as amended, **H 820, H 849, H 852, H 832**, as amended, and **H 858** to the Governor at 4:35 p.m., as of this date, April 4, 2006.

FIELD(18), Chairman

April 5, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 64, HCR 65, HJM 25, and HCR 67** to the Secretary of State at 4:42 p.m., as of this date, April 4, 2006.

FIELD(18), Chairman

April 5, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1462** and recommend that it do pass.

DEAL, Chairman

**S 1462** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

#### HOUSE JOINT MEMORIAL NO. 26 BY WAYS AND MEANS COMMITTEE

##### A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, THE PRESIDENT OF THE GOVERNMENT OF THE BASQUE AUTONOMOUS REGION OF SPAIN, THE PRIME MINISTER OF SPAIN, AND THE PRIME MINISTER OF FRANCE.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, during the early part of the twentieth century, a wave of Basque immigrants left the Basque region of northern Spain and southern France to come to Idaho and other states of the American West; and

WHEREAS, the state of Idaho has long been known as the North American center of the Basque population and many citizens of this state have kept close ties to the homeland of their forefathers in the Basque region of Spain and France; and

WHEREAS, from the time of the government of Francisco Franco of Spain until the present, the Basque Homeland has experienced decades of terror and violence in large part due to a group organized under the name of Euskadi ta Askatasuna (ETA); and

WHEREAS, in the year 1972, the Second Regular Session of the Forty-first Idaho Legislature adopted Senate Joint Memorial No. 115, condemning the government of Francisco Franco of Spain and urging peace and democracy in the Basque Homeland of Spain; and

WHEREAS, in the year 2002, the Second Regular Session of the Fifty-sixth Idaho Legislature adopted Senate Joint Memorial No. 114, which condemned ETA and all other terrorist organizations operating in the world and expressed strong support for an immediate end to violence in the Basque Homeland and for the establishment of peace through all lawful means; and

WHEREAS, Senate Joint Memorial No. 114, 2002, condemned all acts of terrorism and violence committed by any and all organizations and individuals within the Basque Homeland and throughout the world, such as ETA; and

WHEREAS, on March 22, 2006, ETA announced that it is permanently ending its campaign of violence and laying down its arms; and

WHEREAS, the governments of the Basque Autonomous Region and Spain have vigorously and endlessly opposed violence in the Basque Homeland and have engaged in an active effort to end the violence and establish a lasting peace.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the state of Idaho recognizes ETA's decision to lay down its arms and commends and congratulates the governments of the Basque Autonomous Region and of Spain and all other parties in Spain and France for their actions to promote the cessation of violence and to achieve a lasting peace in the Basque Homeland and all of Europe.

BE IT FURTHER RESOLVED that the state of Idaho extends its encouragement and support to these governments in their ongoing efforts to establish a process to bring a lasting peace in accordance with the democratic voting process, as well as enhance an appropriate degree of governmental autonomy for the Basque Homeland of Spain.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States, the President of the Government of the Basque Autonomous Region of Spain, the Prime Minister of Spain, and the Prime Minister of France.

**HJM 26** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 877 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-234, IDAHO CODE, TO STATE LEGISLATIVE FINDINGS, TO ESTABLISH A MEDICAID PROGRAM FOR CAREGIVERS, TO PROVIDE FOR PROGRAM CRITERIA, TO REQUIRE AN ANNUAL REPORT; AND PROVIDING A SUNSET DATE.

**H 877** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1482**, as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

**S 1491** and **S 1493**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

#### First Reading of Engrossed Bills

**H 421**, as amended in the Senate, and **H 422**, as amended in the Senate, by Revenue and Taxation Committee, were introduced, read the first time by title and filed for second reading.

#### Second Reading of Bills and Joint Resolutions

**SCR 136**, by State Affairs Committee, was read the second time by title and filed for third reading.

**H 869, H 870, H 871, H 872, H 873, H 874, and H 875**, by Appropriations Committee, were read the second time by title and filed for third reading.

**H 876**, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 876** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 876** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- LeFavour. Total -- 1.

Absent and excused -- Boe, Shepherd(2). Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 876** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts, Mr. Clark, and Mr. Lake to open debate.

At this time, Mrs. Crow took the Chair.

Mr. Bedke asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 876**. There being no objection, it was so ordered.

Pursuant to House Rule 15 and Article III Section 16 of the Idaho State Constitution, Mr. Sali called for the division of question regarding unity of subject in **H 876**.

Mr. Speaker ruled that **H 876** embraced unity of subject and title, therefore, was not divisible.

Mr. Sali appealed the ruling of the Speaker.

At this time, Mr. Denney took the Chair.

The Speaker Pro Tem recognized Mr. Sali to open debate.

The question being, "Shall the ruling of the Speaker be sustained?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 65.

NAYS -- Loertscher, Sali. Total -- 2.

Absent and excused -- Bayer, Shepherd(2), Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared that the ruling of the Speaker was sustained.

At this time, the Speaker took the Chair.

The question being, "Shall **H 876** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Lake, Loertscher, McKague, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Stevenson, Wills, Wood, Mr. Speaker. Total -- 44.

NAYS -- Barraclough, Bastian, Bayer, Boe, Crow, Edmunson, Ellsworth, Henbest, Jaquet, Kemp, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Pasley-Stuart, Pence, Ringo, Rydalch, Sali, Smith(30), Smith(24), Smylie, Snodgrass, Trail. Total -- 26.

Paired Votes:

AYE -- Shepherd(2). NAY -- McGeachin.

AYE -- Bell. NAY -- Henbest.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 876** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 3 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 3 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 3 p.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused -- Cannon, Henbest, Shepherd(2).

Total -- 3.

Total -- 70.

Prior to recess, the House was at the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

There being no objection, the House returned to the Fourth Order of Business.

#### Consideration of Messages from the Governor and the Senate

April 5, 2006

Mr. Speaker:

I return herewith enrolled **H 860**, **H 862**, **H 857**, **H 853**, and **H 864** which have been signed by the President.

WOOD, Secretary

Enrolled **H 860**, **H 862**, **H 857**, **H 853**, and **H 864** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 5, 2006

Mr. Speaker:

I transmit herewith **S 1494**, **S 1495**, **S 1496**, **S 1497**, **S 1498**, **S 1499**, and **S 1500** which have passed the Senate.

WOOD, Secretary

**S 1494**, **S 1495**, **S 1496**, **S 1497**, **S 1498**, **S 1499**, and **S 1500** were filed for first reading.

April 5, 2006

Mr. Speaker:

I return herewith **HCR 66**, **H 865**, **H 861**, and **H 866** which have passed the Senate.

WOOD, Secretary

**HCR 66**, **H 865**, **H 861**, and **H 866** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

April 5, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 26** and **H 877**.

FIELD(18), Chairman

**HJM 26** and **H 877** were filed for second reading.

April 5, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 66**, **H 865**, **H 861**, and **H 866**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HCR 66**, **H 865**, **H 861**, and **H 866**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 5, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 723**, as amended in the Senate, **H 655**, as amended in the Senate, **H 714**, as amended, as amended in the Senate, and **H 770**, as amended in the Senate, as amended in the Senate, to the Governor at 10:55 a.m., as of this date, April 5, 2006.

FIELD(18), Chairman

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**S 1494**, **S 1495**, **S 1496**, **S 1497**, **S 1498**, **S 1499**, and **S 1500**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **SCR 136** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that

**SCR 136** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderton, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Bastian, Cannon, Clark, Deal, Harwood, Henbest, Lake, Mitchell, Moyle, Roberts, Rusche, Shepherd(2). Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SCR 136** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

At this time Mr. Mitchell took the Chair.

The question being, "Shall **SCR 136** be adopted?"

Whereupon the Speaker Pro Tem declared **SCR 136** adopted by voice vote and ordered the resolution returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 869** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 869** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderton, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali,

Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Bastian, Cannon, Clark, Deal, Harwood, Henbest, Lake, Mitchell, Moyle, Roberts, Rusche, Shepherd(2). Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 869** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **H 869** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Crow, McGeachin. Total -- 3.

Absent and excused -- Cannon, Clark, Deal, Henbest, Lake, Roberts. Total -- 6.

Paired Vote:

AYE -- Shepherd(2). NAY -- Crow.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 869** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 870** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 870** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Denney, Edmunson,

Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Bastian, Cannon, Clark, Deal, Harwood, Henbest, Lake, Mitchell, Moyle, Roberts, Rusche, Shepherd(2). Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 870** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **H 870** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Rusche, Sali, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 54.

NAYS -- Barrett, Crow, Henbest, Loertscher, McGeachin, McKague, Pasley-Stuart, Ringo, Rydalch, Smith(24). Total -- 10.

Absent and excused -- Cannon, Clark, Deal, Lake, Roberts, Shepherd(2). Total -- 6.

Paired Vote:

AYE -- Collins. NAY -- Henbest.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 870** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 871** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that

**H 871** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Bastian, Cannon, Clark, Deal, Harwood, Henbest, Lake, Mitchell, Moyle, Roberts, Rusche, Shepherd(2). Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 871** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall **H 871** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bilbao, Black, Block, Boe, Brackett, Bradford, Chadderdon, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henderson, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 51.

NAYS -- Barrett, Bell, Bolz, Crow, Denney, Hart, Harwood, Loertscher, Mathews, McGeachin, McKague, Moyle, Sali. Total -- 13.

Absent and excused -- Cannon, Clark, Henbest, Lake, Roberts, Wood. Total -- 6.

Paired Vote:

AYE -- Shepherd(2). NAY -- Bell.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 871** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 872** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 872** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Bastian, Cannon, Clark, Deal, Harwood, Henbest, Lake, Mitchell, Moyle, Roberts, Rusche, Shepherd(2). Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 872** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo, Mr. Edmunson, and Ms. Jaquet to open debate.

The question being, "Shall **H 872** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henderson, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 45.

NAYS -- Andrus, Barrett, Bastian, Bayer, Bedke, Crow, Hart, Harwood, Loertscher, Mathews, McGeachin, McKague, Moyle, Nonini, Raybould, Rydalch, Sali, Smith(24). Total -- 18.

Absent and excused -- Cannon, Clark, Henbest, Lake, Roberts, Shepherd(2), Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 872** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 873** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 873** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Bastian, Cannon, Clark, Deal, Harwood, Henbest, Lake, Mitchell, Moyle, Roberts, Rusche, Shepherd(2). Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 873** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Skippen to open debate.

The question being, "Shall **H 873** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 55.

NAYS -- Barrett, Bayer, Crow, Hart, McGeachin, McKague, Sali, Schaefer, Shepherd(8), Smith(24). Total -- 10.

Absent and excused -- Cannon, Clark, Lake, Roberts, Shepherd(2). Total -- 5.

Paired Vote:

AYE -- Henbest. NAY -- Bayer.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 873** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 874** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 874** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Bastian, Cannon, Clark, Deal, Harwood, Henbest, Lake, Mitchell, Moyle, Roberts, Rusche, Shepherd(2). Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 874** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

Mr. Bedke asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 874**. There being no objection, it was so ordered.

The question being, "Shall **H 874** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Sali. Total -- 1.

Absent and excused -- Cannon, Clark, Henbest, Lake, Roberts, Shepherd(2), Smith(24), Snodgrass. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 874** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 875** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 875** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Bastian, Cannon, Clark, Deal, Harwood, Henbest, Lake, Mitchell, Moyle, Roberts, Rusche, Shepherd(2). Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 875** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Bell to open debate.

The question being, "Shall **H 875** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, Martinez, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 52.

NAYS -- Barrett, Bayer, Bradford, Crow, Hart, LeFavour, Loertscher, Mathews, McGeachin, McKague, Rydalch, Sali, Smith(24), Wood. Total -- 14.

Absent and excused -- Cannon, Clark, Lake, Shepherd(2). Total -- 4.

Paired Vote:

AYE -- Henbest. NAY -- Bayer.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 875** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1491** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1491** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Bastian, Cannon, Clark, Deal, Harwood, Henbest, Lake, Mitchell, Moyle, Roberts, Rusche, Shepherd(2). Total -- 12.

Total -- 70.



Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1491** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Bell to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **S 1491** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Loertscher, Sali. Total -- 3.

Absent and excused -- Cannon, Henbest, Shepherd(2). Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1491** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1493** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1493** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali,

Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Bastian, Cannon, Clark, Deal, Harwood, Henbest, Lake, Mitchell, Moyle, Roberts, Rusche, Shepherd(2). Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1493** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **S 1493** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Henbest, Pasley-Stuart, Sali, Smith(24). Total -- 4.

Absent and excused -- Cannon, Shepherd(2). Total -- 2.

Paired Vote:

AYE -- Ringo. NAY -- Henbest.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1493** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 422**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 422**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett,

Bradford, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Bastian, Cannon, Clark, Deal, Harwood, Henbest, Lake, Mitchell, Moyle, Roberts, Rusche, Shepherd(2). Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 422**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 422**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Cannon, Henbest, Shepherd(2). Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 422**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Denney moved that the House adjourn until 10 a.m., Thursday, April 6, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 5:34 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### EIGHTY-EIGHTH LEGISLATIVE DAY THURSDAY, APRIL 6, 2006

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Henbest, Shepherd(2). Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Lyndsey Vincent, Page.

### Approval of Journal

April 6, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-seventh Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

April 5, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1441**, as amended, as amended in the House, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1441**, as amended, as amended in the House, and, when so signed, ordered it returned to the Senate.

April 5, 2006

Mr. Speaker:

I return herewith enrolled **HCR 66**, **H 865**, **H 861**, and **H 866** which have been signed by the President.

WOOD, Secretary

Enrolled **H 865**, **H 861**, and **H 866** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HCR 66** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

April 5, 2006

Mr. Speaker:

I transmit herewith **S 1492**, as amended, which has passed the Senate.

WOOD, Secretary

**S 1492**, as amended, was filed for first reading.

April 5, 2006

Mr. Speaker:

I return herewith **H 868** which has passed the Senate.

WOOD, Secretary

**H 868** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

April 6, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 422**, as amended in the Senate, and **H 868**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 422**, as amended in the Senate, and **H 868**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 6, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 860**, **H 862**, **H 857**, **H 853**, and **H 864** to the Governor at 3:20 p.m., as of this date, April 5, 2006.

FIELD(18), Chairman

April 5, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1482**, as amended, and recommend that it do pass.

BLOCK, Chairman

**S 1482**, as amended, was filed for second reading.

April 6, 2006

Mr. Speaker:

We, your COMMITTEE ON WAYS AND MEANS, report that we have had under consideration **SCR 132** and recommend that it do pass.

CLARK, Chairman

**SCR 132** was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

**S 1492**, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**S 1462**, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

**H 421**, as amended in the Senate, by Revenue and Taxation committee, was read the second time by title and filed for third reading.

**HJM 26**, by Ways and Means Committee, was read the second time by title and filed for third reading.

**H 877**, by State Affairs Committee, was read the second time by title and filed for third reading.

**S 1494**, **S 1495**, **S 1496**, **S 1497**, **S 1498**, **S 1499**, and **S 1500**, by Finance Committee, were read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1462** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that

**S 1462** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Clark, Henbest, Roberts, Sali, Shepherd(2). Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1462** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **S 1462** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- LeFavour, Mitchell. Total -- 2.

Absent and excused -- Clark, Henbest, Sali, Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1462** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 877** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be

dispensed with, this being a case of urgency; and that **H 877** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Clark, Henbest, Roberts, Sali, Shepherd(2). Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 877** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Block to open debate.

The question being, "Shall **H 877** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood, Mr. Speaker. Total -- 60.

NAYS -- Barrett, Crow, Lake, McKague, Rydalch, Stevenson. Total -- 6.

Absent and excused -- Clark, Henbest, Roberts, Shepherd(2). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 877** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1494** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1494** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Clark, Henbest, Roberts, Sali, Shepherd(2). Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1494** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **S 1494** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Brackett, Bradford, Cannon, Chadderdon, Clark, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Schaefer, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 50.

NAYS -- Andrus, Barrett, Bayer, Bolz, Collins, Crow, Denney, Hart, Harwood, Lake, Loertscher, McGeachin, McKague, Rydalch, Sali, Shepherd(8), Wood. Total -- 17.

Absent and excused -- Henbest, Roberts, Shepherd(2). Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1494** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1495** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1495** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Clark, Henbest, Roberts, Sali, Shepherd(2). Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1495** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1495** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 55.

NAYS -- Andrus, Barrett, Bayer, Crow, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Rydalch, Sali. Total -- 12.

Absent and excused -- Black, Henbest, Roberts. Total -- 3.

Paired Vote:

AYE -- Shepherd(2). NAY -- Crow.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1495** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1496** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1496** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Clark, Henbest, Roberts, Sali, Shepherd(2). Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1496** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **S 1496** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour,

Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Sali, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 62.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Black, Crow, Henbest, Moyle, Roberts, Shepherd(2), Wills. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1496** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1497** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1497** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Clark, Henbest, Roberts, Sali, Shepherd(2). Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1497** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1497** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Block, Boe, Brackett, Bradford, Cannon,

Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 54.

NAYS -- Barrett, Bayer, Bolz, Hart, Harwood, McGeachin, Rydalch, Sali. Total -- 8.

Absent and excused -- Black, Crow, Henbest, McKague, Moyle, Roberts, Shepherd(2), Wills. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1497** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1498** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1498** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Clark, Henbest, Roberts, Sali, Shepherd(2). Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1498** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1498** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 55.

NAYS -- Barrett, Bayer, Crow, Hart, Lake, McKague, Moyle, Nonini, Sali, Smith(24). Total -- 10.

Absent and excused -- Black, Henbest, Roberts, Shepherd(2), Wills. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1498** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1499** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1499** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Clark, Henbest, Roberts, Sali, Shepherd(2). Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1499** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1499** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henderson, Jaquet, Kemp, Martinez, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 49.

NAYS -- Andrus, Barrett, Bayer, Crow, Hart, Lake, LeFavour, Loertscher, Mathews, McGeachin, McKague, Moyle, Sali, Shepherd(8), Smith(24), Wood. Total -- 16.

Absent and excused -- Black, Henbest, Roberts, Shepherd(2), Wills. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1499** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1500** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1500** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bayer, Clark, Henbest, Roberts, Sali, Shepherd(2). Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1500** was read the first

time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **S 1500** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wood, Mr. Speaker. Total -- 55.

NAYS -- Barrett, Crow, Hart, Lake, Loertscher, McKague, Moyle, Sali, Smith(24), Stevenson. Total -- 10.

Absent and excused -- Black, Henbest, Roberts, Shepherd(2), Wills. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1500** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

### Consideration of Messages from the Governor and the Senate

April 6, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1491**, **S 1493**, and **SCR 136** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1491**, **S 1493**, and **SCR 136** and, when so signed, ordered them returned to the Senate.



Mr. Denney moved that the House recess until 4 p.m.  
Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 4 p.m.

#### RECESS

The House reconvened at 4 p.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused -- Bedke, Deal, Henbest, Sali, Schaefer, Shepherd(2). Total -- 6.

Total -- 70.

Prior to recess, the House was at the Fourth Order of Business.

#### Consideration of Messages from the Governor and the Senate

April 6, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1462, S 1494, S 1495, S 1496, S 1497, S 1498, S 1499, and S 1500** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1462, S 1494, S 1495, S 1496, S 1497, S 1498, S 1499, and S 1500** and, when so signed, ordered them returned to the Senate.

April 6, 2006

Mr. Speaker:

I return herewith enrolled **H 422**, as amended in the Senate, and **H 868** which have been signed by the President.

WOOD, Secretary

Enrolled **H 422**, as amended in the Senate, and **H 868** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 6, 2006

Mr. Speaker:

I return herewith **H 876** which has failed the Senate.

WOOD, Secretary

**H 876** was filed in the Office of the Chief Clerk.

#### Report of Standing Committees

April 6, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 865, H 861, and H 866** to the Governor at 10:30 a.m., as of this date, April 6, 2006.

FIELD(18), Chairman

April 6, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 66** to the Secretary of State at 10:37 a.m., as of this date, April 6, 2006.

FIELD(18), Chairman

April 6, 2006

Mr. Speaker:

We, your COMMITTEE ON WAYS AND MEANS, report that we have had under consideration **H 673**, as amended in the Senate, and recommend that it do pass.

CLARK, Chairman

**H 673**, as amended in the Senate, was filed for second reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mr. Denney moved that the House adjourn until 10 a.m., Friday, April 7, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 4:17 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

#### EIGHTY-NINTH LEGISLATIVE DAY FRIDAY, APRIL 7, 2006

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Henbest, Shepherd(2). Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Ian McMahan, Page.

#### Approval of Journal

April 7, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-eighth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

April 6, 2006

Mr. Speaker:

I transmit herewith **S 1501** which has passed the Senate.

WOOD, Secretary

**S 1501** was filed for first reading.

April 6, 2006

Mr. Speaker:

I return herewith **H 869, H 870, H 871, H 872, H 873, H 874, H 875, and H 877** which have passed the Senate.

WOOD, Secretary

**H 869, H 870, H 871, H 872, H 873, H 874, H 875, and H 877** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

April 7, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 869, H 870, H 871, H 872, H 873, H 874, H 875, and H 877**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 869, H 870, H 871, H 872, H 873, H 874, H 875, and H 877**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 7, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 422**, as amended in the Senate, and **H 868** to the Governor at 4:20 p.m., as of this date, April 6, 2006.

FIELD(18), Chairman

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**S 1501**, by State Affairs Committee, was introduced, read the first time by title, and held at the Desk.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**S 1482**, as amended, and **SCR 132**, by State Affairs Committee, were read the second time by title and filed for third reading.

**S 1492**, as amended, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

**H 673**, as amended in the Senate, by State Affairs Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, April 10, 2006. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1482**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1482**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bayer, Henbest, Roberts, Sali, Shepherd(2). Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1482**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

Pursuant to Rule 16, Mr. Denney moved that the House adjourn until 10 a.m., Monday, April 10, 2006. Seconded by Mr. Moyle. Motion carried by voice vote.

Whereupon the Speaker declared the House adjourned at 11 a.m. BRUCE NEWCOMB, Speaker

ATTEST:  
PAMM JUKER, Chief Clerk

**NINETY-SECOND LEGISLATIVE DAY  
MONDAY, APRIL 10, 2006**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 67 members present.  
Absent and excused -- Clark, Mitchell, Trail. Total -- 3.  
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Michael Kelsey, Page.

**Approval of Journal**

April 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-ninth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

April 7, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 422**, as amended in the Senate, **H 561**, as amended in the Senate, as amended in the Senate, **H 570**, as amended, **H 655**, as amended in the Senate, **H 713**, as amended, as amended in the

Senate, **H 736**, as amended, **H 737**, as amended, **H 739**, **H 742**, as amended, **H 753**, as amended, **H 760**, as amended, **H 771**, **H 772**, **H 773**, **H 774**, **H 775**, **H 778**, as amended, **H 791**, **H 795**, **H 814**, as amended, **H 834**, **H 836**, **H 837**, **H 838**, **H 839**, **H 844**, **H 849**, **H 852**, and **H 853**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

There being no objection, the House advanced to the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that **S 1482**, as amended, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**S 1482**, as amended, having previously been read for the third time at length, was placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to close debate.

The question being, "Shall **S 1482**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Shirley, Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 50.

NAYS -- Boe, Henbest, Jaquet, LeFavour, Martinez, Miller, Pasley-Stuart, Pence, Ringo, Rusche, Sayler, Shepherd(2), Skippen, Smith(30). Total -- 14.

Absent and excused -- Bedke, Cannon, Clark, Mitchell, Smith(24), Trail. Total -- 6.  
Total -- 70.

Whereupon the Speaker declared **S 1482**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **H 859** and **H 421**, as amended in the Senate, be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

**HJM 26** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open debate.

The question being, "Shall **HJM 26** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Cannon, Clark, Mitchell, Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **HJM 26** passed the House. Title was approved and the memorial was ordered transmitted to the Senate.

**H 673**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 673**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Deal, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, McKague, Miller, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 49.

NAYS -- Andrus, Denney, Ellsworth, Lake, Loertscher, Mathews, McGeachin, Moyle, Nielsen, Nonini, Raybould, Rydalch, Sali, Saylor, Shirley, Smith(24), Wills, Wood. Total -- 18.

Absent and excused -- Cannon, Clark, Mitchell. Total -- 3.

Paired Vote:

AYE -- Trail. NAY -- Ellsworth.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 673**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle asked unanimous consent that **SCR 132** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**SCR 132** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

Mrs. Garrett asked unanimous consent that, pursuant to Rule 22, discussion of be allowed in debate of **SCR 132**. There being no objection, it was so ordered.

The question being, "Shall **SCR 132** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Clark, Collins, Crow, Deal, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, McKague, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 54.

NAYS -- Barraclough, Chadderdon, Denney, Ellsworth, Harwood, Henbest, Henderson, Mathews, McGeachin, Miller, Nonini, Rydalch, Schaefer, Wood. Total -- 14.

Absent and excused -- Bayer, Mitchell. Total -- 2.

Paired Votes:

AYE -- Trail. NAY -- Ellsworth.

AYE -- Clark. NAY -- Wood.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **SCR 132** passed the House. Title was approved and the resolution was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **S 1492**, as amended, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**S 1492**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

The question being, "Shall **S 1492**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake,

LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Ringo. Total -- 1.

Absent and excused -- Bayer, Black, Clark, Mitchell, Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1492**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

#### Consideration of Messages from the Governor and the Senate

April 10, 2006

Mr. Speaker:

I return herewith enrolled **H 869, H 870, H 871, H 872, H 873, H 874, H 875**, and **H 877** which have been signed by the President.

WOOD, Secretary

Enrolled **H 869, H 870, H 871, H 872, H 873, H 874, H 875**, and **H 877** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

#### Report of Standing Committees

April 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 673**, as amended in the Senate.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 673**, as amended in the Senate, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

April 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 869, H 870, H 871, H 872, H 873, H 874, H 875**, and **H 877** to the Governor at 11:40 a.m., as of this date, April 10, 2006.

FIELD(18), Chairman

**S 1404** held at the Desk March 28, 2006, was referred to General Orders.

There being no objection, the House returned to the Fourth Order of Business.

#### Consideration of Messages from the Governor and the Senate

April 10, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1482**, as amended, **S 1492**, as amended, and **SCR 132** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1482**, as amended, **S 1492**, as amended, and **SCR 132** and, when so signed, ordered them returned to the Senate.

April 10, 2006

Mr. Speaker:

I return herewith enrolled **H 673**, as amended in the Senate, which has been signed by the President.

WOOD, Secretary

Enrolled **H 673**, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 10, 2006

Mr. Speaker:

I return herewith **HCR 63** which has passed the Senate.

WOOD, Secretary

**HCR 63** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

#### Report of Standing Committees

April 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 63**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HCR 63**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Twelfth Order of Business.

#### Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

April 10, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration S 1404 and report it back without recommendation, amended as follows:

**HOUSE AMENDMENT TO S 1404****AMENDMENT TO THE BILL**

On page 2 of the printed bill, delete lines 6 through 8 and insert:

"SECTION 2. That Section 33-802, Idaho Code, be, and the same is hereby amended to read as follows:

33-802. School levies. Any tax levied for school purposes shall be a lien on the property against which the tax is levied. The board of trustees shall determine the levies upon each dollar of taxable property in the district for the ensuing fiscal year as follows:

1. Bond, Interest and Judgment Obligation Levies. Such levies as shall be required to satisfy all maturing bond, bond interest, and judgment obligations.

2. Maximum School Maintenance and Operation Levies. Such levies for maintaining and operating the schools of the district and for the payment of tuition and transportation, that do not exceed an amount equal to ~~four-tenths of one percent (.4%) during tax year 1994, and do not exceed an amount equal to three-tenths fifteen-hundredths~~ of one percent (.315%) during tax year ~~1995~~ 2006 and thereafter, applied to the actual or adjusted market value for assessment purposes of the district as such valuation existed on December 31 of the previous year, but allowances necessary as a credit for prepaid taxes, as provided in section 63-1607, Idaho Code, shall not be included in such maximum levies. Provided however, that in the event property within a district's boundaries is contained in a revenue allocation area established under chapter 29, title 50, Idaho Code, and such revenue allocation area has given notice of termination thereunder, then, only for the purpose of determining the levy described in this subsection, the district may add the increment value, as defined in section 50-2903, Idaho Code, to the actual or adjusted market value for assessment purposes of the district as such value existed on December 31 of the previous year. For tax year 2007 and thereafter, the levy rate limitation of this subsection 2. shall be modified as follows:

(a) Multiply the amount of money raised statewide in the prior year pursuant to this section by one and three-hundredths (1.03);

(b) Subtract the value of any increase in statewide market value for assessment purposes resulting from new construction or change of land use classification as evidenced by the value shown on the new construction roll compiled pursuant to section 63-301A, Idaho Code, from the actual or adjusted statewide market value as such valuation existed on December 31 of the previous year;

(c) Divide the amount in subsection 2.(a) of this section by the amount in subsection 2. (b) of this section;

(d) Reduce the rate resulting from the calculation in subsection 2.(c) of this section by an amount equal to the moneys appropriated pursuant to section 33-1002D, Idaho Code.

3. Authorized School Maintenance and Operation Levies. Such levies for maintaining and operating the schools of the district and for the payment of tuition and transportation that do not exceed one hundred eleven percent (111%) of the local district's contribution authorized in subsection 2. of section 33-1002, Idaho Code. Implementation of the provisions of this subsection shall be authorized only after approval by a majority of the district's electors voting on the question. Levies otherwise authorized by law shall not require an election.

4. Supplemental Maintenance and Operation Levies. No levy in excess of the levy permitted by subsection 2. or 3. of this section shall be made by a noncharter school district unless such a supplemental levy in a specified amount and for a specified time not to exceed two (2) years be first authorized through an election held pursuant to chapter 4, title 33, Idaho Code, and approved by a majority of the district electors voting in such election. A levy approved pursuant to this subsection may be reduced by a majority vote of the board of trustees in the second year.

5. Charter District Supplemental Maintenance and Operation. Levies pursuant to the respective charter of any such charter district shall be first authorized through an election held pursuant to chapter 4, title 33, Idaho Code, and approved by a majority of the district electors voting in such election.

6. The Local District Contribution. The local school district contribution levy is the amount utilized for calculating local district participation in the educational foundation program, which is applied to the adjusted market value for assessment purposes, as such valuation existed on December 31 of the previous year, together with the increment value, as defined in section 50-2903, Idaho Code, if applicable under the circumstance described in subsection 2. of this section, relating to termination of a revenue allocation area.

7. The board of trustees of any school district that has, for at least seven (7) consecutive years, been authorized through an election held pursuant to chapter 4, title 33, Idaho Code, to certify a supplemental levy that has annually been equal to or greater than twenty percent (20%) of the total general maintenance and operation fund, may submit the question of an indefinite term supplemental levy to the electors of the school district. Such question shall clearly state the dollar amount that will be certified annually and that the levy will be for an indefinite number of years. The question must be approved by a majority of the district electors voting on the question in an election held pursuant to chapter 4, title 33, Idaho Code. The levy approved pursuant to this subsection may be reduced by a majority vote of the board of trustees during any fiscal year.

8. School districts not receiving state equalization funds in fiscal year 2006 may authorize a budget stabilization levy for fiscal years 2007 through 2011. Such levies shall not exceed the following amount:

(a) The amount of money the school district received from its maintenance and operation levy and state property tax replacements fund in fiscal year 2006; minus

(b) The amount of money the school district will receive from its maintenance and operation levy and state property tax replacement funds in fiscal year 2007, and the amount of equalized state funds that the state department of education estimates the school district will receive in fiscal year 2007.

SECTION 3. That Section 33-1002, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002. Educational support program. The educational program is calculated as follows:

1. State Educational Support Funds. Add the state appropriation, including the moneys available in the public school income fund, together with all miscellaneous revenues to determine the total state funds.

2. From the total state funds subtract the following amounts needed for state support of special programs provided by a school district:

- a. Pupil tuition-equivalency allowances as provided in section 33-1002B, Idaho Code;
- b. Transportation support program as provided in section 33-1006, Idaho Code;
- c. Feasibility studies allowance as provided in section 33-1007A, Idaho Code;
- d. The approved costs for border district allowance, provided in section 33-1403, Idaho Code, as determined by the state superintendent of public instruction;
- e. The approved costs for exceptional child approved contract allowance, provided in subsection 2. of section 33-2004, Idaho Code, as determined by the state superintendent of public instruction;
- f. Certain expectant and delivered mothers allowance as provided in section 33-2006, Idaho Code;
- g. Salary-based apportionment calculated as provided in sections 33-1004 through 33-1004F, Idaho Code;
- h. Unemployment insurance benefit payments according to the provisions of section 72-1349A, Idaho Code;
- i. For expenditure as provided by the public school technology program;
- j. For the support of provisions that provide a safe environment conducive to student learning and maintain classroom discipline, an allocation of \$300 per support unit; and
- k. Any additional amounts as required by statute to effect administrative adjustments or as specifically required by the provisions of any bill of appropriation;

to secure the state educational support funds.

3. Local Districts' Contribution Calculation. Without including any allowance as a credit for prepaid taxes as provided by section 63-1607, Idaho Code, the local districts' contribution shall be ~~the amount appropriated pursuant to section 33-1002D, Idaho Code, plus three-tenths percent (.3%) during fiscal year 2003-04 and each year thereafter, a percentage~~ of the total state adjusted market value for assessment purposes for the previous year with such percentage being determined pursuant to section 33-802, Idaho Code, and with such value being determined by the provisions of section 63-315, Idaho Code, with such value being multiplied by the percentage calculated in section 33-802 2.(a), (b), (c) and (d), Idaho Code, and four-tenths percent (.4%)

during fiscal year 1994-95 and each year thereafter, of the cooperative electrical associations' property values that have been derived from the taxes paid in lieu of ~~ad-valorem~~ property taxes for the previous year as provided in section 63-3502, Idaho Code. In order to receive state funds, pursuant to this section, a charter district shall utilize a school maintenance and operation property tax levy, for the purposes of calculating the moneys to be raised, that is no greater than that which it levied in tax year 1994, less the difference between the maximum levy rate permitted by section 33-802, Idaho Code, and four-tenths of one percent (.4%).

4. Educational Support Program Distribution Funds. Add the local districts' contribution, subsection 3. of this section, and the state educational support program funds, subsection 1. of this section, together to secure the total educational support program distribution funds.

5. Average Daily Attendance. The total state average daily attendance shall be the sum of the average daily attendance of all of the school districts of the state. The state board of education shall establish rules setting forth the procedure to determine average daily attendance and the time for, and method of, submission of such report. Average daily attendance calculation shall be carried out to the nearest hundredth. Computation of average daily attendance shall also be governed by the provisions of section 33-1003A, Idaho Code.

6. Support Units. The total state support units shall be determined by using the tables set out hereafter called computation of kindergarten support units, computation of elementary support units, computation of secondary support units, computation of exceptional education support units, and computation of alternative school secondary support units. The sum of all of the total support units of all school districts of the state shall be the total state support units.

COMPUTATION OF KINDERGARTEN SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Units Allowed
41 or more	40	1 or more as computed
31 - 40.99 ADA		1
26 - 30.99 ADA		.85
21 - 25.99 ADA		.75
16 - 20.99 ADA		.6
8 - 15.99 ADA		.5
1 - 7.99 ADA		count as elementary

COMPUTATION OF ELEMENTARY SUPPORT UNITS

Average Daily Attendance	Attendance Divisor Allowed	Minimum Units
300 or more ADA		15
	..23...grades 4,5 & 6...	
	..22...grades 1,2 & 3....1994-95	
	..21...grades 1,2 & 3....1995-96	
	..20...grades 1,2 & 3....1996-97 and each year thereafter.	
160 to 299.99 ADA	20	8.4
110 to 159.99 ADA	19	6.8
71.1 to 109.99 ADA	16	4.7

51.7 to 71.0 ADA... 15.....	4.0
33.6 to 51.6 ADA... 13.....	2.8
16.6 to 33.5 ADA... 12.....	1.4
1.0 to 16.5 ADA... n/a.....	1.0

COMPUTATION OF SECONDARY SUPPORT UNITS

Average Daily	
Attendance	Attendance Divisor Minimum Units Allowed
750 or more ....	18.5..... 47
400 - 749.99 ADA....	16..... 28
300 - 399.99 ADA....	14.5..... 22
200 - 299.99 ADA....	13.5..... 17
100 - 199.99 ADA....	12..... 9
99.99 or fewer Units allowed as follows:	
Grades 7-12 . . . . .	8
Grades 9-12 . . . . .	6
Grades 7- 9 . . . . .	1 per 14 ADA
Grades 7- 8 . . . . .	1 per 16 ADA

COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

Average Daily	
Attendance	Attendance Divisor Minimum Units Allowed
14 or more ....	14.5..... 1 or more as computed
12 - 13.99....	..... 1
8 - 11.99....	..... .75
4 - 7.99....	..... .5
1 - 3.99....	..... .25

COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
12 or more.....	12.....	1 or more as computed

In applying these tables to any given separate attendance unit, no school district shall receive less total money than it would receive if it had a lesser average daily attendance in such separate attendance unit. In applying the kindergarten table to a kindergarten program of less days than a full school year, the support unit allowance shall be in ratio to the number of days of a full school year. The tables for exceptional education and alternative school secondary support units shall be applicable only for programs approved by the state department of education following rules established by the state board of education. Moneys generated from computation of support units for alternative schools shall be utilized for alternative school programs. School district administrative and facility costs may be included as part of the alternative school expenditures.

7. State Distribution Factor per Support Unit. Divide educational support program distribution funds, after subtracting the amounts necessary to pay the obligations specified in subsection 2. of this section, by the total state support units to secure the state distribution factor per support unit.

8. District Share of State Funds for Educational Support Program. Ascertain a district's share of state funds for the educational support program as follows:

a. District Contribution Calculation. Without including any allowance as a credit for prepaid taxes, as provided in section

63-1607, Idaho Code, the district contribution calculation shall be the rate determined under subsection 3. of this section.

b. District Support Units. The number of support units for each school district in the state shall be determined as follows:

(1) Divide the actual average daily attendance, excluding students approved for inclusion in the exceptional child educational program, for the administrative schools and each of the separate schools and attendance units by the appropriate divisor from the tables of support units in this section, then add the quotients to obtain the district's support units allowance for regular students, kindergarten through grade 12 including alternative school secondary students. Calculations in application of this subsection shall be carried out to the nearest tenth.

(2) Divide the combined totals of the average daily attendance of all preschool, handicapped, kindergarten, elementary, secondary and juvenile detention center students approved for inclusion in the exceptional child program of the district by the appropriate divisor from the table for computation of exceptional education support units to obtain the number of support units allowed for the district's approved exceptional child program. Calculations for this subsection shall be carried out to the nearest tenth when more than one (1) unit is allowed.

(3) The total number of support units of the district shall be the sum of the total support units for regular students, subsection 8.b.(1) of this section, and the support units allowance for the approved exceptional child program, subsection 8.b.(2) of this section.

c. Total District Allowance Educational Program. Multiply the district's total number of support units, carried out to the nearest tenth, by the state distribution factor per support unit and to this product add the approved amount of programs of the district provided in subsection 2. of this section to secure the district's total allowance for the educational support program.

d. District Share. To secure the district's share of state apportionment, subtract the amount of the local district contribution calculation, subsection 3. of this section, from the amount of the total district allowance, subsection 8.c. of this section.

e. Adjustment of District Share. The contract salary of every noncertificated teacher shall be subtracted from the district's share as calculated from the provisions of subsection 8.d. of this section.

SECTION 4. That Section 33-1002D, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002D. Property tax ~~replacement~~ relief. The purpose of this section is to provide ongoing property tax relief. All moneys transferred to the public school income fund, pursuant to section 67-6804, Idaho Code, shall be annually appropriated by the legislature to the educational support program/division of operations as state discretionary funds. replace a portion of the authorized school maintenance and operation property tax levy with state sales tax receipts. As used in this section, the term



"property tax computation ratio" shall mean a ratio determined by dividing the district's certified property tax maintenance and operation budget by the actual or adjusted market value for assessment purposes as such values existed on December 31 of the previous calendar year, together with the increment value, as defined in section 50-2903, Idaho Code, if applicable under the circumstance described in section 33-802 2., Idaho Code, relating to termination of a revenue allocation area.

(1) (a) In the case of a school district that had a property tax computation ratio of not less than four-tenths of one percent (.4%) in tax year 1994, that school district shall receive from the appropriations made for that purpose, an amount equal to the greater of the district's actual or adjusted market value for assessment purposes as such valuation existed on December 31 of the previous calendar year, together with the increment value, as defined in section 50-2903, Idaho Code, if applicable under the circumstance described in section 33-802 2., Idaho Code, relating to termination of a revenue allocation area, multiplied by one-tenth of one percent (.1%).

(b) In the case of a school district that had a property tax computation ratio of less than four-tenths of one percent (.4%) in tax year 1994, the greater of the 1992, 1993 or 1994 property tax computation ratio less three-tenths of one percent (.3%) shall be designated the district's base multiplier. In no case shall the base multiplier be less than zero (0). Four-tenths of one percent (.4%) less the greater of the district's 1992, 1993 or 1994 property tax computation ratio shall be designated the district's adjustment factor. In no case shall the adjustment factor be greater than one-tenth of one percent (.1%) or less than zero (0). Each school district's actual multiplier shall be the base multiplier plus one-fifth (1/5) of the adjustment factor in tax year 1995, the base multiplier plus two-fifths (2/5) of the adjustment factor in tax year 1996, the base multiplier plus three-fifths (3/5) of the adjustment factor in tax year 1997, the base multiplier plus four-fifths (4/5) of the adjustment factor in tax year 1998, and the base multiplier plus the adjustment factor in tax year 1999 and beyond. Each school district shall receive, from the appropriations made for that purpose, an amount equal to the district's actual or adjusted market value for assessment purposes as such valuation existed on December 31 of the previous calendar year, together with the increment value, as defined in section 50-2903, Idaho Code, if applicable under the circumstance described in section 33-802 2., Idaho Code, relating to termination of a revenue allocation area, multiplied by the district's actual multiplier.

(c) The preceding provisions of this subsection notwithstanding, appropriations from the state for the value of one-tenth of one percent (.1%) of the greater of the district's actual or adjusted market value for assessment purposes as such valuation existed on December 31 of the previous calendar year, together with the increment value, as defined in section 50-2903, Idaho Code, if applicable under the circumstance described in section 33-802 2., Idaho Code, relating to termination of a revenue allocation area, shall not exceed seventy-five million dollars (\$75,000,000) in any fiscal year. If the amount school districts would otherwise be entitled to receive pursuant to the preceding provisions of this subsection exceeds seventy-five million dollars

(\$75,000,000), then each school district shall receive its share of seventy-five million dollars (\$75,000,000) based on the formulas contained in this section.

(2) (a) Participation in this property tax reduction program is voluntary for a charter district. If a charter district participates, in addition to the provisions of subsection (1) of this section it shall not have a property tax computation ratio that is above three-tenths of one percent (.3%) or the district's property tax computation ratio in tax year 1994, less one-tenth of one percent (.1%), whichever is greater.

(b) If in any year the charter district's property tax computation ratio used to calculate its maintenance and operation budget is increased above the limit specified in this subsection the district shall not be eligible for the distribution pursuant to subsection (1) of this section for that year.

(3) Limitations imposed upon a school district's property tax computation ratio under the provisions of this section do not apply to any levy approved by electors of the school district as provided by law.

(4) Distributions calculated as provided in this section shall be made to school districts of this state in two (2) equal installments on the due dates as specified in section 63-903(1), Idaho Code, for the property taxes being replaced.

(5) For purposes of section 33-1002, Idaho Code, moneys distributed pursuant to this section shall not be included in determining total state funds.

SECTION 5. That Chapter 68, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-6804, Idaho Code, and to read as follows:

67-6804. TRANSFER OF EXCESS REVENUES. (1) The legislature finds that it is in the best interest of the taxpayers of the state of Idaho to establish a state budget system that captures surplus revenues for the purposes described herein.

(2) If the state controller certifies that the receipts to the general fund for the fiscal year just ending have exceeded the receipts of the previous fiscal year by more than eight percent (8%), then the state controller shall transfer all general fund collections in excess of said eight percent (8%) increase to the public school income fund.

(3) Once a transfer has been made, pursuant to this section, the state controller shall transfer the same dollar amount to the public school income fund in each subsequent fiscal year. If the provisions of subsection (2) of this section cause further transfers to be made, then the annual transfer made by the state controller shall be increased by a like amount.

(4) All transfers to the public school income fund authorized by this section shall be expended pursuant to the provisions of section 33-1002D, Idaho Code.

SECTION 6. An emergency existing therefor, which emergency is hereby declared to exist, Section 2 of this act shall be in full force and effect on and after passage and approval,

and retroactively to January 1, 2006. Section 1 of this act shall be in full force and effect on and after passage and approval. Sections 3, 4 and 5 of this act shall be in full force and effect on and after July 1, 2006."

#### CORRECTION TO TITLE

On page 1, in line 2 delete "RELATING TO SCHOOL BONDS" and insert: "RELATING TO TAXATION POLICIES FOR FUNDING PUBLIC SCHOOLS"; and delete line 5 and insert: "PURPOSES"; AMENDING SECTION 33-802, IDAHO CODE, TO REDUCE THE MAINTENANCE AND OPERATION LEVY, TO REVISE HOW MAXIMUM SCHOOL MAINTENANCE AND OPERATION LEVIES ARE CALCULATED FOR TAX YEAR 2007 AND THEREAFTER AND TO PROVIDE FOR A BUDGET STABILIZATION LEVY FOR CERTAIN DISTRICTS; AMENDING SECTION 33-1002, IDAHO CODE, TO REDUCE THE LOCAL DISTRICTS' CONTRIBUTION, TO PROVIDE FOR CALCULATION OF THE NUMBER, TO REQUIRE SCHOOL DISTRICTS TO REDUCE THEIR LOCAL DISTRICT'S CONTRIBUTION TO BE ELIGIBLE FOR EDUCATIONAL SUPPORT PROGRAM DISTRIBUTION FUNDS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1002D, IDAHO CODE, TO PROVIDE ONGOING PROPERTY TAX RELIEF AND TO PROVIDE THAT MONEYS IN THE FUND SHALL BE STATE DISCRETIONARY FUNDS; AMENDING CHAPTER 68, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6804, IDAHO CODE, TO PROVIDE FOR THE TRANSFER OF EXCESS REVENUES OF THE GENERAL FUND UPON CERTAIN CIRCUMSTANCES OCCURRING AND TO PROVIDE FOR TRANSFERS TO THE PUBLIC SCHOOL INCOME FUND; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES."

We have also had under consideration **H 677** and **H 789**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**S 1404**, as amended in the House, was filed for first reading.

**H 677** and **H 789** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

### Report of Standing Committees

April 10, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed House Amendments to **S 1404**.

FIELD(18), Chairman

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

**S 1404**, as amended in the House, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1404**, as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1404**, as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Moyle.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini,

Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 55.

NAYS -- Boe, Henbest, Jaquet, LeFavour, Martinez, Pasley-Stuart, Pence, Ringo, Rusche, Sayler, Smith(30). Total -- 11.

Absent and excused -- Clark, Henderson, Mitchell, Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1404**, as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts and Mr. Bolz to open debate.

Mr. Roberts asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1404**, as amended in the House. There being no objection, it was so ordered.

The question being, "Shall **S 1404**, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Stevenson, Wills, Wood, Mr. Speaker. Total -- 53.

NAYS -- Boe, Edmunson, Henbest, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Pasley-Stuart, Pence, Ringo, Rusche, Smith(30), Smylie, Snodgrass. Total -- 16.

Absent and excused -- Trail. Total -- 1.

Paired Votes:

AYE -- Bradford. NAY -- Mitchell.

AYE -- Clark. NAY -- Edmunson.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1404**, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Tuesday, April 11, 2006. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 5:19 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

### NINETY-THIRD LEGISLATIVE DAY TUESDAY, APRIL 11, 2006

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused -- Bolz, Mitchell, Trail. Total -- 3.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Ellie Wladyka, Page.

### Approval of Journal

April 11, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninety-second Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR

Boise

April 10, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 833**, **H 714**, as amended, as amended in the Senate, **H 723**, as amended in the Senate, **H 770**, as amended in the Senate, as

amended in the Senate, **H 820, H 822, H 825, H 832**, as amended, **H 845, H 846, H 847, H 848, H 858, H 860**, and **H 864**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

April 11, 2006

Mr. Speaker:

I return herewith enrolled **HCR 63** which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 63** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

### Report of Standing Committees

April 11, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 673**, as amended in the Senate, to the Governor at 4:12 p.m., as of this date, April 10, 2006.

FIELD(18), Chairman

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**S 1243**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

Mr. Moyle asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1243**, as amended. There being no objection, it was so ordered.

The question being, "Shall **S 1243**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler,

Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bolz, Mitchell, Trail. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1243**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1247** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **S 1247** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bolz, Mitchell, Trail. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1247** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1429** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **S 1429** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rydalch, Sali, Sayler,

Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Lake, Rusche, Smith(24). Total -- 3.

Absent and excused -- Bolz, Mitchell, Trail. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1429** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

#### Consideration of Messages from the Governor and the Senate

April 11, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1243**, as amended, **S 1247**, and **S 1429** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1243**, as amended, **S 1247**, and **S 1429** and, when so signed, ordered them returned to the Senate.

#### Report of Standing Committees

April 11, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 63** to the Secretary of State at 11:11 a.m., as of this date, April 11, 2006.

FIELD(18), Chairman

**S 1501**, held at the Desk April 7, 2006, was referred to General Orders.

There being no objection, the House advanced to the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

##### HOUSE RESOLUTION NO. 3 BY WAYS AND MEANS COMMITTEE

##### A HOUSE RESOLUTION

PROVIDING FOR THE AMENDMENT OF RULE 57 OF THE RULES OF THE HOUSE OF REPRESENTATIVES.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives deems it necessary and desirable to amend Rule 57 of the Rules of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the Second

Regular Session of the Fifty-eighth Idaho Legislature, that Rule 57 of the Rules of the House of Representatives shall be amended to read as follows:

#### RULE 57

Committee Meetings, Attendance to be Open, Executive Sessions Limited, Disruption of Meetings.--(1) All regular meetings of any standing, special or select committee of the House of Representatives shall be open to the public at all times. Any person may attend any meeting of any standing or select or special committee, but may participate in said committee only with the approval of the committee itself. Such committee may resolve itself into executive session upon the vote of two-thirds of the membership of the committee, at which time persons who are not members of the legislature may be excluded, provided however, that during such executive session, no votes or official action may be taken.

(2) Executive sessions of a standing, special or select committee of the House of Representatives shall be limited and undertaken only when necessitated by extraordinary circumstances as provided in this rule. Except in an emergency involving security or threats against state citizens, resources or facilities, an executive session may be considered by a committee only after the committee has given public notice at least twenty-four hours in advance of the meeting that the committee will have before it a request to meet in executive session, has listed the person(s) or agency that has requested the executive session, and has described the reason(s) for which an executive session has been requested. Only after the committee chairman has identified the reason(s) for holding the executive session and only upon a two-thirds vote recorded in the minutes of the meeting of the committee, shall a committee be allowed to hold an executive session during any meeting, at which time persons who are not members of the legislature may be excluded. Executive sessions shall be held only when and to the extent necessary to: discuss records that are exempt from public disclosure by statute, court decision or court rule; consider pending litigation, mediation or arbitration; consider personnel decisions involving a legislative employee; conduct a preliminary investigation of an ethics complaint against a member under House Rule 76; consider charges brought against or the discipline or dismissal of a member when public disclosure would harm an innocent third party; discuss the security of or threats against state citizens, resources or facilities; or discuss acquiring an interest in real property which is not owned by a public agency. Under no circumstances, however, shall an executive session be authorized or held for the purpose of taking any final action or making any final decision, and during such executive session, no votes or official action may be taken.

(3) Nothing in this rule shall prohibit the removal of any person who willfully disrupts a meeting to the extent that orderly conduct is seriously compromised.

##### HOUSE RESOLUTION NO. 4 BY WAYS AND MEANS COMMITTEE

##### A HOUSE RESOLUTION

PROVIDING FOR THE AMENDMENT OF RULE 76 OF THE RULES OF THE HOUSE OF REPRESENTATIVES.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives deems it necessary and desirable to amend Rule 76 of the Rules of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, that Rule 76 of the Rules of the House of Representatives shall be amended to read as follows:

#### RULE 76

Committee on Ethics.--(1) The Speaker shall receive written, signed complaints from any person concerning misconduct involving legislative duties by a member of the House including, but not limited to, the alleged violation of the Rules of the House of Representatives and the provisions of applicable law. Whenever such a complaint is received, the Speaker shall appoint a committee on ethics of seven members, consisting of four majority party members, and three minority party members. The majority party members of the committee shall be selected from among the chairmen of committees of reference of the House. The minority party members of the committee shall be selected, after considering recommendations made by the minority leader, from among the members of the House who are senior in service and experience. The Speaker shall designate the chairman and vice chairman of the committee from among its members.

(2) The committee shall notify the person against whom the complaint was brought and shall provide such person with a copy of the complaint. The person complained against may submit a written answer to the committee. The committee shall make a preliminary investigation of the complaint. If, after investigation, the committee determines no violation has occurred, the complaint shall be dismissed. If, after investigation, the committee determines probable cause exists that a violation may have occurred, the committee shall so notify the person complained against. Such person may request a hearing before the committee, before which he shall be entitled to appear, present evidence, cross-examine witnesses, and be represented by counsel. The committee shall have the power to take testimony under oath and to issue subpoenas and subpoenas duces tecum in the manner provided in Section 67-407, Idaho Code.

(3) ~~All proceedings of the committee shall be governed by the provisions of Section 67-2345, Idaho Code.~~

(4) The committee may make appropriate recommendations to the House of Representatives based upon the investigations conducted and hearings held pursuant to this rule. In the case of a member of the House, the committee may recommend dismissal of the charges, reprimand, censure, or expulsion. Expulsion of a House member shall require the affirmative vote of two-thirds of the members elected to the House, as provided by Section 11 of Article III of the Constitution. Reprimand or censure of a member shall require the affirmative vote of a majority of the members elected to the House. Action of the House pursuant to this rule is final and not subject to court review.

(5) The committee may retain such counsel and may hire such investigators as it deems necessary for the performance of its duties under this rule. All expenditures incurred pursuant to

this subsection (5) shall be approved by the Speaker and paid by vouchers and warrants drawn as provided by law from appropriations made to the Legislative Account.

(6) The committee may adopt rules of procedure for the orderly conduct of committee meetings, investigations and hearings, which rules shall be consistent with this rule and other applicable rules and statutes.

(7) If the written signed complaint concerns misconduct of the Speaker, then the duties of the Speaker in this rule shall be the duties of the majority floor leader.

**HR 3** and **HR 4** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fourth Order of Business.

#### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

April 11, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 862** and **H 857**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

There being no objection, the House advanced to the Twelfth Order of Business.

#### Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

April 11, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1501** and report it back without recommendation, amended as follows:

**HOUSE AMENDMENTS TO S 1501**

**AMENDMENTS TO SECTION 1**

On page 1 of the printed bill, delete lines 9 and 10 and insert:

"SECTION 1. The Legislature finds that the issue of property taxes is of impor-"; delete lines 15 through 19 and insert: "to reducing property taxes and replacing the funds with an increase in the state sales tax."; delete lines 25 through 29 and insert:

""Shall property taxes be reduced and the funds be replaced by an increase in the state sales tax?"". "

**AMENDMENT TO THE BILL**

On page 1, following line 32 insert:

"SECTION 2. That Section 33-802, Idaho Code, be, and the same is hereby amended to read as follows:

33-802. SCHOOL LEVIES. Any tax levied for school purposes shall be a lien on the property against which the tax is levied. The board of trustees shall determine the levies upon each dollar of taxable property in the district for the ensuing fiscal year as follows:

1. Bond, Interest and Judgment Obligation Levies. Such levies as shall be required to satisfy all maturing bond, bond interest, and judgment obligations.

2. Maximum School Maintenance and Operation Levies. Such levies for maintaining and operating the schools of the district and for the payment of tuition and transportation, that do not exceed an amount equal to four-tenths of one percent (.4%) during tax year 1994, and do not exceed an amount equal to three-tenths of one percent (.3%) during tax year 1995 ~~and thereafter~~ through tax year 2005, applied to the actual or adjusted market value for assessment purposes of the district as such valuation existed on December 31 of the previous year, but allowances necessary as a credit for prepaid taxes, as provided in section 63-1607, Idaho Code, shall not be included in such maximum levies. Provided however, that in the event property within a district's boundaries is contained in a revenue allocation area established under chapter 29, title 50, Idaho Code, and such revenue allocation area has given notice of termination thereunder, then, only for the purpose of determining the levy described in this subsection, the district may add the increment value, as defined in section 50-2903, Idaho Code, to the actual or adjusted market value for assessment purposes of the district as such value existed on December 31 of the previous year. For tax year 2006, and each year thereafter, the maximum levy of this subsection 2. shall not exceed an amount equal to the following percentage as applied pursuant to this section:

(a) Multiply the amount of money raised statewide in the prior year, pursuant to this section, by 1.03;

(b) Subtract the value of any increase in statewide market value for assessment purposes resulting from new construction or change of land use classification as evidenced by the value shown on the prior year's new construction roll compiled pursuant to section 63-301A, Idaho Code, from the actual or adjusted statewide market value as such valuation existed on December 31 of the previous year;

(c) Divide the amount in subsection 2.(a) of this section by the amount in subsection 2.(b) of this section.

3. Authorized School Maintenance and Operation Levies. Such levies for maintaining and operating the schools of the district and for the payment of tuition and transportation that do not exceed one hundred eleven percent (111%) of the local district's contribution authorized in subsection 2. of section 33-1002, Idaho Code. Implementation of the provisions of this subsection shall be authorized only after approval by a majority of the district's electors voting on the question. Levies otherwise authorized by law shall not require an election.

4. Supplemental Maintenance and Operation Levies. No levy in excess of the levy permitted by subsection 2. or 3. of this section shall be made by a noncharter school district unless such a supplemental levy in a specified amount and for a specified time not to exceed two (2) years be first authorized through an election held pursuant to chapter 4, title 33, Idaho Code, and approved by a majority of the district electors voting in such election. A levy approved pursuant to this subsection may be reduced by a majority vote of the board of trustees in the second year.

5. Charter District Supplemental Maintenance and Operation. Levies pursuant to the respective charter of any such charter district shall be first authorized through an election held pursuant to chapter 4, title 33, Idaho Code, and approved by a majority of the district electors voting in such election.

6. The Local District Contribution. The local school district contribution levy is the amount utilized for calculating local district participation in the educational foundation program, which is applied to the adjusted market value for assessment purposes, as such valuation existed on December 31 of the previous year, together with the increment value, as defined in section 50-2903, Idaho Code, if applicable under the circumstance described in subsection 2. of this section, relating to termination of a revenue allocation area.

7. The board of trustees of any school district that has, for at least seven (7) consecutive years, been authorized through an election held pursuant to chapter 4, title 33, Idaho Code, to certify a supplemental levy that has annually been equal to or greater than twenty percent (20%) of the total general maintenance and operation fund, may submit the question of an indefinite term supplemental levy to the electors of the school district. Such question shall clearly state the dollar amount that will be certified annually and that the levy will be for an indefinite number of years. The question must be approved by a majority of the district electors voting on the question in an election held pursuant to chapter 4, title 33, Idaho Code. The levy approved pursuant to this subsection may be reduced by a majority vote of the board of trustees during any fiscal year.

SECTION 3. That Section 33-1002, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002. Educational support program. The educational support program is calculated as follows:

1. State Educational Support Funds. Add the state appropriation, including the moneys available in the public school income fund, together with all miscellaneous revenues to determine the total state funds.

2. From the total state funds subtract the following amounts needed for state support of special programs provided by a school district:

- a. Pupil tuition-equivalency allowances as provided in section 33-1002B, Idaho Code;
- b. Transportation support program as provided in section 33-1006, Idaho Code;
- c. Feasibility studies allowance as provided in section 33-1007A, Idaho Code;
- d. The approved costs for border district allowance, provided in section 33-1403, Idaho Code, as determined by the state superintendent of public instruction;
- e. The approved costs for exceptional child approved contract allowance, provided in subsection 2. of section 33-2004, Idaho Code, as determined by the state superintendent of public instruction;
- f. Certain expectant and delivered mothers allowance as provided in section 33-2006, Idaho Code;
- g. Salary-based apportionment calculated as provided in sections 33-1004 through 33-1004F, Idaho Code;
- h. Unemployment insurance benefit payments according to the provisions of section 72-1349A, Idaho Code;
- i. For expenditure as provided by the public school technology program;
- j. For the support of provisions that provide a safe environment conducive to student learning and maintain classroom discipline, an allocation of \$300 per support unit; and
- k. Any additional amounts as required by statute to effect administrative adjustments or as specifically required by the provisions of any bill of appropriation;

to secure the state educational support funds.

3. Local Districts' Contribution Calculation. Without including any allowance as a credit for prepaid taxes as provided by section 63-1607, Idaho Code, the local districts' contribution shall be the amount appropriated pursuant to section 33-1002D, Idaho Code, plus ~~three tenths percent (.3%) during fiscal year 2003-04 and each year thereafter, a percentage~~ of the total state adjusted market value for assessment purposes for the previous year, with such percentage being determined pursuant to section 33-802, Idaho Code, and with such value being determined by the provisions of section 63-315, Idaho Code, and four-tenths percent (.4%) during fiscal year 1994-95 and each year thereafter, of the cooperative electrical associations' property values that have been derived from the taxes paid in lieu of ad valorem taxes for the previous year as provided in section 63-3502, Idaho Code.

4. Educational Support Program Distribution Funds. Add the local districts' contribution, subsection 3. of this section, and the state educational support program funds, subsection 1. of this

section, together to secure the total educational support program distribution funds.

5. Average Daily Attendance. The total state average daily attendance shall be the sum of the average daily attendance of all of the school districts of the state. The state board of education shall establish rules setting forth the procedure to determine average daily attendance and the time for, and method of, submission of such report. Average daily attendance calculation shall be carried out to the nearest hundredth. Computation of average daily attendance shall also be governed by the provisions of section 33-1003A, Idaho Code.

6. Support Units. The total state support units shall be determined by using the tables set out hereafter called computation of kindergarten support units, computation of elementary support units, computation of secondary support units, computation of exceptional education support units, and computation of alternative school secondary support units. The sum of all of the total support units of all school districts of the state shall be the total state support units.

COMPUTATION OF KINDERGARTEN SUPPORT UNITS

Average Daily		
Attendance	Attendance Divisor	Units Allowed
41 or more	40.....	1 or more as computed
31 - 40.99 ADA....	.....	1
26 - 30.99 ADA....	.....	.85
21 - 25.99 ADA....	.....	.75
16 - 20.99 ADA....	.....	.6
8 - 15.99 ADA....	.....	.5
1 - 7.99 ADA....	.....	count as elementary

COMPUTATION OF ELEMENTARY SUPPORT UNITS

Average Daily		
Attendance Allowed	Attendance Divisor	Minimum Units
300 or more ADA.....	.....	15
..23...grades 4,5 & 6....	.....	
..22...grades 1,2 & 3...1994-95	.....	
..21...grades 1,2 & 3...1995-96	.....	
..20...grades 1,2 & 3...1996-97	.....	
and each year thereafter.		
160 to 299.99 ADA...20.....	.....	8.4
110 to 159.99 ADA...19.....	.....	6.8
71.1 to 109.99 ADA...16.....	.....	4.7
51.7 to 71.0 ADA... 15.....	.....	4.0
33.6 to 51.6 ADA... 13.....	.....	2.8
16.6 to 33.5 ADA... 12.....	.....	1.4
1.0 to 16.5 ADA... n/a.....	.....	1.0

COMPUTATION OF SECONDARY SUPPORT UNITS

Average Daily		
Attendance Allowed	Attendance Divisor	Minimum Units
750 or more	.....18.5.....	47
400 - 749.99 ADA....16.....	.....	28
300 - 399.99 ADA....14.5.....	.....	22
200 - 299.99 ADA....13.5.....	.....	17
100 - 199.99 ADA....12.....	.....	9



99.99 or fewer	Units allowed as follows:	
Grades 7-12	.....	8
Grades 9-12	.....	6
Grades 7- 9	.....	1 per 14 ADA
Grades 7- 8	.....	1 per 16 ADA

COMPUTATION OF EXCEPTIONAL EDUCATION  
SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
14 or more ....	14.5.....	1 or more as computed
12 - 13.99....	.....	1
8 - 11.99....	.....	.75
4 - 7.99....	.....	.5
1 - 3.99....	.....	.25

COMPUTATION OF ALTERNATIVE SCHOOL  
SECONDARY SUPPORT UNITS

Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
12 or more.....	12.....	1 or more as computed

In applying these tables to any given separate attendance unit, no school district shall receive less total money than it would receive if it had a lesser average daily attendance in such separate attendance unit. In applying the kindergarten table to a kindergarten program of less days than a full school year, the support unit allowance shall be in ratio to the number of days of a full school year. The tables for exceptional education and alternative school secondary support units shall be applicable only for programs approved by the state department of education following rules established by the state board of education. Moneys generated from computation of support units for alternative schools shall be utilized for alternative school programs. School district administrative and facility costs may be included as part of the alternative school expenditures.

7. State Distribution Factor per Support Unit. Divide educational support program distribution funds, after subtracting the amounts necessary to pay the obligations specified in subsection 2. of this section, by the total state support units to secure the state distribution factor per support unit.

8. District Share of State Funds for Educational Support Program. Ascertain a district's share of state funds for the educational support program as follows:

a. District Contribution Calculation. Without including any allowance as a credit for prepaid taxes, as provided in section 63-1607, Idaho Code, the district contribution calculation shall be the rate determined under subsection 3. of this section.

b. District Support Units. The number of support units for each school district in the state shall be determined as follows:

(1) Divide the actual average daily attendance, excluding students approved for inclusion in the exceptional child educational program, for the administrative schools and each of the separate schools and attendance units by the appropriate divisor from the tables of support units in this section, then add the quotients to obtain the district's support units allowance for regular students, kindergarten through grade 12 including alternative school secondary

students. Calculations in application of this subsection shall be carried out to the nearest tenth.

(2) Divide the combined totals of the average daily attendance of all preschool, handicapped, kindergarten, elementary, secondary and juvenile detention center students approved for inclusion in the exceptional child program of the district by the appropriate divisor from the table for computation of exceptional education support units to obtain the number of support units allowed for the district's approved exceptional child program. Calculations for this subsection shall be carried out to the nearest tenth when more than one (1) unit is allowed.

(3) The total number of support units of the district shall be the sum of the total support units for regular students, subsection 8.b.(1) of this section, and the support units allowance for the approved exceptional child program, subsection 8.b.(2) of this section.

c. Total District Allowance Educational Program. Multiply the district's total number of support units, carried out to the nearest tenth, by the state distribution factor per support unit and to this product add the approved amount of programs of the district provided in subsection 2. of this section to secure the district's total allowance for the educational support program.

d. District Share. To secure the district's share of state apportionment, subtract the amount of the local district contribution calculation, subsection 3. of this section, from the amount of the total district allowance, subsection 8.c. of this section.

e. Adjustment of District Share. The contract salary of every noncertificated teacher shall be subtracted from the district's share as calculated from the provisions of subsection 8.d. of this section.

9. Property Tax Computation Ratio. In order to receive state funds pursuant to this section a charter district shall utilize a school maintenance and operation property tax computation ratio for the purpose of calculating its maintenance and operation levy, that is no greater than that which it utilized in tax year 1994, less the difference between the maximum levy rate permitted by section 33-802 2., Idaho Code, and four-tenths of one percent (.4%). As used herein, the term "property tax computation ratio" shall mean a ratio determined by dividing the district's certified property tax maintenance and operation budget by the actual or adjusted market value for assessment purposes as such values existed on December 31, 1993. Such maintenance and operation levy shall be based on the property tax computation ratio multiplied by the actual or adjusted market value for assessment purposes as such values existed on December 31 of the prior calendar year.

SECTION 4. SEVERABILITY. The provisions of this act are hereby declared to be severable and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.

SECTION 5. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full

force and effect on and after its passage and approval, and retroactively to January 1, 2006."

#### CORRECTION TO TITLE

On page 1, delete lines 2 and 3 and insert:

"RELATING TO PROPERTY TAXES; STATING LEGISLATIVE FINDINGS, SUBMITTING AN ADVI-"; and in line 7, following "EXPENDITURES" insert: "; AMENDING SECTION 33-802, IDAHO CODE, TO REVISE HOW MAXIMUM SCHOOL MAINTENANCE AND OPERATION LEVIES ARE CALCULATED FOR TAX YEAR 2006, AND EACH YEAR THEREAFTER; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE THE LOCAL DISTRICTS' CONTRIBUTION CALCULATION, TO PROVIDE A PROPERTY TAX COMPUTATION RATIO FOR CHARTER SCHOOL DISTRICTS THAT MUST BE UTILIZED FOR THE CHARTER DISTRICT TO BE ELIGIBLE TO RECEIVE STATE FUNDS AND TO DEFINE "PROPERTY TAX COMPUTATION RATIO"; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION".

We have also had under consideration **H 677** and **H 789**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**S 1501**, as amended, was filed for first reading.

**H 677** and **H 789** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

#### Report of Standing Committees

April 11, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HR 3** and **HR 4** and House Amendments to **S 1501**.

FIELD(18), Chairman

**HR 3** and **HR 4** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

**S 1501**, as amended in the House, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

At this time, Mr. Denney took the Chair.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **HR 3** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HR 3** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Mitchell, Trail. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HR 3** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Speaker to open debate.

Ms. Jaquet asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of be adopted. There being no objection, it was so ordered.

The question being, "Shall **HR 3** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett,

Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 56.

NAYS -- Boe, Henbest, Jaquet, LeFavour, Martinez, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Shepherd(2), Smith(30). Total -- 12.

Absent and excused -- Mitchell, Trail. Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, **HR 3** passed the House. Title was approved and the resolution was ordered filed in the office of the Chief Clerk.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **HR 4** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HR 4** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Mitchell, Trail. Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HR 4** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Speaker to open debate.

The question being, "Shall **HR 4** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett,

Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 57.

NAYS -- Boe, Henbest, Jaquet, LeFavour, Martinez, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Smith(30). Total -- 11.

Absent and excused -- Mitchell, Trail. Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, **HR 4** passed the House. Title was approved and the resolution was ordered filed in the office of the Chief Clerk.

At this time, the Speaker took the Chair.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1501**, as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1501**, as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Mitchell, Trail. Total -- 2.  
Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1501**, as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

Mr. Clark asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1501**, as amended in the House. There being no objection, it was so ordered.

The question being, "Shall **S 1501**, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 54.

NAYS -- Boe, Cannon, Clark, Hart, Harwood, Henbest, Jaquet, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Ringo, Smith(30), Smith(24), Trail. Total -- 16.

Paired Votes:

AYE -- Ellsworth. NAY -- Trail.

AYE -- McGeachin. NAY -- Jaquet.

AYE -- Bastian. NAY -- Mitchell.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1501**, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

Mr. Roberts asked unanimous consent that **H 859** be returned to the Revenue and Taxation Committee. There being no objection, it was so ordered.

**H 421**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 421**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest,

Henderson, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 60.

NAYS -- Andrus, Barrett, Bedke, Crow, Denney, Harwood, Loertscher, Wood. Total -- 8.

Absent and excused -- Jaquet, Trail. Total -- 2.

Paired Vote:

AYE -- Mitchell. NAY -- Andrus.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 421**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Thirteenth Order of Business.

### Miscellaneous and Unfinished Business

Mr. Stevenson asked unanimous consent that the following Statement of Intent and Stipulation be entered in the House Journal. There being no objection, it was so ordered.

#### STATEMENT OF INTENT

Presented by Representative Stevenson

Since the defeat of House Bill 800, it was confirmed that Idaho Power Company voluntarily subordinated its hydropower water rights to Water Right Permit Nos. 01-7054 and 37-7842 as part of the Swan Falls Water Right Agreement, dated October 25, 1984. Water Right Permit No. 01-7054 is for diversion of water from the Snake River above Milner in the amount of 1,200 c.f.s. and has a priority date of August 25, 1980. Water Right Permit No. 37-7842 is for diversion of 800 c.f.s. of water from the Big Wood and Little Wood Rivers and carries a priority date of August 25, 1980.

Today, the State of Idaho and Idaho Power Company entered into a Stipulation in which the Company expressly acknowledges that its hydropower water rights are subordinated to Water Right Permit Nos. 01-7054 and 37-7842 and agrees to not oppose the exercise of these water rights on the basis of priority, the Swan Falls Agreement, or Idaho Code Sections 42-234, 42-4201 and 42-4201A. This Stipulation was filed today with the Idaho Department of Water Resources and will be memorialized in all of the affected water rights.

It is important to note that this Stipulation only resolves a portion of the dispute regarding the effect of the Swan Falls Agreement on recharge. The parties continue to disagree on whether Idaho Power Company voluntarily subordinated its hydropower water rights to aquifer recharge in excess of Water Right Permit Nos. 01-7054 and 37-7842 as part of the Swan Falls Agreement and also on the effect of the 1994 Amendments to Idaho Code Sections 42-234 and 42-4201A. This Stipulation preserves the parties respective positions on these disputes, and

the parties have agreed through this Stipulation that such issues will be resolved through litigation, if necessary. This Stipulation expressly provides that neither this Stipulation nor Idaho Code Sections 42-234, 42-4201 or 42-4201A shall bar the litigation of any issues regarding the interpretation of the Swan Falls Agreement.

This Stipulation is a first step in unraveling the recharge dispute that exists between Idaho Power Company and the State. As responsible parties should, we have resolved those issues upon which we could agree and have agreed to submit to a court, if necessary, those issues upon which we could not agree.

### STIPULATION

April 11, 2006

The Idaho Power Company and the State of Idaho ("State") hereby stipulate and agree, by and through their respective undersigned counsel, as follows:

- 1) Stipulation Regarding Water Right Permit Nos. 01-7054 and 37-7842: Recognizing that Water Right Permit Nos. 01-7054 and 37-7842 are subject to the Swan Falls Settlement –
  - a) The Company agrees that its water rights are subordinated to water rights nos. 01-7054 and 37-7842 pursuant to the terms of the Swan Falls Agreement and will neither contest nor otherwise oppose the exercise of those water rights on the basis of priority, the Swan Falls Agreement, or I.C. §§ 42-234, 42-4201 and 42-4201A. The Company further agrees that those water rights may be exercised in a manner consistent with state law.
  - b) The parties agree that all provisions of the Swan Falls Agreement and the implementing legislation shall continue to apply to Water Right Permit Nos. 01-7054 and 37-7842, including I.C. §§ 61-539 and 61-540 for the benefit of Idaho Power Company.
  - c) The parties further agree that in the event that the Idaho Water Resource Board (IWRB) seeks to have said permits licensed or decreed, that the Company will not file a protest or objection in such proceedings, but that the State, in recognition of its obligations under the Swan Falls Agreement and state law, through the Idaho Department of Water Resources (IDWR), will appropriately investigate such permits to ensure that they meet applicable requirements and that the licensed or decreed water rights fully comply with state law.
- 2) Further Proceedings Relating to the Swan Falls Agreement. The parties agree that in the event that there are disagreements or disputes between the parties as to the interpretation or application of the Swan Falls Agreement that they will endeavor to resolve those disagreements through informal discussions and negotiation. In the event that the parties are unable to resolve any such disagreements to their mutual satisfaction, either party, after notice to the other, may file a petition for declaratory relief with a court of appropriate jurisdiction to have the disagreement resolved and the Swan Falls Agreement interpreted and neither this Stipulation nor I.C. §§ 42-234, 42-4201, or 42-4201A shall act as a bar to the filing of such action.
- 3) Request for Recognition of the Stipulation. The parties agree to submit this Stipulation in all administrative and judicial proceedings involving the recognition of Water Right Permit Nos. 01-7054 and 37-7842 and to jointly present affidavits and such other evidence as may be required for the recognition of the Stipulation.
- 4) Defense of Stipulation. The parties agree to jointly support and defend the terms of the Stipulation against any and all objections or other challenges that may arise against the terms of the Stipulation in any administrative or judicial proceeding.
- 5) Stipulation Does Not Affect Statutory or Regulatory Authority. The parties agree that nothing in this Stipulation shall be construed or interpreted to affect the authority of the State as provided by constitution, statute or regulation. Nor shall this Stipulation be construed or interpreted to affect the rights of any person not a party to the Stipulation.
- 6) Stipulation Not to be Used Against Parties. Except as provided herein, neither party by entry into this Stipulation waives any legal position or arguments it may have regarding any legal disputes that may exist between the parties. Nothing in this Stipulation shall be construed as an admission against interest or tendered or used as evidence to support or oppose any party's claims or objections in any administrative or judicial proceeding, other than those seeking approval of the Stipulation, for interpretation, enforcement or administration of this Stipulation or for a purpose contemplated by Idaho Rule of Evidence 408.
- 7) Stipulation is Binding. The terms of this Stipulation shall bind and inure to the benefit of the respective successors of the parties.
- 8) Mutual Covenants of Authority. The parties represent and acknowledge that each of the undersigned is authorized to execute this Stipulation on behalf of the party they represent.
- 9) Non-Severability. The provisions of this Stipulation are not severable.
- 10) Triplicate Originals. This Stipulation is executed in triplicate.
 

Each of the three Stipulations with an original signature of each party shall be an original.

The parties have executed this Stipulation on the date following their respective signatures.

FOR THE STATE OF IDAHO, including THE IDAHO WATER RESOURCE BOARD:

Date: April 11, 2006

/s/ LAWRENCE G. WASDEN,  
Attorney General  
State of Idaho

FOR IDAHO POWER COMPANY:

Date: April 11, 2006

/s/ JAMES C. TUCKER  
Idaho Power Company

There being no objection, the House returned to the Fifth Order of Business.

### Report of Standing Committees

April 11, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 421**, as amended in the Senate.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 421**, as amended in the Senate, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

April 11, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 854** and recommend that it do pass.

WOOD, Chairman

**H 854** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 854** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 854** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Saylor.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Ellsworth, Jaquet, Mitchell, Sali, Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 854** was read the first

time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 854** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, Martinez, McKague, Miller, Moyle, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Sali, Saylor, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills. Total -- 49.

NAYS -- Barrett, Bayer, Bradford, Crow, Denney, Lake, LeFavour, Loertscher, Mathews, McGeachin, Mitchell, Nielsen, Raybould, Roberts, Rydalch, Schaefer, Smith(24), Wood, Mr. Speaker. Total -- 19.

Absent and excused -- Jaquet, Trail. Total -- 2.

Paired Votes:

AYE -- Sali. NAY -- Bayer.

AYE -- Collins. NAY -- Mitchell.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 854** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

### Consideration of Messages from the Governor and the Senate

April 11, 2006

Mr. Speaker:

I return herewith enrolled **H 421**, as amended in the Senate, which has been signed by the President.

WOOD, Secretary

Enrolled **H 421**, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 11, 2006

Mr. Speaker:

I transmit herewith **S 1502** which has passed the Senate.

WOOD, Secretary

**S 1502** was filed for first reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**S 1502**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

There being no objection, the House returned to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

Mr. Denney asked unanimous consent that committees be appointed by the Speaker to notify the Governor and the Senate that the House is ready to adjourn *Sine Die*. There being no objection, it was so ordered.

The Speaker appointed Representatives Field(23), Crow, and Martinez to notify the Governor and Representatives Cannon, Bastian, and Sayler to notify the Senate.

The committees were excused.

The committee appointed to notify the Governor reported that it had delivered the message to the Governor. The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate reported that it had delivered the message to the Senate. The committee was thanked and discharged by the Speaker.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Denney moved that the House of Representatives of the Second Regular Session of the Fifty-eighth Legislature of the State of Idaho adjourn *Sine Die*. Seconded by Mr. Sayler.

Whereupon the Speaker declared the motion carried and the House of Representatives of the Second Regular Session of the Fifty-eighth Legislature of the State of Idaho adjourned *Sine Die* at 7:05 p.m., April 11, 2006.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**H 421**, as amended in the Senate, was transmitted to the Governor at 11:25 a.m., as of this date, April 12, 2006.

**H 851** and **H 854** were returned from the Senate passed, enrolled, signed by the Speaker, signed by the President, and transmitted to the Governor at 11:25 a.m., as of this date, April 12, 2006.

**HJM 26** was returned from the Senate adopted, enrolled, signed by the Speaker, signed by the President, and transmitted to the Secretary of State at 11:29 a.m., as of this date, April 12, 2006.

OFFICE OF THE GOVERNOR  
Boise

April 12, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 421**, as amended in the Senate, **H 861**, **H 865**, **H 866**, **H 869**, **H 870**, **H 871**, **H 872**, **H 873**, and **H 877**

/s/ Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

OFFICE OF THE GOVERNOR  
Boise

April 13, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 875** and **H 673**, as amended in the Senate

/s/ Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

OFFICE OF THE GOVERNOR  
Boise

April 14, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 851**, **H 854**, **H 868**, and **H 874**

/s/ Very truly yours,  
DIRK A. KEMPTHORNE  
Governor

**CERTIFICATE**

WE, BRUCE NEWCOMB, Speaker of the House of Representatives, and PAMM JUKER, Chief Clerk, do hereby certify and attest as follows:

That we have carefully compiled in the House Journal of the Second Regular Session of the Fifty-eighth Legislature all of the proceedings of the Ninety-third Legislative Day, and that the said Journal contains a full, true, and correct record of all of the proceedings of said House of Representatives for said day and final action upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hands, this 18th day of April, 2006.

BRUCE NEWCOMB, Speaker

Attest:

PAMM JUKER, Chief Clerk



ALPHABETICAL SUBJECT MATTER INDEX

This index gives key words with regard to subject matter of legislation introduced in the House. Non-legislative subject matter is included and referred to by page number only.

Senate Bills are referred to only by number as read, voted upon, or amended in the House. No reference is made in this alphabetical index to Senate Bills; however, separate indexes in this volume list in numerical order all Senate Bills, Memorials, and Resolutions received by the House and show action taken by the House thereon.

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\* Law

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\* Law

\*\* Adopted

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\* Law

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403	Appropriations	16	APPROPRIATIONS - Providing for the transfer of \$9,250,000 to the Fire Suppression Deficiency Fund; providing for the transfer of \$47,800 to the Pest Control Deficiency Fund; and providing for the transfer of \$87,700 to the Hazardous Substance Emergency Response Fund. ....	22	53	LAW
404	Appropriations	17	APPROPRIATIONS - Appropriating an additional \$24,200 to the Office of the Governor for the Military Division for fiscal year 2006. ....	27	67	LAW
405	Commerce and Human Resources	17	TRAINING TAX - Amends existing law to extend the sunset date on the Workforce Development Training Fund Training Tax for an additional five years - from January 1, 2007, to January 1, 2012. ....	45	123	LAW
406	Commerce and Human Resources	17	ADVISORY COUNCIL - Adds to existing law to create a Science and Technology Advisory Council; and to provide duties and membership of the council. ....	45	123	LAW
407	Commerce and Human Resources	17	UNEMPLOYMENT BENEFITS - Amends existing law to revise conditions when a reserve tax may be imposed; to provide additional methods for charging benefits attributable to cost reimbursement employers under the Employment Security Law; to provide for repayment of any benefits received as a result of having willfully made a false statement or willfully failed to report a material fact; to define "employment security information" under the Public Records Act; to provide that the identity of an informant who reports a suspected violation of the Employment Security Law to the Department of Commerce and Labor under an assurance of confidentiality shall not be disclosed; to clarify that the State Tax Commission and the Department of Commerce and Labor can exchange certain information; and to provide that amounts owed for penalty and interest on debts owed to the State Tax Commission or the Department of Commerce and Labor may be offset against refunds owed to the debtor by either agency. ....	-	18	House Commerce and Human Resources
408	State Affairs	17	EMINENT DOMAIN - Adds to and amends existing law to provide that the right of eminent domain may be exercised on behalf of a public use; to provide that conveyance of a condemned property or an interest in a condemned property to a private party shall not be a public use; and to provide that no governing body shall delegate the power of eminent domain to an intermodal commerce authority nor shall a governing body exercise the power of eminent domain on behalf of any intermodal commerce authority on behalf of any project of an intermodal commerce authority. ....	-	18	House State Affairs



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409	Appropriations	18	APPROPRIATIONS - Stating legislative findings; and providing for the transfer of an additional \$70,000,000 to the Budget Stabilization Fund. ....	31	67	LAW
410	Agricultural Affairs	19	MEAT INSPECTION - Repeals existing law to delete provisions relating to meat inspections. ....	174	292	LAW
411	Agricultural Affairs	19	CATTLE - Amends existing law relating to tuberculosis to revise provisions relating to compensation for destroyed cattle or other animals. ....	139	292	LAW
412	Agricultural Affairs	19	BRUCellosIS - Amends existing law to revise veterinarian duties relating to the branding of positive reactors to a test for brucellosis. ....	184	384	LAW
413	State Affairs	19	CODIFIER CORRECTIONS - Amends existing law to "clean up" various code sections and subsections by renumbering those code sections or subsections that were redesignated by the compiler of the Idaho Code as a result of multiple amendments to code sections prior to the 2006 legislative session; and to correct typographical errors. ....	58	232	LAW
414	State Affairs	19	POLITICAL CANDIDATES - Amends existing law to provide that the political treasurer for a candidate who was defeated in the primary election and whose post-primary report shows an unexpended balance of contributions or a campaign debt, shall continue to file annual reports until there is no unexpended balance of contributions or no campaign expenditure deficit. ....	106	258	LAW
415	State Affairs	19	CAMPAIGN CONTRIBUTIONS - Amends existing law to provide application of the limitations on contributions law to political campaign contributions by political committees, by a person or political committee whose contribution or expenditure activity is financed, maintained or controlled by a trade association, labor union or collective bargaining organization. ....	110	258	LAW
416	State Affairs	20	CAMPAIGN CONTRIBUTIONS - Repeals and adds to existing law to enumerate permitted and nonpermitted uses of a contribution accepted by a candidate for public office. ....	-	23	House State Affairs
417	State Affairs	20	STATE AGENCIES - SERVICE FEES - Adds to existing law to define "state agencies"; to provide that state agencies may enter into certain agreements to provide access to services; and to provide that a service fee may be charged. ....	-	23	House State Affairs

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418	Revenue and Taxation	20	SCHOOLS - Amends existing law to reduce the amount that may be levied for school maintenance and operation levies; to revise the local school district's contribution calculation for school formula purposes; to revise how property tax replacement moneys are calculated; and to provide an annual three percent growth factor. ....	-	23	Revenue and Taxation
419	Revenue and Taxation	20	PROPERTY TAX - Amends existing law to revise how new construction or change of land use classification may be calculated for property tax revenue purposes for a taxing district's budget; and to provide that foregone increases may not be calculated for future increases. ....	-	23	Revenue and Taxation
420	Revenue and Taxation	20	PROPERTY TAX - Adds to existing law to provide a moratorium on the ratio study to be performed by the State Tax Commission on taxes imposed on property shown on the 2006 tax roll only. ....	-	23	Revenue and Taxation
421 AAS	Revenue and Taxation	20	PROPERTY TAX - Amends existing law to provide that the first \$75,000 of the market value for assessment purposes of the homestead or 50% of the market value for assessment purposes of the homestead, whichever is lesser, shall be exempt from property taxation; to define "homestead"; to provide for certain annual adjustments to the maximum amount subject to property tax exemption; to provide for publication and dissemination of adjustments; and to provide that the publication of adjustments shall be exempt from the provisions of the administrative procedure act. .... (Senate Amendments - See Senate Journal)	441	444	LAW
422 AAS	Revenue and Taxation	20	PROPERTY TAX - Amends existing law to delete adjustments to income limitations; to provide for a maximum income limitation of \$28,000 for tax year 2006 and each year thereafter or 185% of federal poverty guidelines for tax year 2006 and each year thereafter; to provide for a maximum tax reduction of \$1,320 in tax year 2006 and thereafter for circuit breaker property tax relief; and to revise the definitions of "claimant" and "income." .... (Senate Amendments - See Senate Journal)	120	424	LAW
423	Revenue and Taxation	20	PROPERTY TAX - Amends existing law to provide that the first \$50,000 of the market value for assessment purposes or 50% of the market value for assessment purposes of the homestead, whichever is the lesser, shall be exempt from property taxation; to define "homestead"; to provide for certain annual adjustments to the maximum amount subject to property tax exemption; to provide for publication and dissemination of adjustments; and to provide that the publication of adjustments shall be exempt from the provisions of the administrative procedure act. ....	-	23	Revenue and Taxation

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424	Revenue and Taxation	21	SCHOOLS - Amends and repeals existing law to reduce school maintenance and operation levies; and to delete the law relating to property tax replacement for schools. ....	-	23	Revenue and Taxation
425	Revenue and Taxation	21	REVERSE MORTGAGES - Amends existing law to authorize the Idaho Housing and Finance Association, banks, insurance companies, savings and loan associations and credit unions to make and undertake commitments to make or participate in the making of mortgage loans to persons over 62 years of age to pay property taxes and other expenses on the person's residential property. ....	-	23	Revenue and Taxation
426	Revenue and Taxation	21	SCHOOL DISTRICTS - IMPACT FEES - Amends existing law to authorize school districts to impose an impact fee on new residential construction within the district; to provide that the impact fee be collected when a building permit is issued; and to allow the board of trustees of a school district to adopt a motion to provide for the collection of an impact fee when building permits are issued within the school district. ....	-	23	Revenue and Taxation
427	Revenue and Taxation	21	PROPERTY TAX - Amends existing law to provide that when an individual parcel in a rural homesite development plat is transferred, the individual parcel shall not be eligible for the speculative portion of value of agricultural land exemption unless the requirements of the exemption are met; and to provide that remaining parcels are otherwise eligible for the speculative portion of value of agricultural land exemption unless they are otherwise ineligible. .	-	23	Revenue and Taxation
428	Revenue and Taxation	21	PROPERTY TAX - AGRICULTURAL LAND Repeals and amends existing law to repeal the law relating to a partial exemption for land in a rural homesite development plat; and to provide that the act of platting land actively devoted to agriculture does not, in and of itself, cause the land to lose its status as land being actively devoted to agriculture if the land otherwise qualifies for the exemption. ....	-	23	Revenue and Taxation
429	Revenue and Taxation	22	SCHOOLS - Amends existing law to remove the \$75,000,000 cap for property tax replacement for school districts. ....	-	23	Revenue and Taxation
430	Judiciary, Rules, and Administration	23	MENTAL HEALTH RECORDS - OFFENDERS Adds to existing law to provide for the transmission of certain mental health records for offenders under certain conditions; and to provide that no court order or individual authorization is required except in the case of substance abuse records. ....	151	292	LAW

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431	Judiciary, Rules, and Administration	23	PROBATION AND PAROLE OFFICERS - Amends existing law to provide that probation and parole officers shall be defined as "peace officers" authorized to arrest and place mentally ill or imminently dangerous probationers and parolees in a mental health treatment facility. ....	151	292	LAW
432	Judiciary, Rules, and Administration	23	SMALL LAWSUIT RESOLUTION ACT - Amends existing law relating to the Small Lawsuit Resolution Act to remove a sunset clause. ....	156	329	LAW
433	Business	23	PETROLEUM CLEAN WATER TRUST FUND Adds to and amends existing law to clarify that the compensation paid to the Board of Trustees of the Idaho Petroleum Clean Water Trust Fund is an honorarium. ....	204	329	LAW
434	State Affairs	25	STATE TREASURY MONEYS - Amends existing law to revise provisions relating to the investment of idle moneys in the state treasury. ....	81	232	LAW
435	State Affairs	25	LIQUOR DISPENSARY - Amends existing law to authorize the State Liquor Dispensary to buy, import, transport, store, sell and deliver nonalcohol merchandise; to authorize the superintendent of the State Liquor Dispensary to impose surcharges and to allow discounts relating to alcoholic liquor and all other merchandise sold. ....	72	232	LAW
436	State Affairs	25	CEMETERY DISTRICTS - Amends existing law relating to cemetery maintenance districts to revise bond provisions applicable to treasurers. ....	73	258	LAW
437	Revenue and Taxation	25	PROPERTY TAX - CIRCUIT BREAKER - Amends existing law to increase the qualifying income levels for circuit breaker property tax relief. ....	-	28	Revenue and Taxation
438	Revenue and Taxation	26	PROPERTY TAX - AGRICULTURAL LAND Amends existing law to provide that the exemption for the speculative portion of the value of agricultural property shall not change only because the property is included in a plat; to provide that the exemption for land in a rural homesite development plat is available only to property eligible for the exemption in 2005 and is lost after the earlier of December 31, 2010, the beginning of construction of a building, when the property is sold or transferred or when the property is annexed into a city; to provide that an application is required only in the case of property first eligible in 2005; to provide that the exemption is not available for property platted on and after January 1, 2006; to define "sold or transferred"; and to provide for reporting on the property tax rolls the exempted value within rural home site development plats. ....	-	28	Revenue and Taxation

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439	Revenue and Taxation	26	PROPERTY TAX DEFERRAL ACT - Adds to and amends existing law to enact the "Property Tax Deferral Act"; to provide for definitions; to provide for application for deferral of property tax; to provide for procedures and appeals; to provide for a deferral of property taxes and interest and liens relating to the deferral; to provide for reimbursement by the State Tax Commission of local taxes deferred; to provide a limit to the deferral and payment of taxes not deferred; to provide for events terminating the deferral; to provide for payment of deferred taxes; to provide for a tax deed in the event of failure to pay deferred taxes; to provide for recovery of erroneous deferrals; to provide a misdemeanor penalty for knowingly filing a false claim. ....	-	28	Revenue and Taxation
440	Appropriations	26	APPROPRIATIONS - Appropriating an additional \$50,000 to the Department of Commerce and Labor for personnel costs for fiscal year 2006; and reducing the appropriation to the Department of Commerce and Labor by \$50,000 for operating expenditures for fiscal year 2006. ....	38	73	LAW
441	Revenue and Taxation	26	INTERNAL REVENUE CODE - Amends existing law to update references to the Internal Revenue Code; and to disallow the federal income tax deduction for qualified production income activity for state income tax purposes. ....	-	28	Revenue and Taxation
442	Revenue and Taxation	26	INCOME TAX - Amends existing law to provide that sales, for purposes of computing Idaho taxable income of multistate or unitary corporations, other than sales of tangible property, are in this state if the income producing activity is performed both in and outside this state, in the same proportion that the income producing activity is performed in this state, based on costs of performance. ....	-	28	Revenue and Taxation
443 AAS	Revenue and Taxation	26	INCOME TAX - Amends existing law relating to the Idaho income tax to provide that subsequent changes to the consumer price index shall not affect income tax brackets; to require reporting of recapture of property tax on qualified investments; to conform the due date of electronically filed withholding reports by employers to the federal due date; to delete references to the assessment of tax; to provide provisions relating to the assessment of tax and the record of assessment; and to provide code references. .... (Senate Amendments - See Senate Journal)	315	355	LAW
444 AA	Revenue and Taxation	27	INCOME TAX - Amends existing law to delete the requirement that resident military members reduce deductions and exemptions in proportion to nontaxable military pay for state income tax purposes. .... (House Amendments - p. 114)	160	279	LAW

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445	Revenue and Taxation	27	INCOME TAX - Amends existing law relating to state income tax to define "pass-through entity," "members of pass-through entities" and "nonresidents"; to authorize composite returns for members of pass-through entities; and to require withholding of state income tax from specified payments made to certain nonresident members of pass-through entities. ....	-	28	Revenue and Taxation
446	Business	28	INSURERS - Amends existing law relating to borrowed surplus of stock and mutual insurers to provide that a commission or promotion expense may be paid in connection with issuance of a loan upon approval of the director of the Department of Insurance. ....	111	258	LAW
447	Business	28	INSURERS - Amends existing law relating to investments by insurance companies to delete provisions limiting the permissible amount of, or loan to value ratio of, certain loans made by Idaho domiciled insurance companies; to delete provisions limiting the permissible loan to value ratio of commercial loans to seventy-five percent of the fair market value of the property; and to provide that the permissible loan to value ratio of eighty percent applies to commercial mortgage loans made by Idaho domiciled insurance companies. ....	111	258	LAW
448	Business	28	INSURERS - INVESTMENTS - Amends, repeals and adds to existing law to provide for investment of funds by insurance companies in common and preferred stocks of solvent institutions existing under the laws of the government of Canada or any of its provinces; to delete authority for investment in guaranteed stocks; and to provide for investments in foreign securities. ....	111	258	LAW
449	Business	28	INSURERS - Amends existing law to provide that an insurer or insurance provider shall not be prohibited from providing to a policyholder or prospective policyholder inducements of an aggregate value of \$50.00 or less. ....	-	31	Business
450 AA	Judiciary, Rules, and Administration	29	BAIL - Amends existing law relating to bail to set forth the purpose of bail; and to revise provisions applicable to the forfeiture of bail. .... (House Amendments - p. 195)	237	237	Failed House
451	Commerce and Human Resources	29	FIREMEN'S RETIREMENT FUND - Amends existing law relating to the Firemen's Retirement Fund to revise provisions applicable to approved domestic retirement orders; to provide that certain benefits may be transferred pursuant to an approved domestic retirement order; to revise provisions applicable to death benefits of surviving spouses and children of certain firefighters; and to provide applicability. ....	71	232	LAW

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452	State Affairs	29	PURCHASING DIVISION - Amends existing law to provide that when an invitation to bid or a request for proposals is canceled prior to the award of a purchase order or contract, the administrator of the Division of Purchasing shall immediately return all bids or proposals to the submitting vendor and those bids or proposals shall not be subject to disclosure under the Public Records Act. ....	133	279	LAW
453	State Affairs	29	GRAPE GROWERS AND WINE PRODUCERS COMMISSION - Adds to existing law to provide any grape grower or wine producer the alternative to opt out of the applications of all provisions of Chapter 36, Title 54, Idaho Code, relating to the Idaho Grape Growers and Wine Producers Commission. ....	81	258	LAW
454	State Affairs	29	WINERIES - Amends existing law to provide that wineries that sell and ship to Idaho residents must obtain a permit, pay taxes and comply with specified shipping requirements; to provide for procedures and rules and exchange of information between the Idaho State Police and the State Tax Commission; and to provide for imposition of the wine excise tax upon all wines sold and shipped directly to Idaho state residents by an out-of-state wine manufacturer holding a wine direct shipper permit. ....	110	258	LAW
455	Revenue and Taxation	29	PROPERTY TAX - Adds to existing law to exempt from the property tax any increase in the net taxable value of real property of a taxpayer in excess of five percent per year; to provide that the property included in the calculation of the exemption shall include each parcel of real property owned by the taxpayer; and to provide that the exemption does not apply to forest lands. ....	-	32	Revenue and Taxation
456	Revenue and Taxation	29	PROPERTY TAX - Amends existing law to provide that the first \$100,000 of the market value for assessment purposes of the homestead or 50% of the market value for assessment purposes of the homestead, whichever is the lesser, shall be exempt from property taxation; to define "homestead"; to provide for certain annual adjustments to the maximum amount subject to property tax exemption; to provide for publication and dissemination of adjustments; and to provide that the publication of adjustments shall be exempt from the provisions of the Administrative Procedure Act. ....	-	32	Revenue and Taxation
457	Revenue and Taxation	30	INCOME TAX - Amends existing law to provide that, for state income tax purposes, a person who is a nonresident alien under the Internal Revenue Code is excluded from the definition of "resident." ....	136	292	LAW

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458	Revenue and Taxation	30	SALES TAX - SELLER'S PERMIT - Amends existing law to revise the penalty from a misdemeanor to a civil penalty, under the sales and use tax law, of doing business without a required seller's permit; to limit the penalty to persons who are responsible persons of a corporation or other business entity; and to provide for assessment of the penalty as a deficiency. ....	157	279	LAW
459	Revenue and Taxation	30	TAX - LICENSE, PERMITS, ACCOUNTS - Adds to, amends and repeals existing law to revise the laws regarding tax licenses, permits and accounts for persons or entities that collect cigarette tax, motor fuels tax or who withhold income tax; and to provide civil penalties for violations. ....	157	279	LAW
460	Revenue and Taxation	30	REAL ESTATE SALE - NONRESIDENTS - Adds to existing law to provide an income tax withholding on real estate sales by nonresidents and persons without a permanent place of business in Idaho. ....	-	32	Revenue and Taxation
461	Revenue and Taxation	30	PROPERTY TAX - Amends existing law to provide that property in a single county which is valued in excess of \$800,000,000 and not taxed due to the exemption for significant capital improvements shall not be included on any new construction roll. ....	157	279	LAW
462	Transportation and Defense	32	MOTOR VEHICLE INSURANCE - Amends existing law to reduce the eligibility age for certain automobile insurance policy discounts from sixty-five years of age to fifty-five years of age. ....	57	258	LAW
463 AA	Transportation and Defense	32	COMMERCIAL VEHICLES - Amends existing law relating to temporary registration of commercial motor vehicles to provide a thirty day unladen weight permit; and to clarify use of an unladen weight permit. .... (House Amendments - p. 100)	137	279	LAW
464	Transportation and Defense	32	PORTS OF ENTRY - Amends existing law to provide correct reference to the enforcement authority of Idaho Transportation Department employees at ports of entry and checking stations to clarify those vehicles required to stop at ports of entry and checking stations for inspection, grading or weighing. ....	57	258	LAW
465	Agricultural Affairs	32	COMMERCIAL FEED LAW - Amends and adds to existing law to redesignate sections; to authorize the director of the Idaho Department of Agriculture to copy certain records; to authorize rulemaking authority for the establishment of fees for services; to provide for "stop sale, use or removal" orders; to provide for commercial feed not in compliance with certain rules; to provide for prohibited acts; to provide severability; and to provide for the use of funds received. ....	145	279	LAW



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466	Agricultural Affairs	33	CARBON SEQUESTRATION COMMITTEE Amends existing law to provide additional members on the Carbon Sequestration Advisory Committee. ...	146	384	LAW
467	State Affairs	33	ELECTIONS - Amends existing law to provide for watchers to observe the conduct of an election; to allow pro and con persons to be at polling places for the purpose of challenging voters and observing the conduct of an election; to delete language allowing an elector to request a change in the information on his registration card; and to provide that the county clerk shall supply to a requesting school board a list of registered electors. ....	-	35	House State Affairs
468	State Affairs	33	HEALTH CARE DIRECTIVE REGISTRY - Adds to and amends existing law to provide a health care directive registry exception to the Public Records Act; to define "health care directive"; to permit registration of a health care directive and a health care directive revocation; to provide immunities; to create a health care directive registry in the Office of the Secretary of State; to permit the Secretary of State to charge a fee for registration of a health care directive; to limit access to the information contained in the registry; to limit liability; and to create the Health Care Directive Registry Fund. ....	-	99	House State Affairs
469	State Affairs	34	DISASTER - CONSUMER PROTECTION ACT Amends existing law to provide that it is a violation of the Consumer Protection Act to take advantage of a disaster or emergency declared by the Governor or the President of the United States by selling or offering to sell to a wholesaler, a retailer or the ultimate consumer, fuel or food, pharmaceuticals or water for human consumption at an exorbitant or excessive price for ninety days following the declaration unless the Governor continues the declaration beyond that period; and to increase civil penalties for a violation of the Consumer Protection Act. ....	-	35	House State Affairs
470	Revenue and Taxation	34	PROPERTY TAX - Adds to existing law relating to exemptions from taxation to provide an exemption from property tax of \$150,000 of market value for assessment purposes for the owner-occupied homestead of an individual 70 years of age or older who is the record owner holding title in fee simple or who has retained or been granted a life estate, who has paid Idaho real property taxes on Idaho residential real property continuously for the immediately preceding ten years and who occupies the homestead as the individual's primary dwelling place; to provide for administration of the application process; to provide definitions; and to declare the exemption is necessary and just. ....	-	35	Revenue and Taxation

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471	Revenue and Taxation	34	INCOME TAX - Amends existing law to delete the provision extending the payment due date from state income taxes when the date to file returns is extended; and to provide that the payment of any balance of tax is due on the earlier of the extended due date or the date the income tax return is filed. ....	136	279	LAW
472 AA	Revenue and Taxation	34	CIGARETTES - Amends existing law to revise the penalty for possessing more than ten packages of unstamped cigarettes from a criminal misdemeanor to a civil penalty; and to provide application to various retailers. .... (House Amendments - p. 179)	214	355	LAW
473	Revenue and Taxation	34	TAX REFUNDS - Adds to existing law to authorize agreements between the State Tax Commission and the United States Department of the Treasury for offset of tax refunds against tax liabilities; to provide limitations regarding the offset; and to provide application to federal debt. ....	157	279	LAW
474 AA	Revenue and Taxation	34	PROPERTY TAX - Amends existing law to provide that the occupancy tax applies to industrial property, but not to operating property; and to provide that electrical generation plants under construction, whether or not owned by or operated in connection with any public utility, shall be defined as operating property; and to provide that certain property apportioned based on physical location shall be placed on the new construction roll. .... (House Amendments - p. 250)	314	394	LAW
475	Revenue and Taxation	34	MUSEUM ADMISSION - SALES TAX - Amends existing law to provide a sales and use tax exemption for admissions to and purchases by museums; and to define "museum." ....	177	292	LAW
476	State Affairs	36	LIENS - Amends existing law relating to nonconsensual common law liens to clarify the remedy for removing an invalid claim of lien filed against a federal, state or local official or employee; and to revise penalties applicable to filing an invalid claim of lien. ....	110	258	LAW
477	State Affairs	36	VETERANS - SERVICES - Amends existing law to transfer all rights, title and interest in real and personal property held by the Department of Health and Welfare for the purpose of providing services to veterans to the Division of Veterans Services in further compliance with the provisions of Chapter 59, Laws of 2000. ....	82	258	LAW

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478	Revenue and Taxation	36	TAXING DISTRICTS - Amends existing law to provide that no taxing district shall certify a budget request for an amount of property tax revenues to finance an annual budget that exceeds the dollar amount of property taxes certified for its annual budget for any one of the three tax years preceding the current tax year, whichever is greater, which amount may be increased by a growth factor of not to exceed three percent, unless an election is held to exceed the amount authorized. ....	-	38	Revenue and Taxation
479	Revenue and Taxation	36	PUBLIC SCHOOL FINANCING - Amends and adds to existing law to revise how maximum school maintenance and operation levies are calculated for tax year 2006 and thereafter; to revise the local districts' contribution calculation; to provide that charter school districts must reduce property tax levies to be eligible to receive state funds; to provide that the purpose of section 33-1002D, Idaho Code, is to provide ongoing property tax relief; and to provide for transfers to the Public School Income Fund for property tax relief purposes. ....	-	38	Revenue and Taxation
480 AA	Revenue and Taxation	36	PROPERTY TAX - Adds to and amends existing law to provide a mechanism for the voters of certain taxing districts to reduce the property tax portion of the taxing district's budget for the following fiscal year, with exceptions; to provide for an increase of that amount according to certain factors; and to limit foregone increases. .... (House Amendments - p. 113)	122	122	Local Government and Taxation
481	Revenue and Taxation	37	TAXING DISTRICTS - Adds to existing law relating to property taxes to provide that no taxing district shall certify a budget request to finance the property tax portion of its operating budget for the fiscal year commencing in 2006 and ending in 2007 that exceeds the dollar amount of property taxes certified for that purpose in 2005; and to provide an exception. ....	-	38	Revenue and Taxation
482	Revenue and Taxation	37	PROPERTY TAX - EXEMPTIONS - Adds to existing law relating to property tax exemptions to provide for an exemption from taxation of that portion of the market value for assessment purposes of residential improvements and residential lots that exceeds the market value for assessment purposes of that same property for the year 2006, or the value as determined upon a reappraisal of the property at the time of a transfer of ownership; to require that the residential improvements be owner-occupied and used as the primary dwelling place of the owner; to declare that the exemption is necessary and just; and to provide that the exemption shall be available for certain owners who are absent by reason of active military service in a designated combat zone. ....	-	38	Revenue and Taxation

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483	Revenue and Taxation	37	INCOME TAX - CHECKOFF - RED CROSS Amends and adds to existing law to provide for the designation by individuals of a refund or an overpayment of income taxes or a donation by individuals to the American Red Cross of Greater Idaho Fund; and to create the American Red Cross of Greater Idaho Fund in the state treasury. ....	146	292	LAW
484	Revenue and Taxation	37	TAXATION - Amends existing law relating to taxation to revise the tax exemption applicable to pollution control devices or equipment. ....	147	147	Local Government and Taxation
485	Revenue and Taxation	37	PUBLIC INFRASTRUCTURE IMPROVEMENT DISTRICTS - Adds to existing law to provide for the creation of Public Infrastructure Improvement Districts. ....	184	184	Failed House
486	Sali	39	FUEL TAX - Amends existing law to suspend the imposition of the tax on motor fuel from April 1, 2006, through June 30, 2006; and to provide for the distribution of certain moneys in lieu of distributing taxes imposed on gasoline and special fuel for the period of April 1, 2006, through June 30, 2006. ....	-	42	Transportation and Defense
487	Sali	39	APPROPRIATIONS - TAX COMMISSION - Stating findings of the Legislature regarding a temporary moratorium on fuel taxes; and appropriating \$48,964,800 to the State Tax Commission for fuel tax revenue distribution. ....	-	42	Appropriations
488	State Affairs	39	LEGISLATORS - RESIGNATION - Amends existing law to provide for assumption of powers and duties of a legislator in the event the legislator resigns from office. ....	82	258	LAW
489	State Affairs	39	VETERANS HOMES - Amends existing law to provide admission to a state veterans home for the spouse of an eligible veteran; and to define "spouse." ....	-	42	House State Affairs
490	Agricultural Affairs	39	HONEY - BEES - Amends existing law relating to honeybees to provide for duties of the Idaho Honey Advertising Commission; to provide an exemption from annual taxation for hobbyist beekeepers; to provide for voluntary registration and payment of fees; and to provide for the publication of certain information relating to registered beekeepers. ....	158	292	LAW
491	Agricultural Affairs	39	VETERINARY FACILITIES - Amends and adds to existing law to revise definitions; and to provide requirements for emergency veterinary facilities and on-call emergency services. ....	138	329	LAW

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492	Agricultural Affaris	39	ANIMAL FEEDING OPERATIONS - Amends existing law relating to concentrated animal feeding operations to revise definitions; and to provide that requests by boards of county commissioners for suitability determinations by site advisory teams shall include the actual animal capacity of the facility. ....	174	384	LAW
493	Agricultural Affairs	39	BEE INSPECTIONS - Repeals and amends existing law relating to bee inspections to revise guidelines to ensure that the inspections are adequate; to revise provisions relating to investigations by the director of the Department of Agriculture; to revise criminal provisions relating to owners or keepers of diseased bees; to revise provisions relating to the transportation of certain bees, supplies and equipment; to provide for the publication of certain information relating to registered beekeepers by the Department of Agriculture; to revise registration fee provisions; and to provide an exemption from registration requirements for hobbyist beekeepers. ....	159	292	LAW
494	Lefavour	40	UTILITIES - SALES TAX - Repeals and amends existing law relating to the sales and use tax exemption for utilities to provide that the sales and use tax on utilities shall be paid to the school district building accounts. ....	-	42	Revenue and Taxation
495	Ringo	40	SALES TAX - SCHOOLS - Adds to existing law to increase the sales and use tax by one cent effective July 1, 2006; and to provide that the increased revenue be used for the funding of public schools. ....	-	42	Revenue and Taxation
496	Mathews	40	STATE AGENCIES - APPROPRIATIONS - Adds to existing law to require legislative authorization before an agency may expend an appropriation; to provide procedures; and to define "agency." ....	-	42	House State Affairs
497 AAS	Revenue and Taxation	40	SALES TAX REBATE - Adds to existing law to provide a sales and use tax rebate for the sales or use of tangible personal property used directly by a media production company in a media production project; to provide procedures; to define terms; to provide qualification requirements; and to provide for recapture. .... (Senate Amendments - See Senate Journal)	322	384	LAW
498	Hart	41	INCOME TAX - Adds to and amends existing law relating to income tax to provide a definition of "income"; to revise the definition of "Idaho taxable income"; to revise the definition of "employee"; and to provide a definition of "trade or business" for purposes of the State Income Tax Law. ....	-	42	Revenue and Taxation

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499	Health and Welfare	42	SMOKING - BOWLING ALLEYS - Amends existing law relating to clean indoor air to provide that designated smoking rooms in bowling alleys that meet certain conditions are excepted from public smoking prohibitions. ....	159	159	Failed House
500	Business	42	SELF-FUNDED HEALTH CARE PLANS - Amends and adds to existing law relating to self-funded health care plans to revise the declaration of purpose; to provide for nonapplicability to multiple employer welfare arrangements; to revise definitions; to revise application of registration requirements to single employer self-funded health plans; to clarify who may be a trustee or administrator; to revise provisions applicable to termination of registration; to provide that the adoption of rules shall be in accordance with the Idaho Administrative Procedure Act; to provide for application to single employer self-funded health plans; to revise penalties; to revise provisions applicable to coverage for birth and complications of pregnancy; to provide for application to single employer self-funded health plans for purposes of mammography; and to set forth provisions applicable to the crediting of preexisting condition waiting periods. ....	-	46	Business
501	Revenue and Taxation	43	COUNTY SALES TAX - Amends existing law to revise legislative findings regarding a county sales tax; to delete reference to use tax; to revise the purposes of the tax to include providing affordable housing for local public employees and employees of school districts; to revise general provisions of the tax; and to provide for joint exercise of powers agreements. ....	-	46	Revenue and Taxation
502	Revenue and Taxation	43	COUNTY SALES TAX - Amends existing law relating to county sales taxes to revise legislative findings; to require that a minimum number of registered voters vote in order for a local option tax to be valid; to revise the purposes of the tax; and to remove a sunset date. ....	-	46	Revenue and Taxation
503	Revenue and Taxation	43	PROPERTY TAX - EXEMPTION - Adds to existing law to provide for a property tax exemption for property owned by qualified persons; to provide for application of the exemption to residential improvements and the residential lot; to provide that the exemption shall continue for spouses under certain circumstances; to provide conditions for the exemption; to provide that an owner is required to make application for the exemption only once if certain conditions are met; to declare the exemption necessary and just; and to provide that the exemption shall be available for certain owners who are absent by reason of active military service in a designated combat zone. ....	-	46	Revenue and Taxation

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504	Revenue and Taxation	43	SCHOOL DISTRICT - DEVELOPMENT IMPACT FEES - Amends existing law to provide ordinance authority to school districts to impose a development impact fee; and to revise definitions. ....	-	46	Revenue and Taxation
505	Revenue and Taxation	43	SALES TAX - SCHOOLS - Amends, repeals and adds to existing law to increase the sales and use tax by one cent; to provide that the property tax shall not be used for maintenance and operation levies for the public schools; and to revise the educational funding formula for public schools. ....	-	46	Revenue and Taxation
506	Revenue and Taxation	44	PROPERTY TAX - Amends existing law relating to property tax relief to expand the definition of "claimant"; and to provide that recovery procedures apply to persons falsely claiming the federal earned income credit. ....	-	46	Revenue and Taxation
507	Revenue and Taxation	44	PROPERTY TAX RATIO STUDY - Adds to existing law to provide a moratorium on the ratio study required to be performed by the State Tax Commission by Section 63-315, Idaho Code, on taxes imposed on property shown on the 2006 tax roll only; and to direct the State Tax Commission to perform a study on the state's tax system and to provide recommendations and a report to the legislature in 2007. ....	-	46	Revenue and Taxation
508 AAS	Revenue and Taxation	44	TAXING DISTRICTS - Amends existing law to allow a taxing district to include fifty percent of the value of annexation during the previous calendar year for property tax budget limitation purposes. .... (Senate Amendments - See Senate Journal)	120	390	Failed to concur in Senate Amendments
509	Revenue and Taxation	44	TAXING DISTRICTS - Amends existing law relating to taxing districts to revise how new construction may be calculated and included in a taxing district's budget for property tax limitation purposes. ....	-	46	Revenue and Taxation
510	Revenue and Taxation	44	RURAL HOMESITES - PROPERTY TAX - Amends existing law relating to property taxation to provide that the platting of land actively devoted to agriculture does not alone cause the land to lose its actively devoted to agriculture status; to provide additional definitions; and to revise a definition. ....	-	46	Revenue and Taxation
511	Agricultural Affairs	47	CANOLA/RAPESEED COMMISSION - Amends existing law to revise provisions relating to the disbursement of funds from accounts of the Idaho Canola and Rapeseed Commission. ....	-	49	House Agricultural Affairs
512	Agricultural Affairs	47	MINT COMMISSION - Amends existing law to revise provisions relating to the disbursement of moneys from the accounts of the Idaho Mint Commission. ....	-	49	House Agricultural Affairs

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513	Agricultural Affairs	47	AGRICULTURAL TECHNOLOGY - Amends existing law to require the director of the Department of Agriculture to cooperate with specified entities to encourage the growth of agricultural technology in the state and to protect the integrity of existing agriculture and agricultural marketing channels. ....	174	384	LAW
514	Agricultural Affairs	47	PEST CONTROL - Repeals and adds to existing law relating to pest control to provide a procedure relating to infestations of certain pests; to provide for payment of costs relating to control and eradication; to provide for deficiency warrants; to describe control and eradication costs; to authorize the director to cooperate with other agencies and private citizens in control and eradication efforts; and to provide that all future appropriations for the Department of Agriculture shall take account of and provide for pest control expenses. ....	145	355	LAW
515	Agricultural Affairs	48	BRANDS - Amends existing law relating to the State Brand Board to increase fees for filing brand renewal applications; and to increase certain fees relating to brand inspections. ....	213	355	LAW
516	Agricultural Affairs	48	DOGFIGHTING - Amends existing law to provide that persons who knowingly participate in certain activities related to dogfighting exhibitions shall be guilty of a felony; and to exempt from application certain activities. ....	-	49	House Agricultural Affairs
517	Transportation and Defense	48	MOTOR CARRIERS - AGRICULTURAL COMMODITIES - Amends and adds to existing law to clarify that vehicles hauling agricultural commodities or products of the forest are exempt from regulation all year; and to provide that harvest season, for the purpose of vehicles transporting agricultural products, including fresh fruits and vegetables, livestock, livestock feed, products of the forest or manure, shall be year round. ....	81	329	LAW
518	State Affairs	48	LEGAL NOTICES - Amends existing law relating to legal notices to revise provisions applicable to the qualifications of newspapers for the purposes of printing legal notices. ....	-	49	House State Affairs
519	Judiciary, Rules, and Administration	49	PSEUDOEPHEDRINE - Amends existing law relating to Uniform Controlled Substances to revise the prohibited quantity of pseudoephedrine for purposes of determining applicable punishment. ....	-	180	Judiciary, Rules, and Administration
520	Business	49	ENGINEERS - Amends existing law to increase the number of years college or university faculty can teach engineering design without a license; and to exempt certain applicants for licensure as a professional engineer from examination requirements. ....	134	329	LAW



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521	Business	50	RECORD OF SURVEY - Amends existing law relating to surveys to require filing of a record of survey which results in the setting of certain monuments at corners of record within a specified time period. ....	134	329	LAW
522	Business	50	INSURANCE - Amends existing law to provide that a subscriber to a domestic reciprocal insurer proposing to transact worker's compensation insurance, which subscriber is a corporation, limited liability company or other legal entity recognized by the state of Idaho as a separate entity, shall be considered as one subscriber, regardless of the number of its wholly owned subsidiaries. ....	205	355	LAW
523	Resources And Conservation	50	FISH AND GAME - Amends existing law to authorize the Fish and Game Commission to assess an application surcharge on controlled hunt permits to implement, operate and maintain a bonus or preference point controlled hunt system. ....	204	204	Resources and Environment
524	Resources And Conservation	50	ENCROACHMENTS - Amends existing law to provide requirements for the permitting of existing navigational and nonnavigational encroachments. ....	149	329	LAW
525	Resources And Conservation	50	ENCROACHMENTS - Amends existing law relating to navigational and nonnavigational encroachments on navigable lakes to revise a definition. ....	149	329	LAW
526	Resources And Conservation	50	ENCROACHMENTS - Amends existing law to revise fee and cost provisions for certain permits for noncommercial navigational or nonnavigational encroachments; and to authorize the Board of Land Commissioners to charge specified applicants the actual costs of processing applications in the event the actual costs exceed the nonrefundable fee. ....	149	329	LAW
527	Resources And Conservation	50	ENCROACHMENTS - Amends existing law to provide for the recordation of permits issued for noncommercial navigational encroachments; to provide for community navigational encroachments; and to provide for recordation of permits issued for nonnavigational encroachments, commercial navigational encroachments and community navigational encroachments. ....	149	329	LAW
528	Resources And Conservation	50	ENCROACHMENTS - Amends existing law to clarify criteria relating to those types of noncommercial navigational encroachments subject to certain application procedural requirements; to provide for community navigational encroachments; to provide that applications for community navigational encroachments must be submitted or approved by the riparian or littoral owner; and to provide that a permit shall not be required for repair of an existing community navigational encroachment.	150	329	LAW

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529	Resources And Conservation	51	TIMBER - SALE - Amends existing law to revise measuring methods for the sale of state-owned timber. ....	150	329	LAW
530	Judiciary, Rules, and Administration	51	PSEUDOEPHEDRINE - SALE - Adds to existing law relating to the sale of pseudoephedrine to define terms; to set forth requirements relating to pseudoephedrine products; to set forth limitations on sales and purchases; to provide penalties; to provide for preemption; and to provide application. ....	134	317	LAW
531	Education	51	SCHOOLS - STUDENT INFORMATION MANAGEMENT SYSTEM - Amends existing law to permit the Idaho State Board of Education to adopt rules to implement a student information management system; to provide for access to the system; to provide definitions; and to provide correct code references. ....	-	53	House Education
532	Revenue and Taxation	51	REAL ESTATE TRANSFER TAX - Amends and adds to existing law to provide that voters in a county may authorize a residential real estate transfer tax in that county. ....	-	53	Revenue and Taxation
533 AAS	Judiciary, Rules, and Administration	55	DEATH PENALTY - Amends existing law to provide for the death penalty for murder in the perpetration of certain sexual crimes. .... (Senate Amendments - See Senate Journal)	253	329	LAW
534 AA	Judiciary, Rules, and Administration	55	STATUTE OF LIMITATIONS - Amends existing law to revise statute of limitations provisions applicable to specified felonies. .... (House Amendments - p. 100)	116	259	LAW
535	Judiciary, Rules, and Administration	55	SEXUAL OFFENDERS - Amends existing law relating to sexual offenders to revise provisions relating to the dissemination of information relating to violent sexual predators; and to provide for the deposit and use of certain fees. ....	116	258	LAW
536	Judiciary, Rules, and Administration	55	HUMAN TRAFFICKING - Adds to existing law relating to human trafficking to set forth legislative intent; to define "human trafficking"; to provide penalties; to set forth restitution and rehabilitation provisions; and to provide for human trafficking victim protection. ....	116	292	LAW
537	Judiciary, Rules, and Administration	55	SEXUAL OFFENDERS - Amends existing law relating to sexual offenders to provide for split sentences for specified sexual offenders; to provide for commutation of sentence for certain sexual offenders; to revise verification of address provisions relating to violent sexual predators; and to provide for mandatory electronic monitoring by the Department of Correction for violent sexual predators on probation or parole. ....	-	58	Judiciary, Rules, and Administration

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538	Business	55	LANDSCAPE ARCHITECTS - Amends existing law relating to landscape architects to revise licensure qualifications; to revise examination provisions; to increase examination and license fees; and to provide that the Board of Landscape Architects may recover the actual costs associated with an applicant's review of a failed examination. ....	206	329	LAW
539	Business	55	ARCHITECTS - Amends existing law relating to architects to revise the conduct of examinations; to provide for responsible control; to set forth when an architect may sign and seal technical submissions and other work; to require that certain technical submissions be maintained and made available to the Board of Architectural Examiners upon request; to define terms; to permit the use of the title "architect" in certain circumstances; and to prohibit persons from aiding or abetting others in the unlicensed practice of architecture. ....	206	329	LAW
540	Business	56	MORTICIANS - Amends and repeals existing law relating to morticians to exempt cemeteries or their authorized agents selling values or burial receptacles to the public; to revise requirements for a mortician's license; to revise requirements for resident trainee licenses; to repeal the authority of the Department of Health and Welfare to control the handling of dead bodies; to exempt certain licensed insurance agents; to revise definitions; to remove references to cemetery merchandise and services; to require the presentation of licenses; to require the maintenance of records; to revise provisions applicable to prearrangement trust fund deposits; to revise requirements applicable to persons advertising and marketing prearrangement sales contracts; and to require funeral establishments or crematories that go out of business or sell assets to disclose in writing the particulars of the contracts by their agents. ....	-	58	Business
541	Resources And Conservation	56	STATE PARKS - PARKING - Amends existing law to provide that parking violations in state parks shall be enforced by qualified employees of the Department of Parks and Recreation who are delegated with enforcement authority by the director of the Department of Parks and Recreation. ....	203	384	LAW
542	Resources And Conservation	56	PARK AND RECREATION BOARD- Amends existing law to provide that the Park and Recreation Board shall appoint the Waterway Improvement Fund Advisory Committee; to revise provisions relating to the terms of appointment for the Recreational Vehicle Advisory Committee; and to revise provisions relating to the compensation of the Off-Road Motor Vehicle Advisory Committee. ....	-	59	Resources and Conservation

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543	Resources And Conservation	56	UTILITY TYPE VEHICLES - Amends existing law to provide for governance of utility type vehicles; to define "utility type vehicle (UTV)"; to provide for registration requirements; to provide representation on the Off-Road Motor Vehicle Advisory Committee; and to provide for titling requirements for utility type vehicles and bond requirements for dealers of utility type vehicles. ....	-	59	Transportation and Defense
544	Resources And Conservation	56	IRRIGATION DISTRICT ELECTIONS - Amends existing law relating to irrigation district elections to provide that the number of votes be based on acres of assessed land, if approved by a majority of electors; to provide clarification for co-owners or multiple owners of parcels of land; and to provide a procedure. ....	161	355	LAW
545	Resources And Conservation	57	WATER RIGHTS ADJUDICATION - NORTHERN IDAHO - Adds to and amends existing law relating to water to provide for Northern Idaho water rights adjudication; to revise fee provisions for filing notice of claims with the Director of the Department of Water Resources; to provide legislative findings relating to accomplished transfers and the public interest regarding Northern Idaho adjudications; to provide that certain changes of place of use, points of diversion, nature or purpose of use, or period of use of a water right may be claimed in the Northern Idaho adjudications; and to provide for objections to recommendations for specified accomplished changes. ....	201	384	LAW
546	Resources And Conservation	57	IDAHO WATER RESOURCE BOARD - Amends existing law relating to the Idaho Water Resource Board to revise conditions under which the board may approve a loan for certain water project costs. ....	190	329	LAW
547	Education	57	VOCATIONAL REHABILITATION PROFESSIONAL-TECHNICAL EDUCATION Amends existing law relating to the State Board for Professional-Technical Education to provide additional rulemaking authority; to permit the board to enter into agreements to provide vocational rehabilitation services; to permit applications for approval and certification of such services; and to provide authority regarding certifications and approvals. ....	133	292	LAW
548	Business	61	ELECTRICAL CONTRACTORS - Amends existing law relating to electrical contractors and journeymen to authorize the administrator to revoke or suspend licenses if a licensee fails to maintain required insurance during the term of active licensure; and to set forth provisions applicable to inactive licenses. ....	159	292	LAW

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549	Business	61	ELECTRICAL CONTRACTORS - Amends and repeals existing law relating to electrical contractors and journeymen to revise provisions applicable to the duration of licenses; and to delete provisions applicable to the renewal of certain licenses. ....	148	292	LAW
550	Business	61	ELEVATOR SAFETY FUND - Adds to existing law to establish the Idaho Elevator Safety Fund; and to provide for the appropriation of moneys in the fund. ....	148	292	LAW
551	Business	61	PUBLIC WORKS CONTRACTORS - Amends existing law to revise the public works contractor licensing fees. ....	178	292	LAW
552	Business	61	BUILDING CODE BOARD - Amends existing law relating to the Division of Building Safety to revise the powers and duties of the Building Code Board; to revise provisions relating to the application of building codes; and to revise applicable building codes. ....	-	63	Business
553	Business	61	VOCATIONAL APPRENTICESHIP TRAINING PROGRAMS - Amends existing law relating to vocational apprenticeship training programs to require the Idaho Electrical Board, the Idaho Plumbing Board and the Idaho Heating, Ventilation and Air Conditioning Board to establish by rule the curriculum to be used in apprenticeship training programs, the qualifications necessary to attain journeyman status and such other qualifications deemed necessary by the board. ....	-	63	Business
554	Business	61	BUILDING SAFETY DIVISION - Amends and repeals existing law relating to the Division of Building Safety to revise the duties of the administrator; to update references to federal regulations; to repeal a prohibition on the conversion of systems following issuance of insignia; to repeal language exempting manufactured homes from local ordinances or regulations; and to repeal language relating to persons authorized to supervise the installation of plumbing, heat producing and electrical systems in manufactured homes. ....	148	292	LAW
555	State Affairs	62	EMINENT DOMAIN - Adds to existing law to provide limitations on eminent domain for private parties, urban renewal or economic development purposes; and to provide for review at judicial proceedings involving the exercise of the power of eminent domain. ....	166	317	LAW
556	State Affairs	62	CAMPAIGN CONTRIBUTIONS - Repeals and adds to existing law to enumerate permitted and nonpermitted uses of a contribution accepted by a candidate for public office. ....	106	258	LAW

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557	State Affairs	62	PUBLIC UTILITIES COMMISSION - Amends existing law to provide that, except upon its finding that the public interest will be served thereby, the Public Utilities Commission is prohibited in any order from setting rates for any utility that grants a return on construction work in progress or on property held for future use and which is not currently used and useful in providing utility service; to delete reference to short-term construction work in progress; and to provide that if the Public Utilities Commission sets rates for any utility including a return on property held for future use and subsequently determines that such property is not needed to provide utility service, then any gain or loss occurring from the sale or other disposition of the property will be included in the utility's rates. ....	-	63	House State Affairs
558	Local Government	64	DISTRICT HEALTH BOARDS - Amends existing law to provide the minimum and maximum number of members for boards of trustees for district boards of health; and to revise terms of office for organization purposes. ....	-	67	Local Government
559	Local Government	64	CITIES - LAW ENFORCEMENT - Amends existing law to provide that the mayor of a city is hereby authorized to call on every resident in the city, over 21 years of age, to aid in enforcing the laws. ....	137	279	LAW
560	Transportation and Defense	64	POLICE/EMERGENCY VEHICLES - Adds to existing law to provide for the duty of a driver of a motor vehicle upon approaching a stationary police vehicle or an authorized emergency vehicle displaying flashing lights. ....	138	292	LAW
561 AAS AAS	Transportation and Defense	64	MOTOR VEHICLES - Amends existing law to revise the criteria for maximum allowable load for any vehicle tire operated on public highways; and to provide nonapplication to nonreducible overweight and/or oversize vehicles and/or loads. .... (Senate Amendments - See Senate Journal)	388	424	LAW
562 AA	Transportation and Defense	65	MOTOR VEHICLES - LICENSE PLATES Amends existing law to provide that dealer and manufacturer plates may be used on laden vehicles operated by the manufacturer, dealer or his licensed vehicle salesman, in connection with the manufacturer's or dealer's business; and to provide that a dealer plate may be used on a laden trailer in connection with a manufacturer's or dealer's business to move vehicles or trailers from a manufacturer to a dealer, from dealership to dealership or from a dealership to off-site locations in promotion of the dealer's business, as long as the power unit is properly licensed. .... (House Amendments - p. 180)	214	384	LAW

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563	Health and Welfare	65	ACUPUNCTURE - Amends existing law relating to acupuncture to revise license and certification requirements. ....	-	67	House Health and Welfare
564	Health and Welfare	65	OPTOMETRISTS - Amends and repeals existing law relating to optometrists to provide for the deposit and distribution of fees; to increase the annual fee for license renewal; to repeal language applicable to additional license fees; and to remove language referencing the compensation of Board of Optometry members from certain moneys. ....	160	279	LAW
565 AA	Health and Welfare	65	RESIDENTIAL CARE ADMINISTRATORS Amends existing law relating to the Idaho Residential Care Administrators Act to revise provisions applicable to educational programs; to revise provisions applicable to the issuance of residential care facility administrator licenses; and to revise grounds for disciplinary action. .... (House Amendments - p. 180)	216	329	LAW
566	Health and Welfare	65	PSYCHOLOGISTS - LICENSE - Amends existing law relating to psychologists to increase the maximum allowable fee for license renewals. ....	160	279	LAW
567	Health and Welfare	65	AGING COMMISSION - Amends existing law relating to the Commission on Aging to include the ombudsman program as one for which grants or contracts may be utilized from the Commission on Aging. ....	207	355	LAW
568	Agricultural Affairs	65	AGRICULTURAL FIELD BURNING - Amends existing law relating to agricultural field burning to provide that a public records exemption shall not apply to certain information; and to provide that the Department of Agriculture shall provide advance notice and shall post information regarding agricultural field burning. ....	-	67	House Agricultural Affairs
569	Revenue and Taxation	65	PROPERTY TAX - SUBDIVISIONS - Repeals and adds to existing law relating to property taxation to exempt the speculative portion of each vacant subdivision or planned unit development lot from property taxation until improvements are being built on the lot or it is sold or transferred to an unrelated entity; and to provide definitions. ....	-	67	Revenue and Taxation
570 AA	State Affairs	65	STATE AFFAIRS PUBLIC RECORDS - Amends existing law relating to public records to define "applicant"; to provide that names of applicants to classified or merit system positions shall not be disclosed without written consent; to provide that the names of the five final applicants to all other positions may be released; and to provide for release of names if there are less than five applicants. .... (House Amendments - p. 271)	323	424	LAW

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571	State Affairs	66	PUBLIC EMPLOYEES - VETERANS - Amends, repeals and adds to existing law relating to veterans to provide a statement of purpose; to define terms; to revise provisions applicable to certain preferences given by public employers; to revise provisions applicable to preference and addition of points to competitive examination ratings; repealing law relating to refusing employment or discharge; to revise provisions applicable to observance by officials of the preference and exceptions; to revise provisions applicable to the failure or refusal to give preference; to provide for reemployment and leaves of absence; repealing law relating to reemployment rights of public employees called for military duty, rights after reinstatement, leaves of absence for public employees who are not accepted for military duty, enforcement and certain definitions; and to provide severability. ....	147	279	LAW
572	State Affairs	66	FOREST RESERVE FUNDS - Amends existing law to revise the distribution formula for forest reserve funds received by school districts within a county receiving forest reserve funds from the federal government. ....	-	67	House State Affairs
573	State Affairs	66	PRECINCT COMMITTEEMEN - Amends existing law to provide that the precinct committeemen within each legislative district shall meet within the legislative district or at a convenient location in a county contiguous to the legislative district, within eleven days after the primary election. ....	-	67	House State Affairs
574	State Affairs	66	STATE VETERANS HOME - Amends existing law to provide for admission to an Idaho State Veterans Home to the spouses of eligible veterans; and to define "spouse." ....	133	279	LAW
575	Appropriations	68	SURFACE MINING RECLAMATION FUND Amends existing law to delete language that provided any unencumbered and unexpended balances in the Surface Mining Reclamation Fund and the Cyanidation Facility Closure Fund remaining at the end of the fiscal year shall not lapse but shall be carried forward until expended or modified by subsequent statute; and to delete language that provided any unencumbered and unexpended balance of the Abandoned Mine Reclamation Fund remaining at the end of a fiscal year shall not lapse but shall be carried forward for the purposes of the statute on abandoned mines until expended or until modified by subsequent statute. ....	158	258	LAW



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576	Resources And Conservation	68	IRRIGATION DISTRICTS - Amends existing law relating to irrigation districts; to revise filing requirements relating to written nominations for the office of director; to revise publication requirements relating to notices of certain irrigation district elections; to revise provisions relating to elections involving the question of a contract between a district and the United States. ....	161	329	LAW
577	Commerce and Human Resources	69	UNEMPLOYMENT BENEFITS - Amends existing law to provide additional methods for charging benefits attributable to cost reimbursement employers under the Employment Security Law; to provide for repayment of any benefits received as a result of having willfully made a false statement or having willfully failed to report a material fact; to define "employment security information" under the Public Records Act; to provide that the identity of an informant who reports a suspected violation of the Employment Security Law to the Department of Commerce and Labor under an assurance of confidentiality shall not be disclosed; to clarify that the State Tax Commission and the Department of Commerce and Labor can exchange certain information; and to provide that amounts owed for penalty and interest on debts owed to the State Tax Commission or the Department of Commerce and Labor may be offset against refunds owed to the debtor by either agency. ....	106	258	LAW
578	Commerce and Human Resources	69	EMPLOYMENT SECURITY RESERVE FUND Amends existing law to provide that, for calendar year 2006, the imposition of a reserve tax for the Employment Security Reserve Fund shall not be precluded even if the balance of the reserve fund exceeds forty-nine percent of the actual balance of the Employment Security Fund. ....	135	279	LAW
579	Judiciary, Rules, and Administration	69	PEACE OFFICER STANDARDS AND TRAINING COUNCIL - Amends existing law relating to the Peace Officer Standards and Training Council to remove language authorizing the Council to receive applications and disburse moneys for financial assistance; to revise provisions applicable to the council's power to decertify officers; to revise the time period required for reporting certain actions to the council; to set forth provisions applicable to the rejection of applications for certifications; to define "convicted"; and to delete language referencing financial aid. ....	133	279	LAW
580	Judiciary, Rules, and Administration	69	EXPLOSIVES - Amends existing law to clarify that a person who makes a false report of explosives to an employee of a police department, sheriff's office or emergency dispatch center is guilty of a felony. ....	134	279	LAW

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581	Judiciary, Rules, and Administration	69	ADOPTION - Adds to and amends existing law relating to adoption to revise provisions applicable to petitions for adoptions of foreign born children; and to set forth provisions applicable to international adoptions. ....	151	292	LAW
582	Judiciary, Rules, and Administration	69	DRIVING UNDER THE INFLUENCE - Amends existing law relating to driving under the influence of intoxicating substances to provide for a civil penalty for refusal to submit to evidentiary testing; and to provide for the distribution and collection of penalty moneys. ....	151	384	LAW
583	Judiciary, Rules, and Administration	69	CRIMINAL PROCEDURES- Adds to existing law relating to criminal procedure to provide for the expungement of the criminal records of innocent persons. ....	190	190	Judiciary and Rules
584	Business	70	MORTGAGE PRACTICES - Amends existing law to prohibit certain unlicensed persons from engaging in mortgage brokering activities, mortgage lending activities or loan origination activities. ....	178	329	LAW
585	Business	70	INSURANCE - Adds to and amends existing law relating to the Department of Insurance to set forth provisions applicable to hearings upon denial, nonrenewal, suspension or revocation of a certificate of authority or license; to reference violations by applicants; and to remove language referencing notification and hearing provisions relating to the denial or refusal to renew an applicant's license. ....	134	279	LAW
586	Business	70	INSURANCE ADMINISTRATORS - Amends existing law relating to insurance administrators to revise fees and expiration and renewal periods for certificates. ....	135	279	LAW
587	Business	70	IDAHO CREDIT CODE - Amends and repeals existing law relating to the Idaho Credit Code to revise the definition for "regulated lender"; to revise provisions applicable to willful and knowing violations; to remove language authorizing the administrator to bring certain civil actions; to repeal provisions relating to applicability, notification, fees and taxes; to provide that certain persons are exempt from requirements; to revise provisions applicable to licenses to make regulated consumer loans; to revise provisions applicable to records and annual reports; to exempt certain supervised financial organizations from licensing requirements; to remove language requiring an investigation fee; to clarify the continuing nature of certain requirements; and to revise provisions applicable to payday loan license applications. ....	178	329	LAW

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588	Business	70	DEPARTMENT OF FINANCE - MORTGAGE BROKERS - Amends existing law to authorize the Department of Finance to participate in the establishment and implementation of a multistate automated licensing system for mortgage brokers and lenders and individual mortgage loan originators; and to require criminal history checks. ....	-	74	Business
589 AA	Judiciary, Rules, and Administration	70	CONTROLLED SUBSTANCES - CHILDREN - Amends existing law relating to uniform controlled substances to revise the penalties applicable to the manufacture or delivery of methamphetamine or amphetamine where children are present. .... (House Amendments - p. 114)	161	292	LAW
590	State Affairs	71	COUNTY-BASED INTERMODAL COMMERCE AUTHORITY - Amends existing law relating to county-based intermodal commerce authorities to revise provisions applicable to the establishment and abolishment of an authority; to revise provisions applicable to authority commissioners; to revise the powers of a governing body of a county for which an intermodal authority has been created; to provide that certain actions may be taken by a public body after a hearing; to revise the general powers of a county-based intermodal commerce authority; to revise provisions applicable to property and disposal of property of an intermodal authority; and to revise provisions applicable to bonds and obligations. ....	177	292	LAW
591	State Affairs	71	ENDOWMENT FUND - Repeals and amends existing law relating to the investment of permanent funds to provide for calculation of gains achieved by the permanent fund of each endowment fund to be incorporated into the calculation of gains and not be a separate item of earnings. ....	147	279	LAW
592	State Affairs	71	PERMANENT ENDOWMENT FUNDS - Amends existing law to revise the method for the calculation of gains and losses of the permanent endowment funds. ....	148	279	LAW
593	Agricultural Affairs	75	CROP RESIDUE - Amends existing law relating to smoke management and crop residue disposal to revise the definition of "crop residue." ....	192	329	LAW
594	Agricultural Affairs	75	NOXIOUS WEEDS - Amends existing law relating to noxious weeds to revise the duties and authorized powers of the Director of the Department of Agriculture relating to noxious weeds; to revise the duties of counties relating to noxious weeds; to revise provisions relating to the purposes of noxious weed control as it relates to landowners and citizens; to provide and revise penalty provisions for violations; and to provide that the control of noxious aquatic plants may be carried out under the general supervision of public bodies. ....	192	384	LAW

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595	Agricultural Affairs	75	ALFALFA/CLOVER SEED COMMISSION Amends existing law relating to the Alfalfa and Clover Seed Commission to revise provisions relating to the composition of grower nominating committees appointed by the Department of Agriculture; and to revise provisions relating to the disbursement of moneys from the accounts of the Idaho Alfalfa and Clover Seed Commission. ....	-	83	House Agricultural Affairs
596	Agricultural Affairs	75	ANIMALS - Amends existing law relating to animals to revise provisions relating to the possession, sale, trade, barter, exchange and importation of certain animals in Idaho; to revise the definition of domestic furbearing animals and domestic cervidae; and to revise provisions relating to those premises deemed farms, fur farms or fur ranches. ....	213	384	LAW
597	Agricultural Affairs	76	BEAN COMMISSION - Amends existing law to revise provisions relating to the disbursement of moneys from the accounts of the Idaho Bean Commission. ....	-	83	House Agricultural Affairs
598	Agricultural Affairs	76	RIGHT TO FARM - Amends existing law relating to the right to farm to provide for the award of reasonable costs and attorney's fees to agricultural operations that prevail in actions alleging nuisance. ....	-	83	House Agricultural Affairs
599	Agricultural Affairs	76	IDAHO HORSE BOARD - Amends existing law relating to the Idaho Horse Board to revise provisions relating to assessments on horses; and to revise provisions and procedures regarding referendums relating to horse owner mandatory assessments. ....	192	355	LAW
600	Agricultural Affairs	76	PESTICIDES - Adds to existing law relating to pesticides and chemigation to require the posting of pesticide safety information for agricultural workers; and to require the posting of pesticide application notices. ....	-	83	House Agricultural Affairs
601 AAS	Transportation and Defense	76	VETERAN MOTORCYCLE LICENSE PLATE Amends existing law relating to the military veteran motorcycle license plate to revise the date of availability of the plate; and to revise the provisions for approval of the plate design and numbering system. .... (Senate Amendments - See Senate Journal)	254	329	LAW
602 AA	Transportation and Defense	76	MOTOR VEHICLE REGISTRATION - Adds to and amends existing law relating to motor vehicle registration to establish the Project Choice fee; to provide for deposit of the fee; to provide for application; to state the purpose of the fee; and to reference the Project Choice fee for purposes of biennial registration. .... (House Amendments - p. 195)	238	384	LAW

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603	Transportation and Defense	76	UTILITY TYPE VEHICLES - Amends existing law to provide for governance of utility type vehicles; to define "utility type vehicle (UTV)"; to provide representation on the Off-Road Motor Vehicle Advisory Committee; and to provide bond requirements for dealers of utility type vehicles. ....	138	279	LAW
604	Transportation and Defense	76	COMMERCIAL MOTOR VEHICLES - Amends existing law relating to permits for oversize and overweight vehicle loads on highways to provide a designated pilot project route on a portion of State Highway 38. ....	138	138	Transportation
605	Transportation and Defense	76	MOTOR VEHICLES - LICENSE PLATES - Adds to and amends existing law to establish an Idaho state historic preservation special license plate program; and to create an Idaho Historic Preservation and Cultural Enhancement Fund. ....	175	329	LAW
606	Transportation and Defense	77	LICENSE PLATES - Adds to and amends existing law relating to special motor vehicle license plates to establish an Idaho Elks Rehabilitation Hospital special license plate program. ....	158	329	LAW
607	Transportation and Defense	77	SPECIAL LICENSE PLATES - Adds to and amends existing law to establish a Breast Cancer Education and Screening special license plate program. ....	175	338	LAW
608	Transportation and Defense	77	SPECIAL LICENSE PLATES - Adds to and amends existing law relating to special motor vehicle license plates to establish a National Rifle Association special license plate program. ....	175	279	LAW
609	Transportation and Defense	77	MOTOR VEHICLE SPECIAL LICENSE PLATE PROGRAM - Amends existing law to provide for collection of a \$6,000 nonrefundable fee from the sponsoring entity of any special license plate program approved after January 1, 2007; and to provide for deposit of the fee and all proceeds from the sale of the special license plate program approved after January 1, 2007, to the State Highway Account. ....	175	292	Failed Senate
610	Transportation and Defense	77	HIGHWAY DISTRIBUTION ACCOUNT - Amends existing law to provide distribution if revenues do not meet the previous year's revenues; and to provide that cities shall not receive less money than they received in the previous fiscal year from the Highway Distribution Account if revenues in the Highway Distribution Account meet or exceed the previous fiscal year's revenues; and to provide for distribution of a surplus. ....	199	200	Failed House
611 AA	Health and Welfare	77	PRESCRIPTIONS - Amends existing law to revise provisions applicable to the validity of prescription drug orders. .... (House Amendments - p. 180)	215	329	LAW

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612	Health and Welfare	77	DAYCARE PROGRAMS - Amends and repeals existing law relating to daycare programs to revise definitions; to provide for correct terminology; to revise age requirements for a person submitting an application to operate a daycare program; to require criminal background checks for specified individuals; to require registered sex offender disclosures; to prohibit immediate family members who are registered sex offenders from being on the premises while children participating in a daycare program are present; to revise license fees and to remove a fee reduction provision; to remove a separate standards requirement; to provide that only staff providing direct supervision to children be counted in computing child to staff ratios; to provide for child to staff ratios; to require that specified areas be maintained in a safe condition; to revise and add to daycare program health standards; to permit the Department of Health and Welfare to deny, suspend or revoke a license upon findings of illegal activity, activity detrimental to the public health, safety or welfare, or activity that threatens the health or safety of a child enrolled in the program; to add to the specified crimes precluding eligibility for a license; to provide for a grace period to come into compliance with licensure requirements; to revise training hour requirements; and to require additional specified training. ....	-	83	House Health and Welfare
613 AA	Health and Welfare	78	PHARMACY - Amends existing law relating to the Board of Pharmacy to provide a common drug name. .... (House Amendments - p. 180)	214	355	LAW
614	Health and Welfare	78	PHARMACISTS - Amends existing law relating to the Board of Pharmacy to permit the Board of Pharmacy to establish the format for electronically filed controlled substances prescriptions; to require the board to establish by rule the information to be submitted; to require the board to create, operate and maintain a controlled substances prescriptions database; to provide for purpose and procedure; to specify the individuals to whom information in the database must be available; to require the board to maintain records on information disclosed from the database; to require the board to promulgate rules to limit database access to authorized individuals; to provide for the assumption of costs associated with recording and submitting data; to provide definitions; to require disclosure of prescription tracking program information to certain individuals; to permit disclosure of information to listed agencies and boards; to remove additional discretionary authority to release information; and to remove a confidentiality provision. ....	207	338	LAW

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615	Health and Welfare	78	STATE EMPLOYEE INSURANCE - Adds to existing law relating to mental health parity in state group insurance; to state legislative findings; to provide that state employees and their families not be discriminated against in mental health group disability insurance benefits or group health care service coverage; to define terms; to provide coverage requirements; and to provide for a report to the legislature. ....	193	317	LAW
616	Health and Welfare	78	AUTOPSIES - Adds to existing law relating to coroners to require autopsies to be performed in cases in which Creutzfeldt-Jakob Disease is suspected; and to require that the findings of such autopsies be reported to the Department of Health and Welfare. ....	-	83	House Health and Welfare
617	Health and Welfare	78	CARISOPRODOL - Amends existing law to add carisoprodol to Schedule IV of the Idaho controlled substance schedules. ....	262	263	Senate Health and Welfare
618	Health and Welfare	78	HEALTH CARE FACILITIES - Adds to existing law relating to health care facilities; to require that each individual health care facility submit a quarterly infection rate report to the Department of Health and Welfare; to specify information to be submitted; to require that each individual health care facility submit an annual report to the Department of Health and Welfare and to the Public Health District in which the facility is located; to provide for the appointment of an advisory committee, its memberships and its responsibilities; to require that the Department of Health and Welfare submit annual reports; to require that the health care facility and department reports be made public; and to provide for privacy of individual information contained in the health care facility and the department reports. ....	-	83	House Health and Welfare
619	Health and Welfare	79	PHYSICAL THERAPY - Amends and adds to existing law relating to the Physical Therapy Practice Act to revise definitions; to revise provisions applicable to the establishment of the Physical Therapy Licensure Board; to provide for the powers and duties of the board; to remove language requiring an applicant to furnish references; to revise provisions applicable to the renewal and reinstatement of licenses; to revise the grounds for disciplinary action; to revise provisions applicable to disciplinary actions and procedures; to revise provisions applicable to censure or reprimand by the board; to provide for the disposition of receipts and payment of expenses; to provide that the Department of Self-Governing Agencies shall include the Idaho Physical Therapy Licensure Board; and to empower the Bureau of Occupational Licenses to enter a written agreement with the Physical Therapy Licensure Board. ....	207	329	LAW

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620	State Affairs	79	MEETINGS - EXECUTIVE SESSIONS - Amends existing law to provide that an executive session may be held by a governing body of a public agency to consult its legal counsel following the commencement of litigation in which the governing body is a party or where litigation is probable; to increase monetary penalties; and to allow certain private actions in the event of a violation of the open meetings law. ....	-	83	House State Affairs
621	State Affairs	79	IDAHO TOBACCO MASTER AGREEMENT Amends existing law relating to the Idaho Tobacco Master Settlement Agreement Complementary Act to revise the definition of "stamping agent" to mean a person who is authorized to wholesale cigarettes or who is required to affix tax stamps to packages or other containers of cigarettes, as well as any person who pays a tobacco products tax on "roll your own" tobacco. ....	177	292	LAW
622	State Affairs	79	OFFICIAL NOTICES - NEWSPAPERS - Amends, repeals and adds to existing law to revise notice publication requirements; and to revise provisions applicable to rates for official notices. ....	-	83	House State Affairs
623	Education	80	KINDERGARTEN - Repeals existing law that provided that it shall not be compulsory for individual school districts to establish a kindergarten program; and that it not be mandatory for a child who is eligible age for attendance to enroll in an established public kindergarten. ....	-	83	House Education
624 AAS	Education	80	SCHOOL PROPERTY - Amends existing law to provide that school property with an estimated value of less than five hundred dollars may be disposed of by an employee of the district empowered by the board to dispose of such properties ..... (Senate Amendments - See Senate Journal)	341	384	LAW
625	Education	81	PUBLIC CHARTER SCHOOLS - Amends existing law to require the State Board of Education to adopt rules on satisfactory proof of address for children attending public virtual schools. ....	-	83	House Education
626	Education	81	SCHOOL DISTRICTS - Adds to existing law relating to school districts to state public policy; to provide immunity to the school district, its contractor and employees from liability for any civil action arising out of the conduct of an extracurricular activity; and to provide exceptions and conditions. ....	-	83	House Education
627	Judiciary, Rules, and Administration	86	ISTARS TECHNOLOGY FUND - Amends existing law relating to the ISTARS Technology Fund to reference payments made by credit card or debit card; to allow for the designation of moneys for certain technologies; and to provide for the deposit of certain payments into the ISTARS Technology Fund for specified uses. ....	166	292	LAW



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628	Judiciary, Rules, and Administration	86	JUDGES - RETIREMENT - Adds to existing law relating to judges' retirement and compensation to authorize the Idaho Supreme Court to adopt, amend and rescind rules and administrative policies. ....	167	292	LAW
629	Judiciary, Rules, and Administration	86	MISDEMEANORS - Amends existing law to increase penalties applicable to specified misdemeanors. ....	167	292	LAW
630 AA	Judiciary, Rules, and Administration	87	SCHOOL GROUNDS - VIOLENCE - Adds to existing law to provide that a person who willfully threatens to commit a violent act on school grounds by use of a firearm or other deadly or dangerous weapon is guilty of a misdemeanor; and to define terms. .... (House Amendments - p. 180)	214	394	LAW
631	Judiciary, Rules, and Administration	87	PROSECUTING ATTORNEYS - Amends existing law to allow counties to contract for prosecutorial services under certain conditions; and to provide a limited exception to allow a prosecuting attorney to hold another county office. ....	167	329	LAW
632	Judiciary, Rules, and Administration	87	CONCEALED WEAPONS - Amends existing law relating to concealed weapons to exempt from license requirements detention deputies with certain credentials. ....	191	329	LAW
633	Judiciary, Rules, and Administration	87	DRUG HOTLINE FEE - Adds to and amends existing law relating to drug enforcement to provide for a drug hotline fee for drug violations; and to provide for the use of certain moneys to support a twenty-four hour anonymous hotline and reward system for the reporting of drug violations. ....	191	329	LAW
634 AA	Judiciary, Rules, and Administration	87	CIVIL ACTIONS - Adds to existing law to provide that expressions of apology, condolence and sympathy made by health care professionals shall be inadmissible in certain circumstances; to provide for admissibility of a statement of fault; and to define terms. .... (House Amendments - p. 180)	215	355	LAW
635	State Affairs	87	SLOT MACHINES - Amends existing law relating to gambling to define the term "slot machine." ....	-	91	House State Affairs
636	Resources and Conservation	87	CLEARWATER RIVER - Adds to existing law to establish a minimum stream flow water right for that stretch of the North Fork of the Clearwater River immediately below Dworshak Dam to the confluence with the Clearwater River to be held by the Idaho Water Resource Board in trust for the people of the state of Idaho. ....	179	329	LAW

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637	Resources and Conservation	88	WATER RESOURCES DEPARTMENT - PUBLIC WORKS - Amends existing law relating to public works to specify those real properties and improvements that constitute facilities needs relating to the Department of Water Resources and the Water Resource Board; to provide an exemption from specified administration and review of certain public works projects for the Department of Water Resources and the Water Resource Board; and to provide that certain requirements apply to the Department of Water Resources and the Water Resource Board relating to the letting of contracts for public works. ....	190	355	LAW
638	Resources and Conservation	88	PARK AND RECREATION BOARD- Amends existing law to provide that the Park and Recreation Board shall appoint the Waterway Improvement Fund Advisory Committee; to revise provisions relating to the terms of appointment for the Recreational Vehicle Advisory Committee; and to revise provisions relating to the terms and compensation of the Off-Road Motor Vehicle Advisory Committee. ....	203	384	LAW
639	Resources and Conservation	88	NAVIGABLE LAKES - Amends existing law relating to navigational and nonnavigational encroachments; and to revise a definition. ....	150	329	LAW
640	Resources and Conservation	88	FISH AND GAME - Amends existing law relating to fish and game to revise provisions relating to the transfer of moneys into the Animal Damage Control Fund. ....	204	384	LAW
641	Resources and Conservation	88	RECLAMATION FUND - Amends existing law to provide that any moneys an operation has paid into the reclamation fund shall be credited against the cost of reclamation on affected lands for which the operation is responsible; and to provide that if the cost of the reclamation does not exceed the amount of moneys the operator has contributed to the fund, the operator shall be refunded the difference. ....	-	91	Resources and Conservation
642	Business	88	HOMEOWNER'S ASSOCIATION - Amends existing law to provide that if a nonprofit corporation is a homeowner's association, it may establish a homeowner's association capital reserve fund to deposit assessments collected from homeowners for payment for long-term capital projects. ....	-	91	Business
643	Business	88	MOTOR VEHICLE LICENSING - Amends existing law to provide for the recovery of vehicle licensing, title and registration fees by a company engaged in the rental of motor vehicles; and to place limitations on such recovery. ....	-	91	Business

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644	Business	88	HEALTH INSURANCE - Amends existing law relating to insurance to require coverage for medically necessary care for children born with cleft lip or cleft palate. ....	-	91	Business
645	Business	88	LIQUEFIED PETROLEUM GAS - Amends existing law to clarify the application of the Idaho Liquefied Petroleum Gas Public Safety Act. ....	206	329	LAW
646	Business	89	DISINTERMENT - Amends existing law to require that disinterment permits be issued only upon verified application of the person having the highest legal authority. ....	216	329	LAW
647	Commerce and Human Resources	89	STATE PERSONNEL SYSTEM - Amends existing law relating to the state personnel system to require the Division of Human Resources to adopt a rule permitting problem solving through peer review. ....	156	157	Senate Commerce and Human Resources
648 AAS	Commerce and Human Resources	89	WORKER'S COMPENSATION - Amends existing law relating to worker's compensation to provide that persons performing service in the course of the business of an employer are covered under private employment provisions; to revise the definition for "employment"; and to remove an exemption from coverage relating to employment not carried on by the employer for the sake of pecuniary gain. .... (Senate Amendments - See Senate Journal)	341	384	LAW
649	Commerce and Human Resources	89	WORKER'S COMPENSATION - Amends existing law relating to worker's compensation to prohibit balance billing. ....	136	355	LAW
650 AA	Resources and Conservation	89	AQUIFER PROTECTION DISTRICTS - Adds to existing law to provide for the formation of aquifer protection districts; to provide for a policy and budget advisory committee; and to provide that the aquifer protection district may apply for loans from the Water Resource Revolving Development Fund. ... (House Amendments - p. 227)	254	394	LAW
651	Business	89	RESIDENTIAL PLUMBING JOURNEYMEN - Amends existing law relating to plumbing to revise provisions applicable to classifications of competency; to provide for residential plumbing journeymen; to provide for an application fee; and to provide for a certificate fee. ....	-	91	Business
652	Business	89	INSURANCE COMPANIES - Amends existing law relating to assets and liabilities of insurance companies to permit domestic insurance companies to treat goodwill, trade names and other like intangible assets as allowed assets consistent with the industry's accounting standards in any determination of the financial conditions of an insurer. ....	216	355	LAW

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653	Business	89	LIABILITY INSURANCE - MOTOR VEHICLE DEALERS - Adds to existing law relating to liability insurance to require dealers and vehicle manufacturers to obtain liability insurance as a condition of licensure; to require minimum coverage amounts; and to require that certificates of insurance be filed with the Idaho Transportation Department. ....	212	355	LAW
654	Business	90	MOTOR VEHICLE DEALERS - Adds to existing law relating to motor vehicle dealers to provide for payment of claims or other compensation to motor vehicle dealers under a manufacturer incentive program for motor vehicle dealers; and to provide conditions under which a manufacturer or distributor can and cannot charge back to a motor vehicle dealer the amount of a claim or cash value of a prize awarded to a dealer under a manufacturer incentive program. ....	-	91	Business
655 AAS	Business	90	INSURANCE - Amends existing law relating to insurance to provide that large employer carriers, small employer carriers and individual carriers may discontinue offering particular health benefit plans at the time of coverage renewal under certain conditions. .... (Senate Amendments - See Senate Journal)	400	424	LAW
656 AA	Local Government	94	BASIN PROJECT COMMISSION - Amends existing law relating to the Basin Project Commission to provide for an additional member on the board of commissioners on the Basin Project Commission; and to provide for tie votes. .... (House Amendments - p. 180)	215	215	Resources and Environment
657	Local Government	94	BELLEVUE CITY CHARTER - Amends the Charter of the City of Bellevue to provide for the election dates and election procedures to be as set forth in the general laws of the state of Idaho applicable to election of city officials. ....	-	101	Local Government
658	Local Government	94	PROPERTY TAX - RURAL HOMESITE DEVELOPMENT PLAT - Repeals and adds to existing law to provide a partial exemption from property taxation for the speculative portion of the value of each parcel of land in a rural homesite development plat until such time as improvements are being built upon the parcel, or any interest in the ownership of the parcel is sold or transferred to an unrelated entity; and to define terms. ....	-	101	Revenue and Taxation
659	Transportation and Defense	94	MOTOR VEHICLE LICENSE MANUFACTURER - Amends existing law to prohibit issuance of a vehicle manufacturer's license to an applicant who does not have an established place of business within Idaho; to require notification to the Idaho Transportation Department upon a change of business address. ....	158	329	LAW

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660	Transportation and Defense	94	SALVAGE VEHICLES - Amends existing law relating to titling of salvage vehicles to delete the age and market value limitations relating to obtaining a salvage certificate of ownership for a salvage vehicle; and to provide a procedure for obtaining a branded certificate of title for a vehicle which is five years old or less or which has a known market value in excess of \$6,000 which has been determined to be a salvage vehicle and which has not been inspected by the Idaho Transportation Department. ....	-	101	Transportation and Defense
661	Transportation and Defense	94	MOTOR FUEL - TAXATION - Amends and repeals existing law relating to taxation of motor fuels to provide that the tax liability for motor fuels is the responsibility of the receiving distributor; to authorize distributors to include an amount equal to the tax as part of the selling price; to provide the processes for remittance of fuel tax when the distributor, retailer or consumer is exempt from tax liability; to revise the process for claiming a deduction based on the number of gallons received by the distributor during a reporting period; to delete distributor deduction provisions relating to taxes previously paid on worthless accounts; to provide a condition for issuance of a distributor's license; to repeal the provision that motor fuel taxes are state money; and to provide severability. ....	-	101	Transportation and Defense
662	Health and Welfare	94	MEDICAID SIMPLIFICATION ACT - Adds to existing law relating to Medicaid to provide a short title; to state legislative intent; to provide definitions; to provide powers and duties of the director of the Department of Health and Welfare; to provide for medical assistance payments by the Department of Health and Welfare to or on behalf of designated categories of eligible persons; to permit the Department of Health and Welfare to make payment for medically necessary services furnished by providers to designated categories of eligible participants; and to specify the service for which payment may be made. ....	-	101	House Health and Welfare
663 AA	Health and Welfare	95	MEDICAID - Adds to existing law relating to Medicaid to permit the Department of Health and Welfare to establish personal health accounts for Medicaid participants; to provide a purpose for the accounts; to provide for funding of the accounts; to permit rulemaking by the department; to provide for the use of the account funds; to provide payments from the accounts; to require the department to establish enforceable cost sharing; to provide for a purpose; to provide for rulemaking by the department; to provide for practices that may invoke copayments; to define terms; and to permit exceptions. .... (House Amendments - p. 251)	284	394	LAW

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664	Health and Welfare	95	MEDICAID ELIGIBILITY - DISABLED WORKER Adds to existing law relating to Medicaid to provide legislative findings; to provide eligibility requirements for workers with disabilities to qualify for Medicaid; to provide an exception for paying a Medicaid premium; and to provide for a premium based on income. ....	213	338	LAW
665	Health and Welfare	95	HEALTH INSURANCE - Adds to existing law relating to health insurance to require annual reports by carriers to the director of the Department of Insurance; to provide for the information to be submitted; to require the director to prepare and publish a comparative policy report; and to require that a report summary be published on the director's website. ....	-	101	Business
666	Health and Welfare	95	MEDICAID PROGRAM - Adds to existing law relating to public assistance law to direct the Department of Health and Welfare to apply for federal waivers for specific revisions to the state Medicaid Program. ....	-	101	House Health and Welfare
667	Health and Welfare	95	HEALTH INSURANCE - Amends existing law relating to insurance to require certain disability insurance contracts, group disability insurance contracts, blanket disability insurance contracts, subscriber contracts, managed care organization plans and self-funded plans to provide coverage for special medical formulas and early intervention services up to a specified benefit limit. ....	-	101	House Health and Welfare
668	Health and Welfare	95	MEDICAID FRAUD - Adds to existing law to provide for the investigation and prosecution of Medicaid fraud by the Office of the Attorney General; to provide for the adoption of procedures; to provide for the collection of overpayments; to provide for the employment of necessary personnel; to provide for reporting; to provide a definition; and to provide for rulemaking authority. ....	276	277	Senate Health and Welfare
669	Health and Welfare	96	MENTAL ILLNESS - Amends existing law relating to mental illness treatment to remove language referencing medical attendance upon the mentally ill; to define "director of a facility"; to revise provisions applicable to the authority to admit voluntary patients; to reference voluntary patients admitted for certain purposes related to mental illness; and to revise provisions applicable to a detention without a hearing. ....	-	101	House Health and Welfare
670	Health and Welfare	96	BOWLING ALLEYS - NO SMOKING - Amends existing law relating to clean indoor air to revise the definition of "public place" to include bowling alleys; and to remove bowling alleys from the list of exceptions to the prohibition on smoking in a public place. ....	-	101	House Health and Welfare

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671 AAS	State Affairs	96	SCHOOL DISTRICTS - ELECTIONS - Amends existing law relating to school district elections to allow the candidate to authorize a watcher to observe the counting of votes; to provide for watchers at school district elections which are other than for the election of officers; to remove the requirement that such watchers not absent themselves until the polls close; to provide that challengers or watchers shall not be a candidate at the election where they are serving as a challenger or watcher; and to remove the requirement that an elector be absent from the district or be unable because of physical disability or blindness to vote by absentee ballot. .... (Senate Amendments - See Senate Journal)	322	384	LAW
672	State Affairs	96	ELECTIONS - Amends existing law to provide for watchers to observe the conduct of an election; to allow pro and con persons to be at polling places for the purpose of challenging voters and observing the conduct of an election; to provide procedures; to delete language allowing an elector to request a change in the information on his registration card; and to provide that the county clerk shall supply to a requesting school board a list of registered electors. ....	168	292	LAW
673 AAS	State Affairs	96	LIQUOR LICENSES - Amends and adds to existing law relating to liquor licenses to provide for liquor license fees; to provide for the issuance of not more than three liquor licenses to the owner, operator or lessee of beverage, lodging or dining facilities located within a year-round resort; to provide for the issuance of a liquor license within limitations to the owner, operator or lessee of a golf course, ski resort, cross-country skiing facility or waterfront resort located within a year-round resort; and to define "year-round resort." .... (Senate Amendments - See Senate Journal)	425	444	LAW
674	State Affairs	96	FIRE PROTECTION DISTRICTS - Adds to, amends and repeals existing law relating to fire protection districts; to clarify the purpose and policy of the fire protection district law; to revise provisions relating to annexation; to revise provisions relating to consolidation; to provide for and to revise corporate powers and duties of the board; to provide for compensation, benefits and expenses; to provide for liability; to provide for and to revise provisions relating to the handling of district funds; to provide for the cooperation and reciprocating use of firefighting forces and apparatus of districts, political subdivisions and municipalities; to provide for fees and liens; to revise provisions relating to contracts between fire protection districts and individual property owners outside of the district; and to revise provisions relating to the dissolution of fire protection districts. ....	-	101	House State Affairs

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675	State Affairs	98	TEEN EARLY INTERVENTION - Amends and adds to existing law to permit teen early intervention counselors to participate on interagency multidisciplinary teams; to define teens at risk; to provide for contracting by the Department of Health and Welfare with school districts for early teen intervention counselors; to authorize the department to employ teen early intervention counselors; to provide qualifications for such counselors; to provide procedures for evaluating applications from school districts; to create the Teen Early Intervention Fund; to require that the department gather data on program effectiveness; and to permit courts to include teen early intervention counselors on screening teams. ....	-	101	Judiciary, Rules, and Administration
676 AAS	Revenue and Taxation	98	PROPERTY TAX - AGRICULTURAL LAND PLATTING - Amends existing law relating to property taxation to provide that if the land qualified for the exemption in 63-602FF, Idaho Code, in 2005, the land will qualify in 2006 for the speculative portion of agricultural land exemption upon certain events occurring; to provide that the platting of land actively devoted to agriculture does not alone cause the land to lose its actively devoted to agriculture status; and to define terms. .... (Senate Amendments - See Senate Journal)	349	384	LAW
677	Revenue and Taxation	98	SCHOOL DISTRICTS - IMPACT FEES - Amends existing law to authorize school districts to impose an impact fee on new residential construction within the district; to provide that the impact fee be collected when a building permit is issued; and to allow the board of trustees of a school district to adopt a motion to provide for the collection of an impact fee when building permits are issued within the school district. ....	-	439	House General Orders
678	Revenue and Taxation	98	SCHOOL DISTRICTS - TAX LEVIES - Amends and adds to existing law to reduce the maintenance and operation levy; to revise how maximum school maintenance and operation levies are calculated for tax year 2007 and thereafter; to provide for a budget stabilization levy for certain districts; to reduce the local district's contribution; to require school districts to reduce their local district contribution to be eligible for education support program distributions; to provide ongoing property tax relief; to provide that moneys in the fund shall be state discretionary funds; to provide for the transfer of excess revenues of the General Fund upon certain circumstances occurring; and to provide for transfers to the Public School Income Fund. ....	121	121	Local Government and Taxation
679	Revenue and Taxation	98	SALES TAX - Adds to existing law to impose an additional one-half cent sales tax on and after June 1, 2006. ....	121	122	Local Government and Taxation



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680	Revenue and Taxation	99	PROPERTY TAX DEFERRAL ACT - Adds to and amends existing law to enact the "Property Tax Deferral Act"; to provide for definitions; to provide for application for deferral of property tax; to provide for procedures and appeals; to provide for a deferral of property taxes and interest and liens relating to the deferral; to provide for reimbursement by the State Tax Commission of local taxes deferred; to provide for events terminating the deferral; to provide for payment of deferred taxes; to provide for recovery of amounts subject to recovery; to provide a misdemeanor penalty for knowingly filing a false claim; and to coordinate reimbursement payments for property tax relief and tax deferrals. ....	121	384	LAW
681	Education	104	SCHOOLS - VENDING MACHINES - Adds to existing law to restrict vending machines and vending machine products in public schools; to define terms; and to limit application. ....	-	107	House Education
682	Education	104	SCHOLARSHIPS - Adds to and amends existing law to provide that the amount of the proceeds of the license tax on electricity distributed to the General Fund be distributed to the Center for Advanced Energy Studies Scholarship Fund instead; to create the Center for Advanced Energy Studies Scholarship Fund; to provide moneys for the fund; to provide procedures for providing scholarships; to provide duties of the State Board of Education and the Board of Regents of the University of Idaho; to provide for interest on moneys invested from the fund to be returned to the fund; and to clarify that the State Board of Education and the Board of Regents of the University of Idaho may accept grants and gifts on behalf of a scholarship fund. ....	252	252	Failed House
683	Education	105	TEACHER CERTIFICATION - Amends existing law to revise teacher certification requirements. ....	-	107	House Education
684	Education	105	IDAHO COMMISSION FOR LIBRARIES - Amends existing law to replace the Idaho State Library with the Idaho Commission for Libraries; to provide for the appointment of the Idaho Commission for Libraries Board; and to provide for the employment of a qualified state librarian. ....	211	384	LAW
685	Revenue and Taxation	105	INCOME TAX CREDITS - Amends existing law to provide for an income tax credit for charitable contributions made to the Learning Lab, Inc., or its foundation. ....	167	292	LAW
686	Revenue and Taxation	105	SALES TAX EXEMPTIONS - Adds to existing law to provide an exemption from sales tax for certain fees and membership dues related to nonprofit hunting or shooting sports. ....	200	384	LAW

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687	Revenue and Taxation	105	SALES TAX EXEMPTION - Amends existing law to provide that the sale or purchase of a glider kit shall be exempt from the sales and use tax when the glider kit will be used to assemble a glider kit vehicle, which will be immediately registered under the international registration plan or similar proportional or pro rata registration system. ....	201	384	LAW
688	Revenue and Taxation	105	INCOME TAX CREDIT - Amends existing law to provide an income tax credit for charitable contributions made by a taxpayer to a Project Safe Place located within the state of Idaho. ....	177	355	LAW
689	Environment, Energy, and Technology	108	COAL FIRED POWER PLANT - MORATORIUM Adds to existing law to provide legislative intent; to provide a moratorium on the permitting and licensing for construction of certain coal fired power plants; and to provide for a report. ....	-	112	Environment, Energy, and Technology
690	Education	108	SCHOOL FACILITIES IMPROVEMENT ACT Adds to and amends existing law relating to the School Facilities Improvement Act to provide legislative intent; to require use of payments from the School District Building Account and to delete certain reporting requirements; to remove the limitation on state financial assistance only for the interest cost portion of the annual bond interest and redemption payment; to provide a Public School Facilities Cooperative Funding Program; to create a Public School Facilities Cooperative Fund; to provide for school building maintenance matching funds; to require school districts to annually deposit an amount equal to a minimum of 2% of the replacement value of school buildings to a school building maintenance fund, less the amount deposited from state funds; and to transfer and appropriate \$25,000,000 from the General Fund to the Public School Facilities Cooperative Fund. ....	-	112	House Education
691	Education	109	SCHOOL BUILDINGS - Amends and adds to existing law to require school districts to inventory buildings and deposit one percent of the value of buildings into the School Plant Facilities Reserve Fund; to provide a matching fund criteria for bond levies and for maintenance of school buildings; to authorize the State Building Authority to issue bonds for school buildings; to appropriate \$35,000,000 from the General Fund; and to provide for distribution of sales tax revenues to school building funding. ....	-	112	House Education
692	Revenue and Taxation	114	RENEWABLE FUEL STANDARD - FUEL TAX Amends existing law to provide that on and after adoption of a renewable fuel standard by statute and implementation of that standard, the deduction from the fuels tax shall apply to those fuels not specifically included in the renewable fuel standard. ....	191	192	Transportation

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693	Revenue and Taxation	114	CIGARS - TAXATION - Amends existing law to provide that the tax on cigars shall not exceed fifty cents per cigar. ....	211	211	Local Government and Taxation
694	State Affairs	114	UTILITY RATES - CONSTRUCTION WORK Amends existing law relating to utility rates to provide that, except upon its finding that the public interest will be served thereby, the Public Utilities Commission is prohibited in any order from setting rates for a utility that grants a return on construction work in progress or on property held for future use and which is not currently used and useful in providing utility service; to delete reference to short-term construction work in progress; and to provide that if the commission sets rates for any utility including a return on property held for future use and subsequently determines that such property is not needed to provide utility service, then the commission shall determine whether any gain or loss occurring from the sale or other disposition of the property may be included in the utility's rates. ....	200	329	LAW
695 AAS	State Affairs	115	EMERGENCY COMMUNICATIONS FEE Amends existing law relating to the emergency communications fee to provide that the fee may be used for the management, maintenance and operation of hardware and software applications; to reference dispatching for purposes of general funding payments; and to provide for application. .... (Senate Amendments - See Senate Journal)	349	384	LAW
696	State Affairs	115	ELECTRIC GENERATION PLANT - COUNTIES Amends existing law to authorize counties to establish, create, develop, acquire, own, maintain and operate or contract for the ownership, operation and maintenance of certain electrical generation plants not to exceed twenty-five megawatts in capacity which use as a fuel source landfill gas, wood waste or other biomass fuels .....	242	355	LAW
697	Revenue and Taxation	115	SNUFF - TOBACCO - TAXATION - Amends, adds to and repeals existing law to define "moist snuff"; to provide the rate of taxation for tobacco products other than moist snuff and providing for revenues; to provide that moist snuff shall be taxed at the rate of one dollar per ounce; and to provide for distribution of tax revenues. ....	-	117	Revenue and Taxation
698	Education	115	SCHOLARSHIPS - Adds to existing law to provide eligibility criteria for scholarships for drug, alcohol and tobacco free students; to provide that drug, alcohol and tobacco free students shall remain drug, alcohol and tobacco free to qualify for the scholarship; to provide for the amount and length of the scholarship award; to provide for reports; to provide for rules; and to define terms. ....	213	214	Senate Education

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699	Education	118	COMMUNITY COLLEGES - Adds to, repeals and amends existing law to establish a statewide community college system; and to provide for an election by the voters of North Idaho College and the College of Southern Idaho on whether they want to join the system. ....	-	123	House Education
700	Appropriations	124	APPROPRIATIONS - JUVENILE CORRECTIONS Amends existing law to revise the fiscal year 2006 appropriation to the Department of Juvenile Corrections; and to authorize an additional ten full-time equivalent positions. ....	168	292	LAW
701	Appropriations	124	APPROPRIATIONS - Amends existing law to revise the appropriation to the Superintendent of Public Instructions/State Department of Education for fiscal year 2006; and to authorize additional full-time positions. ....	168	263	LAW
702 AA	Education	124	POSTSECONDARY EDUCATION SCHOLARSHIPS - Adds to existing law relating to postsecondary education scholarships to state legislative intent; to create an Idaho Opportunity Scholarship Program; to provide for procedures; to create an Idaho Opportunity Scholarship Fund in the state treasury; and to provide for board responsibility. .... (House Amendments - p. 229)	255	256	Senate Education
703	Education	124	COLLEGE LOAN PROGRAM - Adds to existing law relating to postsecondary education loans to state legislative intent; to create an Idaho Opportunity Loan Program; to provide for procedures; to create an Idaho Opportunity Loan Fund in the state treasury with a one time appropriation of five million dollars; and to define terms. ....	240	241	Failed House
704	Education	124	POSTSECONDARY EDUCATION LOANS - Adds to existing law relating to postsecondary education loans to state legislative intent; to create an Idaho Needs-based Math and Science Loan Program; to create an Idaho Needs-based Math and Science Loan Fund in the state treasury with a one time appropriation of five million dollars; and to define terms. ....	-	128	House Education
705 AA	Revenue and Taxation	124	SCHOOLS - Amends existing law relating to cooperative service agencies to provide that a cooperative service agency may request its member school districts to authorize a levy not to exceed one-tenth of one percent for the purpose of constructing and maintaining cooperative service agency facilities; to provide for continuation of the levy for additional ten year periods upon approval of district electors; and to provide for administration and accounting of moneys received. .... (House Amendments - p. 229)	255	394	LAW

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706	Revenue and Taxation	124	SALES TAX EXEMPTIONS - Amends existing law relating to sales tax to exempt from taxation sales to or purchases by nonprofit organizations offering free dental clinic services to children. ....	211	355	LAW
707	State Affairs	130	LOBBYING - Amends existing law relating to lobbying to require persons attempting to influence executive or administrative actions for compensation at the state level to register and file annual and periodic reports with the Secretary of State. ....	208	329	LAW
708	State Affairs	131	HEALTH CARE DIRECTIVE REGISTRY - Adds to and amends existing law to provide a health care directive registry exception to the Public Records Act; to define "health care directive"; to permit registration of a health care directive and a health care directive revocation; to provide immunities; to create a health care directive registry in the Office of the Secretary of State; to provide for the information to be included in the registry; to permit the Secretary of State to charge a fee for registration of a health care directive; to provide duties and responsibilities of the Secretary of State; to provide a means of access to the registry; to limit access to the information contained in the registry; to limit liability; and to create the Health Care Directive Registry Fund. ....	176	292	LAW
709 AA	State Affairs	131	DEAD BODIES - LAW ENFORCEMENT - Amends existing law relating to the reporting of deaths to require notification of certain officials. .... (House Amendments - p. 229)	256	384	LAW
710	Education	131	NURSING HOME ADMINISTRATORS LICENSES - Amends existing law relating to nursing home administrators to require specified documentation for a nursing home administrator license endorsement. ....	-	140	House Health and Welfare
711	State Affairs	131	MUNICIPAL ELECTIONS - Amends, adds to and repeals existing law relating to municipal election laws; to revise filing deadlines, ballot preparation and printing deadlines and general administration provisions of city election law. ....	208	329	LAW

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712	Education	132	PROPRIETARY SCHOOLS - Adds to, repeals and amends existing law relating to proprietary schools to revise and clarify the powers of the State Board of Education relating to maintaining registers of postsecondary educational institutions and proprietary schools approved by the board and in determining acceptance of academic credits for public postsecondary educational institutions; to provide that courses of a proprietary school will not be accepted for transfer into any Idaho public postsecondary educational institution; to revise information required on an application; and to provide for enforcement of violations of the provisions of Chapter 24, Title 33, Idaho Code. ....	241	384	LAW
713 AA AAS	Education	132	SEX OFFENDERS - SCHOOL CHILDREN - Adds to existing law to prohibit access to school children by any person currently registered or required to register under the Idaho Sex Offender Registration Act; to provide exceptions; to provide a penalty; and to allow more stringent safety and security requirements by school districts. .... (House Amendments - p. 195) (Senate Amendments - See Senate Journal)	387	424	LAW
714 AA AAS	State Affairs	143	MORTGAGE BROKERS - Amends existing law to authorize the director of the Department of Finance to participate in the establishment and implementation of a multistate automated licensing system for mortgage brokers and lenders and individual mortgage loan originators; to require criminal history record checks; and to exempt certain individuals and persons from information and participation requirements. .... (House Amendments - p. 229) (Senate Amendments - See Senate Journal)	401	432	LAW
715	State Affairs	144	JUDGES - PUBLIC RECORDS - Amends existing law relating to public records to exempt from disclosure certain records of active or retired supreme court justices, court of appeals judges and district and magistrate judges. ....	-	152	Judiciary, Rules, and Administration
716	State Affairs	144	DRUG OR MENTAL HEALTH COURT PROGRAM - Amends existing law to provide that a defendant may be discharged or a judgment amended upon a showing relating to the defendant's graduation from a drug court program or mental health court program and compliance with applicable probation terms and conditions. ....	212	329	LAW
717	State Affairs	144	PRECINCT COMMITTEEMEN - Amends existing law to provide that the precinct committeemen within each legislative district shall meet within the legislative district or at a convenient location in a county contiguous to the legislative district, within eleven days after the primary election. ....	191	191	Senate State Affairs

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718	State Affairs	144	PUBLIC RECORDS - Amends existing law relating to public records to provide a limitation on a fee that may be charged; to provide that statistical information descriptive of an identifiable person may be disclosed unless prohibited by law; to authorize a public agency or independent public body corporate and politic to provide a copy of a public record in electronic form if the record is available in electronic form or can be converted to an electronic format using standard marketplace software and an electronic copy is specifically requested; to provide that a request for and delivery of a public record may be conducted by electronic mail; and to provide an exception to the requirement that a public record must be provided within a specified time. ....	208	329	LAW
719 AA	State Affairs	144	CREUTZFELDT-JAKOB DISEASE - Amends existing law relating to autopsies to require autopsies to be performed in certain cases in which Creutzfeldt-Jakob Disease is suspected; and to require that the findings of such autopsies be reported to the Department of Health and Welfare. .... (House Amendments - p. 229)	256	384	LAW
720	Revenue and Taxation	144	TAXING DISTRICT ELECTIONS - Amends existing law to provide that when a taxing district is holding an election to increase the property tax portion of its budget it shall mail a notice of the election to every property taxpayer in the taxing district in a similar manner that property tax notices are sent out; to provide that the notice shall state with specificity the date of the election, polling places, the time the polls will open, the aggregate amount of taxes that will be raised in the taxing district if the election is successful and the increased taxes that will occur to the median valued property of residential property, of business property and of agricultural property. ....	242	243	Local Government and Taxation
721	Resources and Conservation	144	POWER PLANTS - WATER RIGHTS - Amends existing law to provide that legislative approval shall be required for any permanent or temporary change in point of diversion, period of use, or nature of use for any water right or combination of water rights with a diversion rate equal to or greater than two cfs or for a storage volume of one thousand four hundred fifty acre-feet if the use of such right is in conjunction with the coal fired generation of electricity, with an exception, or fifty cfs or for a storage volume greater than five thousand acre-feet for any other use except that any temporary change within the state of Idaho for a period of less than three years may be approved by the director without legislative approval. ....	-	153	Resources and Conservation

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722	State Affairs	144	INSURANCE - Amends existing law relating to insurance trade practices and frauds to provide that a life insurer or casualty insurer, or producers who are marketing life insurance, property insurance or casualty insurance, shall not be prohibited from providing to a policyholder or prospective policyholder of life, property or casualty insurance, inducements of an aggregate value of \$50.00 or less. ....	217	355	LAW
723 AAS	State Affairs	145	HAIRCUTTERS - Amends and adds to existing law to restrict the use of certain terminology and barber poles; to define terms; to set forth requirements for a haircutter license; to set forth curriculum and training requirements for haircutting; to provide fees for haircutter permits and examinations; to provide sanitation standards; and to require minimum hours of instruction for student cosmetologists rendering chemical services. .... (Senate Amendments - See Senate Journal)	399	432	LAW
724	State Affairs	145	LOCAL LAND USE PLANNING - TESTIMONY Amends existing law relating to local land use planning to strike an exception allowing members of governing boards to testify or present evidence in public hearings or similar public processes in which they have acknowledged nonparticipation in the matter due to a conflict of interest. ....	212	355	LAW
725	Education	155	COMMUNITY COLLEGES - Adds to and amends existing law to provide for the establishment of community colleges by the State Board of Education and Board of Regents of the University of Idaho. ....	-	162	House Education
726	Revenue and Taxation	155	INCOME TAX - CREDIT - Amends existing law to provide a state income tax credit for charitable contributions made to Project P.A.T.C.H., Planned Assistance for Troubled Children. ....	236	394	LAW
727	Transportation and Defense	155	SALVAGE VEHICLES - Amends existing law relating to titling of salvage vehicles to delete the age and market value limitations relating to obtaining a salvage certificate of ownership for a salvage vehicle; and to provide a procedure for obtaining a branded certificate of title for a vehicle which is more than five years old or which has a known market value \$6,000 or less which has been determined to be a salvage vehicle and which is not required to be inspected by the Idaho Transportation Department. ....	207	329	LAW



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728	State Affairs	155	COMMUNITY REINVESTMENT PILOT INITIATIVE - Amends and adds to existing law relating to land remediation to provide for the Idaho Community Reinvestment Pilot Initiative; to provide for a fund; to provide for financial assistance to eligible property owners conducting voluntary cleanup; to provide for the development of annual priority lists for community revitalization projects by the Department of Environmental Quality; to provide for community investment rebate requests, reviews and certifications; and to prohibit eligible property owners that receive community investment rebates from receiving a specified property tax exemption. ....	303	394	LAW
729	Revenue and Taxation	164	INTERNAL REVENUE CODE - Amends existing law to update references to the Internal Revenue Code. ....	206	384	LAW
730	Revenue and Taxation	164	TAXATION - PREMIUM TAX - SERVICE CORPORATIONS - Repeals and adds to existing law to delete language relating to taxation and annual reports for professional service corporations; and to set forth provisions for the payment of premium tax by service corporations. ....	-	170	Revenue and Taxation
731	Revenue and Taxation	164	INCOME TAX CREDIT - Amends existing law to provide an income tax credit for charitable contributions made to Idaho Drug Free Youth Inc. or its foundation. ....	274	394	LAW
732	Revenue and Taxation	164	PROPERTY - TAX DEEDS - Amends existing law to provide for appointment of proceeds from the sale of property acquired by tax deed to include a remittance to the record owner or owners or any party in interest upon whom a notice of a sale was served in compliance with law of any amounts remaining after deduction of the delinquency, late charges, accrued interest, costs, fees and the costs of transacting the sale; to provide for distribution of funds if no claim is received within two years after the date of sale of the property; and to revise the definition of "party in interest." ....	-	170	Revenue and Taxation
733	State Affairs	164	CONTRACTOR LICENSING - Amends existing law relating to contractor licensing to require license applications for electricians, electrical contractors, master electricians, specialty electricians, specialty electrical contractors, plumbing contractors and heating, ventilation and air conditioning contractors and specialty contractors to be accompanied by a bond; to set an amount for the bond; to provide terms and conditions; to require such applications be accompanied by proof of liability insurance; to set an amount for the insurance; and to require such applications to be accompanied by proof of worker's compensation insurance, if applicable. ....	-	170	Business

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734	State Affairs	165	MENTAL ILLNESS - Amends existing law relating to mental illness to remove language referencing medical attendance upon the mentally ill; to revise the definition for "voluntary patient"; to revise provisions applicable to the authority to admit voluntary patients and to receive involuntary patients; to revise provisions applicable to a detention with a hearing; and to revise exemptions from liability. ....	242	355	LAW
735 AA	State Affairs	165	URBAN RENEWAL - Amends existing law relating to urban renewal to revise definitions. .... (House Amendments - p. 229)	254	394	LAW
736 AA	State Affairs	165	GROUND WATER DISTRICTS - Amends existing law relating to ground water districts to provide for assessment credits relating to ground water district mitigation obligations by the Director of the Department of Water Resources based on mitigation plans of certain nonirrigators; to provide that the Director of the Department of Water Resources may require certain accountings by ground water districts relating to nonmember participants; and to provide for petitions for exclusion of lands of nonirrigators from ground water districts. .... (House Amendments - p. 271)	295	424	LAW
737 AA	State Affairs	165	GROUND WATER RIGHTS - EASTERN SNAKE RIVER - Amends existing law relating to the administration of ground water rights within the Eastern Snake River Plain; to strike a date; to provide for notice by the Director of the Department of Water Resources to the holders of certain junior ground water rights relating to joining and participating in ground water districts for mitigation purposes; and to authorize the Director to take certain action in the event any of the junior priority ground water rightholders elect not to join ground water districts or do not have approved mitigation plans. .... (House Amendments - p. 296)	309	424	LAW
738 AA	State Affairs	165	DEPARTMENT OF Health and Welfare - Adds to existing law to set forth legislative intent; to establish the Health Quality Planning Commission within the Department of Health and Welfare; to provide for commission membership and meetings; to set forth provisions applicable to funding; and to set forth commission duties. .... (House Amendments - p. 229)	256	384	LAW
739	Education	165	WRITING AND MATH ASSESSMENTS STUDENTS - Adds to existing law relating to public schools to provide for an exception to participation in the direct writing and the direct mathematics assessments. ....	274	424	LAW

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740	Education	171	COMMUNITY COLLEGES - Adds to, repeals and amends existing law to establish a statewide community college system; and to provide for an election by the voters of the North Idaho College and the College of Southern Idaho districts on whether they want to join the system or keep their existing districts and continue levying a property tax. ....	-	181	Revenue and Taxation
741	State Affairs	172	TELECOMMUNICATIONS ACT OF 2006 - Adds to, amends and repeals existing law to enact the "Telecommunications Act of 2006"; and to revise the authority of the Public Utilities Commission to regulate telecommunications carriers. ....	-	181	House State Affairs
742 AA	Education	173	IDAHO DIGITAL LEARNING ACADEMY - Adds to existing law to clarify that the Idaho digital learning academy is a state department for risk management purposes. .... (House Amendments - p. 229)	255	424	LAW
743	Ways and Means	182	SCHOOL FACILITIES IMPROVEMENT - Adds to and amends existing law relating to school facilities improvement to provide legislative intent; to provide references to the appointing authority of the State Board of Education and the Superintendent of Public Instruction; to require use of payments from the School District Building Account and to delete certain reporting requirements; to remove the limitation on state financial assistance only for the interest cost portion of the annual bond interest and redemption payment; to provide application to school districts with an index value of less than one and one-half; to provide a Public School Facilities Cooperative Funding Program; to create a Public School Facilities Cooperative Fund; to provide for school building maintenance matching funds; to require school districts to annually deposit an amount equal to a minimum of two percent of the replacement value of school buildings to a school building maintenance fund, less the amount deposited from state funds; to provide for calculation of the state's appropriation; to provide for a state appropriation; to provide for use of the fund moneys; to direct the Administrator of the Division of Building Safety and the State Department of Education to draft a best practices maintenance plan for school buildings; to provide definitions; to provide a condition under which the administrator shall submit an application to the Public School Facilities Cooperative Fund panel to abate an identified safety hazard; to provide that an amount equal to the annual General Fund appropriation for bond levy equalization shall be annually distributed to the General Fund; and to transfer and appropriate \$25,000,000 from the General Fund to the Public School Facilities Cooperative Fund. ....	231	394	LAW

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744	Revenue and Taxation	182	SALES TAX - EXEMPTION - Amends existing law relating to exemptions from the sales and use tax to provide that Project P.A.T.C.H., Planned Assistance for Troubled Children, shall be included in the definition of "health related entities." .....	237	361	Failed Senate
745	Revenue and Taxation	182	ORGAN DONATION - INCOME TAX CREDIT Adds to existing law to provide an income tax credit for live organ donation expenses incurred by a taxpayer; and to provide a limit. ....	315	394	LAW
746	Appropriations	182	APPROPRIATIONS - Amends existing law to revise the fiscal year 2006 appropriation to the Department of Health and Welfare for public health services in the Physical Health Program and the Emergency Medical Services Program. ....	205	292	LAW
747	Appropriations	183	APPROPRIATIONS - Appropriating an additional \$5,000,000 to the Catastrophic Health Care Cost Fund for fiscal year 2006. ....	205	292	LAW
748	Appropriations	183	APPROPRIATIONS - Appropriating an additional \$800,000 to the Department of Health and Welfare for the developmentally disabled in the Community Developmental Disability Service Program for fiscal year 2006; and providing for a transfer of funds. ....	205	292	LAW
749	Education	183	SCHOLARSHIPS - SCIENCE - MATH TEACHERS - Amends existing law to recognize the shortage of trained math and science teachers available to our schools and to state the intention of providing scholarships to eligible individuals if they agree to teach math and science courses for a minimum of four years in Idaho schools; and to remit twenty million dollars annually from the sales tax account to the State Board of Education and the Board of Regents of the University of Idaho to pay for scholarships .....	-	185	House Education
750 AA	Education	183	SCHOOLS - BULLYING - Amends and adds to existing law to provide that superintendents and principals may temporarily suspend pupils for student harassment, intimidation or bullying; to provide additional powers and duties for boards of trustees .....	255	394	LAW
			(House Amendments - p. 229)			
751	Education	183	STUDENT LOANS - MATH/SCIENCE TEACHER Adds to existing law to state legislative intent; to create an Idaho Math and Science Teacher Loan Program; to provide procedures; to provide for loan forgiveness; to create an Idaho Math and Science Teacher Loan Fund in the state treasury with a one time appropriation of five million dollars; and to define terms. ....	241	241	Failed House

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752	Education	183	STATE BOARD OF EDUCATION - Amends existing law relating to the Idaho State Board of Education to permit the board to adopt rules to provide for a student information management system. ....	241	384	LAW
753 AA	State Affairs	188	FIRE INSURANCE - Amends existing law relating to standard fire policies to set forth notice provisions applicable to policy cancellation based upon nonpayment of premium; and to provide when the notification period shall begin. .... (House Amendments - p. 270)	323	424	LAW
754	Revenue and Taxation	188	INCOME TAX CREDIT - NEW PLANT FACILITIES - Amends existing law to provide that the jobs credit, additional investment tax credit and a sales tax rebate shall apply to new plant and building facilities instead of headquarters or administrative facilities. ....	244	394	LAW
755	Revenue and Taxation	189	BUDGET STABILIZATION FUND - Amends existing law to increase the maximum percentage of total general fund receipts that may be in the Budget Stabilization Fund; and to provide that appropriation of moneys from the Budget Stabilization Fund in any year shall be limited to fifty percent of the increased percentage. ....	245	245	Finance
756	Revenue and Taxation	189	SALES TAX EXEMPTIONS - Amends existing law to delete the reference to the sales and use tax exemption for heating materials in the production exemption and in the logging exemption. ....	243	394	LAW
757	Revenue and Taxation	189	SALES TAX EXEMPTION - Amends existing law to provide that donations to, sales to, or purchases by the Advocates for Survivors of Domestic Violence and Sexual Assault, Inc., a nonprofit corporation, shall be exempt from the sales and use tax. ....	245	394	LAW
758	State Affairs	189	BELLEVUE CITY CHARTER - Amends the Charter of the City of Bellevue to provide for the election dates and election procedures to be as set forth in the general laws of the state of Idaho applicable to election of city officials; and to provide quorum requirements and requirements for passage of ordinances, resolutions and other questions. ....	252	394	LAW
759	Education	189	SCHOLARSHIPS - Adds to existing law to provide for establishment of local needs-based scholarship endowment funds by local school boards of trustees; to provide for annual awards of needs-based scholarships to eligible students; to provide for annual calculation of the amount of each year's scholarship; to create an Idaho Needs-Based Scholarship Fund; to provide definitions; and to appropriate \$31.5 million from the General Fund to the Idaho Needs-Based Scholarship Fund. ....	-	194	House Education

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760 AA	Revenue and Taxation	197	MOPED - Amends existing law relating to motor vehicles to revise the definition of "moped" to include vehicles without pedals that are powered solely by electrical energy. .... (House Amendments - p. 251)	283	424	LAW
761 AA	State Affairs	197	CONTRACTOR LICENSING - BONDS - Amends existing law relating to contractor licensing to authorize the Idaho Electrical Board to set forth bonding requirements and to set forth license application requirements; to revise powers and duties of the Idaho Plumbing Board and to set forth license application requirements; and to revise provisions applicable to requirements for certificates of competency for heating, ventilation and air conditioning contractors and specialty contractors. .... (House Amendments - p. 356)	375	375	Senate Commerce and Human Resources
762	State Affairs	198	UNIFORM CONTROLLED SUBSTANCES Amends existing law relating to uniform controlled substances to revise penalties applicable to the manufacture, possession and other prohibited actions relating to specified amounts of pseudoephedrine. ....	243	384	LAW
763	State Affairs	198	FIRE PROTECTION DISTRICTS - Adds to, amends and repeals existing law relating to fire protection districts to clarify the purpose and policy of the fire protection district law; to provide for costs of publication and election relating to petitions for organization of fire districts; to provide for oaths of fire protection commissioners and appointed officers; to provide for terms of office for fire protection commissioners and to provide for the filling of vacancies of fire protection commissioners; to revise provisions relating to annexation; to revise provisions relating to consolidation; to provide for and to revise corporate powers and duties of the board; to provide for and revise provisions relating to the sale, conveyance and disposition of property; to provide for compensation, benefits and expenses; to provide for liability; to provide for and to revise provisions relating to the handling of district funds; to revise provisions applicable to the inclusion, annexation or withdrawal of areas in cities; to provide for cooperation and reciprocating use of firefighting forces and apparatus of districts, political subdivisions and municipalities; to provide for fees and liens; to revise provisions relating to contracts between fire protection districts and individual property owners outside of the districts; and to revise provisions relating to the dissolution of fire protection districts. ....	253	394	LAW

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764	Revenue and Taxation	203	PERSONAL PROPERTY TAX - Amends existing law to provide that certain property of a county hospital or hospital district is exempt from taxation; and to provide that the Board of Equalization shall grant an exemption to the property of a county hospital or a hospital district if certain circumstances occur. ....	303	394	LAW
765	Revenue and Taxation	203	INCOME TAX CREDIT - Amends existing law to provide an income tax credit for charitable contributions made by a taxpayer to Shepherd's Home, Inc. or its foundation. ....	244	394	LAW
766	Appropriations	210	APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT - Appropriates \$2,074,900 to the Office of the Governor for the Division of Financial Management for fiscal year 2007; limits the number of full-time equivalent positions to 24; and directs the allocation of salary savings. ....	241	329	LAW
767	Appropriations	210	APPROPRIATIONS - OFFICE OF THE GOVERNOR - Appropriates \$1,654,700 to the Executive Office of the Governor for fiscal year 2007; limits the number of full-time equivalent positions to 24; and directs the allocation of salary savings. ....	242	329	LAW
768	Education	210	PUBLIC CHARTER SCHOOLS - Amends existing law relating to public charter school financial support to provide for distribution of the school building facilities allowance with respect to petitions to establish a public charter school submitted on and after July 1, 2006; to provide reference to an exception to public charter school financial support from the State Educational Support Program; and to provide special application of public charter school financial support for public charter schools which begin educational instruction after January 1, 2007, as it pertains to per student support, the school building facilities allowance and distribution of supplemental levy revenues, if applicable. ....	303	303	Failed House
769	Education	210	PUBLIC SCHOOL PERFORMANCE PAY FUND Adds to existing law relating to school funds to create a Public School Performance Pay Fund; and to provide for distribution of moneys from the fund to certificated administrative and instructional staff employees of certain school districts according to the test score performance of individual schools. ....	-	218	House Education
770 AAS AAS	Education	210	PUBLIC SCHOOL FUNDING - Amends existing law relating to public school funding to provide for additional instructional staff allowance for certain separate secondary schools. .... (Senate Amendments - See Senate Journal)	401	432	LAW

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771	State Affairs	221	ALFALFA AND CLOVER SEED COMMISSION Amends existing law to revise provisions relating to the disbursement of moneys from the accounts of the Idaho Alfalfa and Clover Seed Commission; and to provide for a system of internal accounting controls. ....	304	424	LAW
772	State Affairs	221	MINT COMMISSION - Amends existing law to revise provisions relating to the disbursement of moneys from the accounts of the Idaho Mint Commission; and to provide for a system of internal accounting controls. ....	304	424	LAW
773	State Affairs	221	CANOLA AND RAPESEED COMMISSION Amends existing law to revise provisions relating to the disbursement of moneys from the accounts of the Idaho Canola and Rapeseed Commission; and to provide for a system of internal accounting controls. ....	305	424	LAW
774	State Affairs	221	BEAN COMMISSION - Amends existing law to revise provisions relating to the disbursement of moneys from the accounts of the Idaho Bean Commission; and to provide for a system of internal accounting controls. ....	305	424	LAW
775	State Affairs	221	ALFALFA AND CLOVER SEED COMMISSION Amends existing law relating to the Alfalfa and Clover Seed Commission to delete definitions relating to districts; and to revise provisions relating to the composition of grower nominating committees appointed by the Department of Agriculture. ....	305	424	LAW
776	State Affairs	221	MEDICAID SIMPLIFICATION ACT - Adds to existing law relating to the Medicaid Simplification Act to provide a short title; to provide powers and duties of the Director of the Department of Health and Welfare; to provide for medical assistance payments by the Department of Health and Welfare to or on behalf of designated categories of eligible persons; and to specify the services for which payment may be made. ....	263	389	LAW
777 AA AA	State Affairs	221	MOVIE THEATERS - ALCOHOL SERVED Amends existing law to provide that it shall not be unlawful for, nor shall Section 23-943, Idaho Code, be construed to restrict, any person under the age of twenty-one years from entering or being in any movie theater that is allowed, pursuant to an ordinance adopted by the city in which the movie theater is located, to sell beer or wine for consumption on the premises; to provide that state and federal laws regarding indecency, obscenity and pornography shall apply to the premises when a city adopts an ordinance allowing consumption of beer or wine on the premises; and to define "movie theater." .... (House Amendments - pp. 272 and 297)	324	325	Failed House



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778 AA	Revenue and Taxation	222	PROPERTY TAX - Amends existing law relating to property tax to provide for valuation of property used primarily for nonprofit school purposes. .... (House Amendments - p. 272)	323	424	LAW
779	Revenue and Taxation	222	CITIES - ANNEXATION - Repeals, adds to and amends existing law to provide for annexation of adjacent territory; to provide for content of all annexation proposals; to provide for voluntary annexation or annexation by request; to provide for annexation of railroad right-of-way property under certain conditions; to preclude annexation of property used as a fairgrounds area unless approved by the board of county commissioners; and to preclude annexation of certain property owned by a nongovernmental entity used to provide outdoor recreational activities to the public unless express written permission is given by the nongovernmental entity. ....	-	226	Local Government
780	Revenue and Taxation	222	DEVELOPMENT IMPACT FEES - Amends existing law to revise the procedure for the imposition of development impact fees; to increase the number of years that a governmental entity may hold development impact fees before expending them from five to eight years; and to increase the maximum number of years that collected development impact fees may be held from eight to eleven years before they need to be expended. ....	304	394	LAW
781	Revenue and Taxation	222	PROPERTY TAX NOTICES - Amends existing law to provide that school district taxes shall be separately shown as "maintenance and operation," "bond," "supplemental" and "other" on property tax notices; and to allow payments of current or future real or personal property taxes on a monthly or quarterly basis. ....	304	394	LAW
782	Appropriations	222	DEPARTMENT OF FISH AND GAME Appropriates \$73,132,800 to the Department of Fish and Game for fiscal year 2007; limits the number of full-time equivalent positions to 525; and directs the allocation of salary savings. ....	243	329	LAW
783	Appropriations	222	SPECIES CONSERVATION OFFICE - Appropriates \$7,477,600 to the Office of the Governor for the Office of Species Conservation for fiscal year 2007; authorizes 6 full-time equivalent positions; and directs the allocation of salary savings. ....	243	329	LAW
784	State Affairs	222	TITLE LOANS - Adds to existing law relating to title loans to provide a short title; to define terms; to require licensure; to set forth requirements applicable to title loan agreements; to provide for disclosure; to provide for the renewal of title loan agreements; to set forth default provisions; to prohibit specified actions; and to provide an exemption. ....	283	394	LAW

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785	State Affairs	222	PESTICIDE SAFETY - Adds to existing law relating to pesticides and chemigation to require the posting of pesticide safety information and pesticide application notices for agricultural workers. ....	-	226	House Agricultural Affairs
786	Revenue and Taxation	223	MOIST SNUFF - TAX - Adds to, repeals and amends existing law to define "moist snuff"; to provide the rate of taxation for tobacco products other than moist snuff; to provide that moist snuff shall be taxed at the rate of one dollar per ounce; to provide for distribution of revenues; and to provide for an alternative tax on and after January 1, 2010, on moist snuff, if certain circumstances occur. ....	-	226	Revenue and Taxation
787	Revenue and Taxation	223	SNUFF - TOBACCO - TAXATION - Amends, adds to and repeals existing law to define "moist snuff"; to provide the rate of taxation for tobacco products other than moist snuff and to provide for distribution of revenues; to provide that moist snuff shall be taxed at the rate of one dollar per ounce of moist snuff, if the wholesale price is \$2.50 or less per ounce, or forty percent of the wholesale price of moist snuff, if the wholesale price is greater than \$2.50 per ounce; and to provide for distribution of tax revenues. ....	273	274	Senate State Affairs
788	Appropriations	230	APPROPRIATIONS - Appropriating an additional \$1,718,700 to the Department of Health and Welfare for psychiatric hospitalization in the Community Hospitalization Program for fiscal year 2006; appropriating an additional \$980,000 to the Department of Health and Welfare for psychiatric hospitalization in the State Hospital South Program for fiscal year 2006; and to provide for transfers of funds. ....	252	355	LAW
789	Education	230	PUBLIC SCHOOLS - COURSES OF INSTRUCTION - Amends existing law relating to public school courses of instruction to emphasize the local control of the public school system; and to revise elements of a thorough system of public, free, common schools. ....	-	439	House General Orders
790	State Affairs	230	IMMIGRANT ASSISTANCE - Amends and adds to existing law to provide for registration of persons providing immigration assistance; to permit nonlegal assistance; to provide for fees; to require a written contract; to provide requirements and a right to rescind; to provide prohibited activities; and to provide penalties. ....	-	233	House State Affairs
791	Ways and Means	235	COAL FIRED POWER PLANT - MORATORIUM Adds to existing law to provide legislative intent; and to place a two year moratorium on issuing any variances, licenses or permits for construction of certain coal fired power plants or applying for variances, licenses or local conditional use, or building or air permits. ....	314	424	LAW

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792	Ways and Means	235	COAL FIRED POWER PLANTS - WATER USE LEGISLATIVE APPROVAL - Amends existing law to require legislative approval, until July 1, 2008, of any water right or combination of water rights with a diversion rate equal to or greater than two cfs or for a storage volume equal to or greater than one thousand four hundred fifty acre-feet, if the use of such right is in conjunction with the coal fired generation of electricity other than integrated gasification combined cycle technology where coal is not burned but rather is oxidized as a power source .....	-	239	Resources and Conservation
793	Appropriations	236	HUMAN RESOURCES DIVISION - Appropriates \$2,878,500 to the Office of the Governor for the Human Resources Division for fiscal year 2007; limits the number of authorized full-time equivalent positions to 36; and directs the allocation of salary savings. ....	273	394	LAW
794	Appropriations	236	AGRICULTURAL RESEARCH/COOPERATIVE EXTENSION PROGRAM - Appropriates \$30,622,000 to the Board of Regents of the University of Idaho for the Agricultural Research and Cooperative Extension Service Program for fiscal year 2007. ....	273	394	LAW
795	Ways and Means	236	PUBLIC UTILITIES COMMISSION - STATE TAX COMMISSION - INDUSTRIAL COMMISSION Amends existing law to provide for a salary increase for members of the Public Utilities Commission, the State Tax Commission and the Industrial Commission commencing in July 1, 2006. ....	315	424	LAW
796	Revenue and Taxation	240	SALES TAX EXEMPTION - POLLUTION CONTROL EQUIPMENT - Amends existing law to revise the tax exemption applicable to pollution control equipment. ....	274	394	LAW
797	Appropriations	240	ENDOWMENT FUND INVESTMENT BOARD Appropriates \$621,900 to the State Board of Land Commissioners for the Endowment Fund Investment Board for fiscal year 2007; limits the number of full-time equivalent positions to 4; provides for continuous appropriation authority for moneys in the Endowment Administration Fund for consulting fees, bank custodial fees and portfolio-related costs; provides legislative intent regarding the transfer of moneys from the various earning reserve funds to the income funds; and directs the allocation of salary savings. ....	275	394	LAW
798	Appropriations	240	WATER RESOURCES DEPARTMENT Appropriates \$23,062,900 to the Department of Water Resources for fiscal year 2007; limits the number of full-time equivalent positions to 180; and directs the allocation of salary savings. ....	275	394	LAW

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799	Appropriations	240	PUBLIC UTILITIES COMMISSION - Appropriates \$4,475,200 to the Public Utilities Commission for fiscal year 2007; limits the number of full-time equivalent positions to 49; and directs the allocation of salary savings. ....	275	394	LAW
800	Ways and Means	248	WATER RIGHTS - Amends existing law relating to water to revise provisions regarding rights associated with permits and licenses relating to ground water recharge. ....	294	385	Failed Senate
801	Appropriations	248	APPELLATE PUBLIC DEFENDER - Appropriates \$1,965,500 to the State Appellate Public Defender for fiscal year 2007; limits the number of full-time equivalent positions to 21; and directs the allocation of salary savings. ....	282	394	LAW
802	Appropriations	248	CATASTROPHIC HEALTH CARE - Appropriates \$20,766,800 for Catastrophic Health Care for fiscal year 2007. ....	282	394	LAW
803	Appropriations	248	SPECIAL PROGRAMS - STATE BOARD OF EDUCATION - Appropriates \$10,395,700 to the State Board of Education and the Board of Regents of the University of Idaho for Special Programs, including the Forest Utilization Research Program, Idaho Geological Survey Program, Scholarships and Grants Program, Idaho Museum of Natural History, Idaho Small Business Development Centers, and the Idaho Council on Economic Education for fiscal year 2007; and limits the number of full-time equivalent positions to 24.8. ....	282	394	LAW
804	Appropriations	248	HEALTH EDUCATION PROGRAMS - STATE BOARD OF EDUCATION - Appropriates \$9,229,700 to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs including the WOI Veterinary Education Program, WWAMI Medical Education Program, Idaho Dental Education Program, University of Utah Medical Education Program, the Family Practice Residency Program and WICHE for fiscal year 2007; limits the number of full-time equivalent positions to 20.39; and reappropriates any unexpended and unencumbered fund balances for nonrecurring expenditures. ....	282	394	LAW
805	Appropriations	248	DEPARTMENT OF COMMERCE AND LABOR Appropriates \$33,617,500 to the Department of Commerce and Labor for fiscal year 2007; appropriates federal funds for the unemployment insurance program; limits the number of full-time equivalent positions to 63.5; directs the allocation of salary savings; and directs reports regarding the Film/Tourism Marketing Specialist, the Small Business Assistance Fund and the twelve Rural Economic Development professionals. ....	283	394	LAW

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806	State Affairs	248	DAYCARE PROGRAMS - Amends existing law relating to daycare programs; to provide for issuance of licenses to family daycare homes and group daycare facilities; to provide for application, inspection, continuing compliance and reinspection procedures for family daycare homes and group daycare facilities; to require criminal background checks for specified individuals associated with family daycare homes and group daycare facilities; to prohibit immediate family members who are registered sex offenders from being on the premises while children participating in a family daycare home, group daycare facility or daycare center program are on the premises; to revise health standards; to provide for denial, suspension or revocation of a license; to add to the specified crimes precluding eligibility for a license; to permit fire inspections; to remove requirements for availability for inspection of fire inspection certificates and criminal history checks; to remove criminal sanction for operation without certain certificates; to provide for a grace period for operating a family daycare home, group daycare facility or daycare center without a license; to provide for the duty of the county prosecuting attorney to prosecute violations; to provide for no liability for the state or political subdivisions in issuing licenses; and to revise training requirements. ....	-	259	House Health and Welfare
807	Revenue and Taxation	261	DEVELOPERS - Adds to existing law to allow the collection of a fee from owners or developers of a subdivision by a county, with the moneys to be utilized for training conducted by Idaho higher educational institutions for planner certification; to provide that training may include instruction in environmental land use issues, zoning and land use principles, landscape design, public administration and economic and financial responsibility in a land use context; to create the county planning education fund; and to provide expenditure of moneys in the fund. ....	-	264	Revenue and Taxation
808	Appropriations	261	INSURANCE DEPARTMENT - Appropriates \$7,247,300 to the Department of Insurance for fiscal year 2007; limits the number of full-time equivalent positions to 73; and directs the allocation of salary savings. ....	297	394	LAW
809	Appropriations	261	APPROPRIATIONS - IDAHO STATE LOTTERY Appropriates \$11,062,100 to the Idaho State Lottery in the Department of Self-Governing Agencies for fiscal year 2007; limits the authorized full-time equivalent positions to 48; provides legislative intent that amounts necessary to pay prizes, retailer commissions, advertising and promotional costs shall be continuously appropriated; and directs the allocation of salary savings. ....	297	394	LAW

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810	Appropriations	261	APPROPRIATIONS - PUBLIC EMPLOYEE RETIREMENT SYSTEM - Appropriates \$6,312,500 to the Office of the Governor for the Public Employee Retirement System for fiscal year 2007; provides legislative intent that moneys appropriated for the Portfolio Investment Program are for administrative costs of the program; limits the number of authorized full-time equivalent positions to 63; and directs the allocation of salary savings. ....	297	394	LAW
811	Appropriations	261	APPROPRIATIONS - STATE TREASURER Appropriates \$1,856,400 to the State Treasurer for fiscal year 2007; provides that moneys assessed for State Treasurer banking services be placed in the Indirect Cost Recovery Fund and provides for transfers of moneys from the fund; limits the number of full-time equivalent positions to 18 .....	298	394	LAW
812	Appropriations	261	APPROPRIATIONS - HUMAN RIGHTS COMMISSION - Appropriates \$893,900 to the Office of the Governor for the Human Rights Commission for fiscal year 2007; limits the number of full-time equivalent positions to 11; and directs the allocation of salary savings. ....	298	394	LAW
813	Appropriations	262	APPROPRIATIONS - ARTS COMMISSION Appropriates \$1,750,500 to the Office of the Governor for the Commission on the Arts for fiscal year 2007; limits the number of full-time equivalent positions to 11; and directs the allocation of salary savings. ....	298	394	LAW
814 AA	Ways and Means	262	JUDGES - SALARIES - Amends existing law to provide for an increase in the salaries of judges. .... (House Amendments - p. 296)	324	424	LAW
815	Education	266	VIRTUAL DISTANCE LEARNING - Amends existing law relating to public virtual schools to define "virtual distance learning." .....	-	280	Held at Desk
816	Revenue and Taxation	266	WIND ENERGY - TAX - Amends and adds to existing law relating to producers of electricity by means of wind energy to provide a wind energy tax; to provide for the filing of operators' statements; to provide for the computation, allotment and apportionment of the tax; to provide for the collection and distribution of taxes; to provide for tax liens; to provide for the assessment of nonoperating property; and to provide an exemption from taxation for certain operating property. ....	332	333	Local Government and Taxation
817	Appropriations	267	APPROPRIATIONS - LANDS DEPARTMENT Appropriates \$37,357,300 to the Department of Lands for fiscal year 2007; limits the number of full-time equivalent positions to 265.61; and directs the allocation of salary savings. ....	311	394	LAW

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818	Appropriations	267	APPROPRIATIONS - SOIL CONSERVATION COMMISSION - Appropriates \$4,980,700 to the Soil Conservation Commission for fiscal year 2007; limits the number of full-time equivalent positions to 24; and directs the allocation of salary savings. ....	311	394	LAW
819	Appropriations	267	APPROPRIATIONS - AGRICULTURE DEPARTMENT - Appropriates \$31,133,000 to the Department of Agriculture for fiscal year 2007; limits the number of full-time equivalent positions to 206.60; and directs the allocation of salary savings. ....	302	394	LAW
820	Ways and Means	267	RURAL ECONOMIC DEVELOPMENT AND INTEGRATED FREIGHT TRANSPORTATION PROGRAM - Adds to and amends existing law to provide the Rural Economic Development and Integrated Freight Transportation Program; to authorize the Department of Commerce and Labor to administer the program; to clarify funding for state projects; to create an interagency working group; to provide for duties of the interagency working group; to authorize the Department of Commerce and Labor to administer the Rural Economic Development and Integrated Freight Transportation Fund; to redefine "qualified lines"; to provide for distribution of moneys; to direct the Idaho Transportation Department to prepare and update a state rail and intermodal facility system plan; to revise the elements of the plan; and to direct the Idaho Transportation Department to provide certain information to the interagency working group. ....	333	432	LAW
821	Education	267	DEAF AND BLIND EDUCATION Amends, adds to and repeals existing law to remove consideration of the Idaho School for the Deaf and the Blind as a school district; to provide distribution calculations for school districts hosting regional programs for deaf education; to establish in the State Board of Education the Division of Deaf and Blind Education; to provide for the elimination of the Idaho School for the Deaf and the Blind as a body corporate; to vest general supervision and government control of the Division of Deaf and Blind Education in the State Board of Education; to provide for general powers of the State Board of Education relating to the division; to prohibit religious or sectarian tests; to provide for definitions; to provide for a program for the deaf; to provide for a program for the blind; to provide legislative findings with regard to the Division of Deaf and Blind Education; to provide for technology grants to the regional deaf education program and to provide for the transfer and credit of certain funds to the Idaho Division of Deaf and Blind Education Fund. ....	-	280	House Education

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822	State Affairs	268	SELF-FUNDED HEALTH CARE PLANS - Amends existing law relating to self-funded health care plans to revise the declaration of purpose; to revise definitions; to revise provisions applicable to registration requirements; to require written notice; to set forth plan requirements; to revise provisions applicable to applications for registration; to require contracts of the trust fund to be in writing; to revise provisions applicable to investments of trust funds; to revise provisions applicable to reserves; to provide for extensions of filing times applicable to annual statements; to require the filing of quarterly supplemental financial reports; to exempt self-funded plans from certain provisions relating to taxes, licenses and fees; to revise provisions applicable to the examination of certain records; to revise provisions applicable to administrators and the issuance of bonds or other coverage; to reference plans for purposes of prohibited pecuniary interests; to revise provisions applicable to termination of registration; to revise provisions applicable to liquidation of a trust fund; to revise provisions applicable to rules; to revise provisions applicable to penalties; and to prohibit specific benefits restrictions. ....	321	432	LAW
823	State Affairs	268	BUILDING CODE BOARD - Amends existing law relating to the Idaho Building Code Board to revise board membership and meeting provisions. ....	309	309	Failed House
824	Education	268	STATE COMMUNITY COLLEGES - Adds to and amends existing law to provide legislative findings and intent; to provide for the establishment of state community colleges by the State Board of Education; to provide for establishment of community college advisory boards and to provide powers of the boards; to provide tuition for students residing outside of a community college district; to provide for disbursement of funds appropriated to the State Board of Education for state community colleges and the services they provide. ....	-	280	Ways and Means
825	State Affairs	275	SELF-FUNDED HEALTH CARE PLANS - Adds to existing law relating to joint public agency self-funded health care plans to set forth a declaration of purpose; to provide for trust fund powers and liability; to provide for investment of trust fund moneys; to require reserves; to provide for records, accounts and annual statements; to exempt plans from taxes; to provide for examination of books, records and accounts; to provide for a board of trustees and administrators; to provide for recovery of depleted funds; to provide for termination of registration; to provide for the liquidation of a trust fund; to authorize rules; to set forth penalties; and to set forth mandated coverage provisions. ....	321	432	LAW



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826	Appropriations	281	APPROPRIATIONS - DEPARTMENT OF Health and Welfare - CHILD WELFARE - Appropriates \$50,103,000 to the Department of Health and Welfare for the Child Welfare Program for fiscal year 2007; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; limits the authorized full-time equivalent positions for the Child Welfare Program to 385.47; and directs the use of salary savings. ....	311	394	LAW
827	Appropriations	281	APPROPRIATIONS - DEPARTMENT OF Health and Welfare - WELFARE DIVISION - Appropriates \$131,372,400 to the Department of Health and Welfare for the Welfare Division for fiscal year 2007; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; reappropriates unexpended and unencumbered fund balances of the Cooperative Welfare Fund; limits the number of full-time equivalent positions to 623.56; and directs the use of salary savings. ....	311	394	LAW
828	Appropriations	281	APPROPRIATIONS - DEPARTMENT OF Health and Welfare - INDIRECT SUPPORT SERVICES Appropriates \$33,842,900 for Indirect Support Services for fiscal year 2007; specifies that the State Controller shall make transfers to the Cooperative Welfare Fund; limits the authorized full-time equivalent positions to 318.98; and directs the allocation of salary savings. ....	312	394	LAW
829	Appropriations	295	APPROPRIATIONS - DEPARTMENT OF Health and Welfare - INDEPENDENT COUNCILS Appropriates \$4,700,000 to the Department of Health and Welfare for the Independent Councils for fiscal year 2007; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; limits the authorized full-time equivalent positions for the Independent Councils to 13; and directs the allocation of salary savings. ....	320	394	LAW
830	Appropriations	295	APPROPRIATIONS - DEPARTMENT OF Health and Welfare - DEVELOPMENTAL DISABILITIES SERVICES - Appropriates \$17,907,800 to the Department of Health and Welfare for the Community Developmental Disabilities Services Program for fiscal year 2007; limits the authorized full-time equivalent positions for the Community Developmental Disabilities Services Program to 171.44; appropriates \$21,219,300 to the Department of Health and Welfare for the Idaho State School and Hospital Program for fiscal year 2007; limits the authorized full-time equivalent positions for the Idaho State School and Hospital Program to 375.53; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; reappropriates unexpended and unencumbered fund balances; and directs the allocation of salary savings. ....	320	394	LAW

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831	Appropriations	295	APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Appropriates \$53,091,400 to the Department of Environmental Quality for fiscal year 2007; limits the number of full-time equivalent positions to 378.55; directs the transfer of funds to the Environmental Remediation Fund; provides intent regarding remediation of the Coeur d'Alene Basin; provides intent regarding the Water Pollution Control Fund; directs the allocation of salary savings; and provides intent regarding the Technical Leadership Group of the Coeur d'Alene Basin Environmental Improvement Project Commission. ....	321	394	LAW
832 AA	Ways and Means	295	HEALTH AND WELFARE - BOARD - Amends existing law to provide for oversight of the Department of Health and Welfare by the Board of Health and Welfare; to provide an exception to the powers and duties of the director of the Department of Health and Welfare; to increase membership of the Board of Health and Welfare; to provide for certain qualifications for board members; to provide for additional voting and nonvoting members; to remove the requirement that a board secretary be elected; to provide for meetings and special meetings; to clarify the scope of the board's duties; to revise voting requirements; to provide additional powers and duties of the board; and to require certain issues be addressed in an annual report by the board to the Governor and the Legislature. .... (House Amendments - p. 359)	376	432	LAW
833	Ways and Means	295	SUBSTANCE ABUSE - Amends, adds to and repeals existing law relating to substance abuse; to define terms; to revise a definition; to remove a provision relating to the designation of a State Substance Abuse Authority; to create the Interagency Committee on Substance Abuse Prevention and Treatment; to state the purpose of the interagency committee and to provide membership and duties; to provide for meeting requirements; to provide for sharing of interagency committee administrative costs; to establish regional advisory committees that address substance abuse; to provide for appointment to the regional advisory committees; to provide for meeting of the regional advisory committee chairs; to provide for the selection of a representative to the interagency committee; to provide reporting requirements; to provide that the Department of Health and Welfare is designated as the State Substance Abuse Authority; and to provide for the interagency committee to advise the Department on the content of the comprehensive program for treatment of alcoholics, intoxicated persons and drug addicts. ....	346	432	LAW

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834	State Affairs	296	IDAHO GUARD AND RESERVE FAMILY SUPPORT FUND - Amends existing law relating to the Idaho Guard and Reserve Family Support Fund to provide for investment of idle moneys in the fund and for return of interest earned on such investments to the fund. ....	324	424	LAW
835	State Affairs	296	NATIONAL GUARD - Amends existing law relating to martial law and active duty to authorize the Adjutant General of the Idaho National Guard to order commissioned officers and enlisted personnel to special duty, with their consent. ....	-	301	Transportation and Defense
836	Appropriations	310	APPROPRIATIONS - DEPARTMENT OF Health and Welfare - MENTAL HEALTH SERVICES Appropriates \$19,498,100 to the Department of Health and Welfare for the Children's Mental Health Program for fiscal year 2007; limits the authorized full-time equivalent positions for the Children's Mental Health Program to 92.2; appropriates \$19,710,700 to the Department of Health and Welfare for Community Mental Health Services for fiscal year 2007; limits the authorized full-time equivalent positions for Community Mental Health Services to 252.1; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; provides for transfers of funds from the Drug Court, Mental Health Court and Family Court Services Fund; provides intent regarding the Idaho Council on Children's Mental Health; and directs the allocation of salary savings. ....	341	424	LAW
837	Appropriations	310	APPROPRIATIONS - DEPARTMENT OF Health and Welfare - PSYCHIATRIC HOSPITALIZATION Appropriates \$2,160,400 to the Department of Health and Welfare for the Community Hospitalization Program for fiscal year 2007; appropriates \$7,240,300 to the Department of Health and Welfare for the State Hospital North Program for fiscal year 2007; limits the authorized full-time equivalent positions for the State Hospital North Program to 109.39; appropriates \$17,547,700 to the Department of Health and Welfare for the State Hospital South Program for fiscal year 2007; limits the authorized full-time equivalent positions for the State Hospital South Program to 259.22; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; directs the Department of Health and Welfare to pursue contracts for mental health hospitalization services; and directs the allocation of salary savings. ....	340	424	LAW

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838	Appropriations	310	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - PUBLIC HEALTH SERVICES Appropriates \$70,386,700 to the Department of Health and Welfare for the Physical Health Services Program for fiscal year 2007; limits the authorized full-time equivalent positions to 134.33 for the Physical Health Services Program; appropriates \$6,547,600 to the Department of Health and Welfare for the Emergency Medical Services Program for fiscal year 2007; limits the authorized full-time equivalent positions to 28.76 for the Emergency Medical Services Program; appropriates \$5,029,500 to the Department of Health and Welfare for the Laboratory Services Program for fiscal year 2007; limits the authorized full-time equivalent positions to 42.54 for the Laboratory Services Program; appropriates \$24,738,600 to the Department of Health and Welfare for Substance Abuse Programs for fiscal year 2007; limits the authorized full-time equivalent positions to 12.64 for the Substance Abuse Programs; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; provides legislative intent regarding use of funds for special health programs; and directs the allocation of salary savings. ....	340	424	LAW
839	Appropriations	310	APPROPRIATIONS - PUBLIC WORKS PROJECTS Appropriates \$52,428,300 to the Division of Public Works for specified projects; provides legislative intent regarding expenditure of moneys by the Division of Public Works; exempts the appropriations from certain provisions of the Idaho Code; directs the State Treasurer to issue tax anticipation notes; and directs the State Controller to transfer moneys. ....	340	424	LAW
840	Appropriations	319	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAL ASSISTANCE SERVICES - Appropriates \$1,246,284,800 to the Department of Health and Welfare for Medical Assistance Services for fiscal year 2007; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; reappropriates unexpended and unencumbered fund balances of the Cooperative Welfare Fund; authorizes expenditure of all receipts collected as noncognizable funds; limits the number of full-time equivalent positions to 287.5; provides for a contract for a market analysis of certain service providers; provides for a study regarding parent-directed care for children with developmental disabilities; and directs the allocation of salary savings. ....	-	328	Not Printed
841	Ways and Means	320	WATER RIGHTS - Amends existing law to provide an effective date for H 800. ....	347	347	Resources and Environment

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842	Ways and Means	320	REGULATORY TAKINGS - Amends existing law relating to the Idaho Regulatory Takings Act to revise the declaration of purpose; to revise the definition of "regulatory taking" and to define "per se taking"; and to revise provisions applicable to regulatory or administrative actions that have resulted or will result in a taking of private property by a governmental agency or entity. ....	-	329	House State Affairs
843	Ways and Means	323	MINIMUM WAGE - Amends existing law to increase the minimum wage; to provide for an annual calculation to adjust the minimum wage based on the consumer price index for a specified previous period of time; to provide an alternative wage for persons who have not attained eighteen years of age; and to provide for an annual calculation to adjust such alternative wage based on the consumer price index for a specified previous period of time. ....	-	328	House State Affairs
844	Appropriations	330	STATE EMPLOYEES - SALARY INCREASE Stating legislative intent regarding salary increases for state employees; directing the Department of Administration to pay estimated fiscal year 2007 increases in group health insurance premiums, to pay one month of group health insurance premiums and to pay basic life and disability premiums for the employer for seven months; appropriating additional moneys to Attorney General, School for the Deaf and the Blind and state agencies for fiscal year 2007 for personnel costs of specified job classifications; and providing legislative intent relating to costs of mental health insurance parity for state employees. ....	352	424	LAW
845	Appropriations	330	APPROPRIATIONS - PUBLIC SCHOOLS DIVISION OF TEACHERS - Appropriates \$742,906,400 to the Public Schools, Division of Teachers, for fiscal year 2007; provides moneys for unemployment insurance; distributes moneys for master teacher award payments; distributes moneys for training for working with gifted and talented students; and amends existing law to increase instructional staff base salary. ....	359	432	LAW
846	Appropriations	331	APPROPRIATIONS - PUBLIC SCHOOLS OPERATIONS DIVISION - Appropriates \$287,981,500 for the Educational Support Program/Division of Operations for fiscal year 2007; provides for expenditures for certain technology and remediation programs; appropriates moneys for property tax replacement; provides an estimate of discretionary funds per support unit; amends existing law to revise the local district's contribution calculation and to increase the salary-based apportionment for classified staff; and to provide for a transfer of funds to the Public Education Stabilization Fund. ....	359	432	LAW

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847	Appropriations	331	<p>APPROPRIATIONS - PUBLIC SCHOOLS CHILDREN'S PROGRAMS - Provides a description of the Division of Children's Programs; appropriates \$132,246,100 to the Public School Income Fund/Division of Children's Programs for fiscal year 2007; provides for expenditures regarding moneys received pursuant to Sections 63-2506, 63-2552A and 67-7439, Idaho Code; provides for allocation of moneys and requirements for the Idaho Safe and Drug-Free Schools Program; provides intent that the Idaho Safe and Drug-Free Schools Program must include certain features; provides for expenditures for literacy programs; provides for expenditures for students with non-English or limited-English proficiency; distributes moneys to the Idaho Digital Learning Academy and provides legislative intent regarding assistance to students failing to achieve proficiency in areas of the Idaho Standards Achievement Test; and grants authority to transfer funds between the five divisions of the Educational Support Program budget. ....</p>	359	432	LAW
848	Appropriations	331	<p>APPROPRIATIONS - PUBLIC SCHOOLS ADMINISTRATORS DIVISION - Appropriates \$81,451,200 to the Public Schools, Division of Administrators, for fiscal year 2007; provides intent regarding public school employee benefits; and amends existing law to increase the base salary for administrative staff. ....</p>	360	432	LAW
849	Appropriations	339	<p>APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAL ASSISTANCE SERVICES - Appropriates \$1,246,284,800 to the Department of Health and Welfare for Medical Assistance Services for fiscal year 2007; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; reappropriates unexpended and unencumbered fund balances of the Cooperative Welfare Fund; authorizes expenditure of all receipts collected as noncognizable funds; limits the number of full-time equivalent positions to 287.5; provides for a contract for a market analysis of certain service providers; provides for a study regarding parent-directed care for children with developmental disabilities; directs the allocation of salary savings; and provides legislative intent regarding the fiscal impact on respite care services. ....</p>	364	424	LAW
850	Ways and Means	339	<p>WORKER'S COMPENSATION - Amends existing law relating to worker's compensation to revise the definition of "injury"; and to revise provisions applicable to compensation for psychological accidents and injuries. ....</p>	-	348	House State Affairs

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851	Appropriations	339	APPROPRIATIONS - TRANSPORTATION DEPARTMENT - Appropriates \$499,743,900 to the Idaho Transportation Department for fiscal year 2007; appropriates an additional \$3,725,400 to the Idaho Transportation Department for fiscal year 2006; limits the number of full-time equivalent positions to 1,833.5; provides legislative intent that all moneys transferred to the Local Bridge Inspection Fund and Railroad Grade Crossing Protection Fund be continuously appropriated; reappropriates certain unexpended and unencumbered balances for the Contract Construction and Right-of-Way Acquisition Program and Airport Development Grants; authorizes the transfer of moneys to the Tourism and Promotion Fund in the Department of Commerce and Labor for matching fund support of the Gateway Visitor Centers; and directs the allocation of salary savings. .	364	444	LAW
852	Appropriations	339	APPROPRIATIONS - LEGISLATIVE COUNCIL Appropriates \$300,000 to the Legislative Council for consulting services for the Interim Committee on Energy, Environment and Technology; and to provide for allocation of the funds. ....	364	424	LAW
853	Ways and Means	348	MOVIE THEATERS - ALCOHOL SERVED Amends existing law to provide that it shall not be unlawful for any person under the age of twenty-one years of age to enter or be in any movie theater that is allowed to sell beer or wine for consumption on the premises; to provide that state and federal laws regarding pornography, indecency or obscenity shall apply to the premises; and to define the term "movie theater." .....	377	424	LAW
854	Appropriations	349	HIGHWAY PROJECTS - BONDING AUTHORITY Approves the bonding authority for the issuance of GARVEE bonds for highway transportation projects; states legislative intent regarding obligations of future legislatures or governors and provides for financing of specific projects; authorizes a transfer of funds; states legislative intent regarding adjustment of allocation of GARVEE bond proceeds among projects; states the desire of the legislature regarding use of federal funds; and provides that the Idaho Transportation Board and future governors may request future bonding authority. ....	443	444	LAW
855	Revenue and Taxation	362	SALES AND USE TAX REBATE - RETAILERS Adds to existing law to provide a sales and use tax rebate for retailers who have incurred minimum costs in putting in an interchange on an interstate highway and/or freeway interchange improvements on land owned by the state of Idaho or any of its political subdivisions and utility infrastructure installed within the public right-of-way; to provide procedures; to provide when the rebate is no longer paid; and to define terms. ....	-	369	Revenue and Taxation

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856	Ways and Means	362	ANNEXATION - CITIES - Amends existing law to provide conditions that must be met for land outside a negotiated area of impact to be annexed into a city. ....	-	369	Local Government
857	Ways and Means	362	RULES - Adds to existing law to provide that administrative rules that expire on July 1, 2006, will continue to be effective until July 1, 2007; to provide that administrative rules approved or extended by the adoption of a concurrent resolution shall be effective until July 1, 2007, or until such time as they expire; and to authorize agencies to amend or repeal certain rules pursuant to the Administrative Procedure Act. ....	371	435	LAW
858	Ways and Means	363	EMERGENCY MEDICAL SERVICES - Amends existing law to provide definitions; to revise rulemaking authority; to create an Idaho Emergency Medical Services Physician Commission; to provide for the governance of the commission; to eliminate grandfather rights for ambulances; and to provide for supervision of the medical services provided by personnel affiliated with licensed ambulance or non-transport services. ....	376	432	LAW
859	Revenue and Taxation	363	SALES TAX - PUBLIC SCHOOL FUNDING Repeals and amends existing law to increase the sales tax to 6%; and to remove the three-tenths of one percent property tax levy for maintenance and operation of public schools. ....	-	441	Revenue and Taxation
860	Appropriations	369	APPROPRIATIONS - Appropriates an additional \$911,500 to the Supreme Court for judicial salary increases for fiscal year 2007. ....	388	432	LAW
861	Appropriations	369	APPROPRIATIONS - Appropriating additional moneys for fiscal year 2007 for salary increases for the Governor, Lieutenant Governor, Secretary of State, Superintendent of Public Instruction, State Treasurer, State Controller and the Attorney General. ....	402	444	LAW
862	Appropriations	370	APPROPRIATIONS - Appropriating additional moneys for fiscal year 2007 for salary increases for members of the Public Utilities Commission, Tax Commission and Industrial Commission. ....	389	435	LAW
863	Education	385	SCHOOL CLUBS - PARENTS - NOTIFICATION Amends existing law to direct the boards of trustees of school districts to adopt policies and procedures for notifying parents or legal guardians of students regarding school clubs and organizations in which a student may participate, and for obtaining permission from a parent or legal guardian before the student joins or participates in a school club or organization; and to define "club or organization" and "competitive interscholastic activity or event." ....	392	392	Senate Education



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<u>House Bill No.</u>	<u>Introduced By</u>	<u>Intro-duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
864	Appropriations	385	APPROPRIATIONS - PUBLIC SCHOOLS FACILITIES - Appropriates \$22,722,900 to the Educational Support Program/Division of Facilities for fiscal year 2007; provides for the transfer and appropriation of moneys to the Bond Levy Equalization Fund; and amends existing law to provide that moneys in the Bond Levy Equalization Fund be continuously appropriated. ....	392	432	LAW
865	State Affairs	385	ELECTIVE OFFICERS - SALARIES - Amends existing law to increase the salaries of state elective officers by four percent per annum on the first Monday in January of 2007, and then again by three percent per annum on each of the first Mondays in January of 2008, 2009 and 2010. ....	402	444	LAW
866	Appropriations	392	APPROPRIATIONS - Directing the transfer of \$10,000,000 to the Public Education Stabilization Fund. ....	397	444	LAW
867	Education	393	COMMUNITY COLLEGES - STATE - Amends, repeals and adds to existing law to provide for the establishment of state community colleges by the State Board of Education; to provide for establishment and duties of community college advisory boards; to provide for residency and tuition; and to create the Community College Equalization Fund and to provide for distribution of the moneys in the fund. ....	-	395	Held at Desk
868	Appropriations	393	APPROPRIATIONS - Authorizing a transfer of funds; and appropriating an additional \$650,000 to the Physical Health Services Program in the Department of Health and Welfare for a rural health care access grant to Terry Reilly Health Services for the development of a community health center in Caldwell, Idaho. ....	398	444	LAW
869	Appropriations	396	APPROPRIATIONS - Directing the State Controller to transfer funds; appropriating an additional \$4,000,000 to the Department of Agriculture for the Plant Industries Program for eradication of Eurasian Watermilfoil for fiscal years 2007 and 2008; authorizing one additional full-time equivalent position. ....	410	444	LAW
870	Appropriations	396	APPROPRIATIONS - Directing the State Controller to transfer funds; directing the transfer of \$5,000,000 to the Idaho Water Resource Board Revolving Development Fund; and providing for the use of the moneys. ....	410	444	LAW
871	Appropriations	396	APPROPRIATIONS - Directing the State Controller to transfer funds; and appropriating an additional \$50,000 to the State Board of Education for Special Programs for the TechHelp Program. ....	411	444	LAW

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<u>House Bill No.</u>	<u>Introduced By</u>	<u>Intro-duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
872	Appropriations	396	APPROPRIATIONS - Directing the transfer of funds; and appropriating an additional \$250,000 to the Department of Commerce and Labor for fiscal years 2007 and 2008 for providing expertise to successful applicants among rural communities to obtain innovative growth management strategies. ....	412	444	LAW
873	Appropriations	396	APPROPRIATIONS - Directing the transfer of funds; creating the Incumbent Worker Training Revolving Loan Fund; and appropriating an additional \$2,000,000 to the Department of Commerce and Labor for fiscal years 2007 and 2008 to assist businesses in training workers. ....	412	444	LAW
874	Appropriations	396	APPROPRIATIONS - Directing the transfer of funds; and appropriating an additional \$5,000,000 to the Department of Commerce and Labor for fiscal years 2007 and 2008 for short line rail or intermodal freight shipping infrastructure. ....	413	444	LAW
875	Appropriations	403	APPROPRIATIONS - Directing the transfer of funds; appropriating an additional \$26,500,000 to the Department of Parks and Recreation for fiscal years 2007 and 2008; specifying that the money be used on certain projects; requiring a report to the Joint Finance-Appropriations Committee; requiring a comprehensive plan for the development of Eagle Island State Park; and providing for use of proceeds from Eagle Island State Park's natural resources. ....	413	444	LAW
876	Revenue and Taxation	403	SALES TAX - PUBLIC SCHOOL FUNDING Repeals and amends existing law to enact the "Property Tax Relief Act of 2006"; to revise school funding; to remove the maintenance and operation levy for school funding; to provide that \$75,000 of the market value for assessment purposes or 50% of the market value for assessment purposes, whichever is the lesser, shall be exempt from property taxation; and to increase the sales and use tax to 6.25%. ....	408	422	Failed Senate
877	State Affairs	407	MEDICAID - Adds to existing law to state legislative findings; to establish a Medicaid program for caregivers; to provide for program criteria; to require an annual report; and to provide a sunset date. ....	417	444	LAW

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<u>House Concurrent Resolu- tion No.</u>	<u>Introduced By</u>	<u>Intro- duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
30	Denney and Jaquet	2	GOVERNOR - STATE OF STATE ADDRESS Provides for a joint session of the House of Representatives and the Senate to hear the Governor's State of the State Address. ....	3	16	ADOPTED
31	Health and Welfare	32	SUICIDE PREVENTION PLAN - Stating findings of the Legislature and expressing support for Idaho's Suicide Prevention Plan. ....	146	226	ADOPTED
32	Education	49	BULLYING AWARENESS WEEK - Stating findings of the Legislature and designating the week of September 10 through September 16, 2006, as Bullying Awareness Week. ....	160	239	ADOPTED
33	Education	60	CIVIC AND HISTORIC LEARNING SUMMIT Stating findings of the Legislature and urging the Secretary of State to convene a Summit for Civic and Historical Learning; to provide composition of the committee; and to require a report. ....	160	239	ADOPTED
34	Health and Welfare	74	COLON CANCER - Stating findings of the Legislature concerning the impacts of colon cancer on the citizens of Idaho and declaring the month of March as "Colorectal Cancer Awareness Month." ....	110	185	ADOPTED
35	State Affairs	74	INDIAN GAMING - Stating findings of the Legislature and requesting the Attorney General of the State of Idaho to appoint special counsel to bring an action in a court of competent jurisdiction to determine whether Sections 67-429B and 67-429C, Idaho Code, relating to authorized tribal video gaming machines and state-tribal gaming compacts, violate the Constitution of the State of Idaho. ....	-	83	House State Affairs
36	Resources and Conservation	83	NIAGARA SPRINGS CREEK - Stating findings of the Legislature and approving applications to appropriate water for minimum streamflows in Niagara Springs Creek, tributary to the Snake River and in Niagara Springs and its creeks tributary to the Snake River. ....	178	307	ADOPTED
37	Resources and Conservation	84	CLEARWATER RIVER - NORTH FORK - Stating findings of the Legislature and approving an application to appropriate water for minimum streamflow in the North Fork of the Clearwater River. ....	178	307	ADOPTED
38	Resources and Conservation	85	IDAHO BIRDING TRAIL - Stating findings of the Legislature and expressing support for the development of the Idaho Birding Trail and recognizing the economic opportunities and benefits the trail will afford to communities in the state of Idaho. ....	204	338	ADOPTED

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<u>House Concurrent Resolu- tion No.</u>	<u>Introduced By</u>	<u>Intro- duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
39	Transportation and Defense	92	MILITARY PERSONNEL - HEALTH CARE Stating findings of the Legislature and commending most members of the Idaho Medical Association for providing health care to military personnel and their families during deployment. ....	137	226	ADOPTED
40	Health and Welfare	92	PHYSICIANS - Stating findings of the Legislature and directing the Department of Health and Welfare and the Office of the Attorney General to develop a statewide universal system and form for physician orders for life-sustaining treatment; and to report their proposals to the Legislature. ....	174	248	ADOPTED
41	Health and Welfare	92	HEALTHY LIFESTYLE - Stating findings of the Legislature and encouraging the development and implementation of a state website portal to assist Idahoans in becoming more informed about healthy lifestyles and available health care options in Idaho. ....	174	209	Failed Senate
42	State Affairs	101	CAPITOL RESTORATION - Stating findings of the Legislature; restating the Legislature's support for the restoration, preservation and maintenance of the State Capitol Building; authorizing the Idaho Capitol Commission to modify its Master Plan for the restoration of the State Capitol Building to provide for certain listed modifications and improvements; authorizing the Department of Administration to enter into an agreement with the Idaho State Building Authority to provide financing and to restore and refurbish the State Capitol Building and giving prior legislative approval; and supporting a design and construction schedule that will allow the restoration of the State Capitol Building to begin following the 2007 legislative session, and to be completed prior to the beginning of the 2010 legislative session. ....	-	107	House State Affairs
43	State Affairs	102	CAPITOL RESTORATION - Stating findings of the Legislature; restating the Legislature's support for the restoration, preservation and maintenance of the State Capitol Building; authorizing the Idaho Capitol Commission to modify its Master Plan for the restoration of the State Capitol Building to provide for certain listed modifications and improvements; authorizing the Department of Administration to enter into an agreement with the Idaho State Building Authority to provide financing and to restore and refurbish the State Capitol Building and giving prior legislative approval; and supporting a design and construction schedule that will allow the restoration of the State Capitol Building to begin following the 2007 legislative session, and to be completed prior to the beginning of the 2010 legislative session. ....	-	107	House State Affairs

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44	State Affairs	103	CAPITOL RESTORATION - Stating findings of the Legislature; restating the Legislature's support for the restoration, preservation and maintenance of the State Capitol Building; authorizing the Idaho Capitol Commission to modify its Master Plan for the restoration of the State Capitol Building to provide for certain listed modifications and improvements; authorizing the Department of Administration to enter into an agreement with the Idaho State Building Authority to provide financing and to restore and refurbish the State Capitol Building and giving prior legislative approval; and supporting a design and construction schedule that will allow the restoration of the State Capitol Building to begin following the 2007 legislative session, and to be completed prior to the beginning of the 2010 legislative session. ....	-	107	House State Affairs
45	Revenue and Taxation	118	MISSING PERSONS DAY - Stating findings of the Legislature and proclaiming September 14 as Missing Persons Day. ....	315	405	ADOPTED
46	State Affairs	129	PATRIOT'S DAY - Stating findings of the Legislature and proclaiming April 19 as Patriot's Day in commemoration of the events of April 19, 1775. ....	176	264	ADOPTED
47	State Affairs	129	CAPITOL RESTORATION - Stating findings of the Legislature; authorizing the Idaho Capitol Commission to modify its Master Plan for the restoration of the State Capitol Building to provide for certain listed modifications and improvements; authorizing the Department of Administration to enter into an agreement with the Idaho State Building Authority to provide financing and to restore and refurbish the State Capitol Building and giving prior legislative approval; and supporting a design and construction schedule that will allow the restoration of the State Capitol Building to begin following the 2007 legislative session, and to be completed prior to the beginning of the 2010 legislative session. ....	224	307	ADOPTED
48	State Affairs	141	MEDICAID MENTAL HEALTH SERVICES Stating findings of the Legislature; encouraging the Department of Health and Welfare to eliminate partial care services for low-income children and adults without serious mental health disorders; encouraging the Department of Health and Welfare to establish a health risk assessment for certain individuals; encouraging the Department of Health and Welfare to continue the provision of intensive mental health treatment benefits to certain individuals; encouraging the Department of Health and Welfare to explore modifications of mental health benefits for individuals with disabilities or special health needs; and requesting a report to the Legislature. ....	276	369	ADOPTED

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<u>House Concurrent Resolu- tion No.</u>	<u>Introduced By</u>	<u>Intro- duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
49	State Affairs	142	PRESCRIPTION DRUGS - MEDICAID FINANCING PROGRAM - Stating findings of the Legislature; encouraging the Department of Health and Welfare to proceed with the development and design of integrated programs for financing Medicare excluded prescription drugs covered under Idaho Medicaid in such a way that creates a seamless delivery system for prescription drug benefits for those individuals dually eligible for Medicaid and Medicare and which reduces program costs .....	272	369	ADOPTED
50 AA	State Affairs	142	MEDICAID - Encouraging the Department of Health and Welfare to establish cost-sharing in the form of premiums for certain Idaho Medicaid participants; encouraging the Department of Health and Welfare to permit Medicaid participants to pay part or all of their premiums with funds in personal health accounts assigned to the participants and held by the Department of Health and Welfare; encouraging the Department of Health and Welfare to join a drug prescription pool with the resulting savings to be used to fund the personal health accounts; and requesting a report to the Legislature. .... (House Amendments - p. 269)	322	390	ADOPTED
51	State Affairs	154	MEDICAID PRODUCTS - Stating findings of the Legislature; encouraging the Department of Health and Welfare to contract with a limited number of providers of certain Medicaid products and services and to seek additional opportunities for consolidated purchasing; and requesting a report to the Legislature. ....	272	369	ADOPTED
52	State Affairs	154	LONG-TERM CARE - Stating findings of the Legislature; encouraging the Department of Health and Welfare to proceed with development of a long- term care options counseling program as part of the Planned Aging Resource Center Initiative; and requesting a report to the Legislature. ....	276	369	ADOPTED
53	State Affairs	154	MEDICARE - MEDICAID - Stating findings of the Legislature; encouraging the Department of Health and Welfare to require individuals eligible for Medicare Parts A, B and D to enroll in Medicare as a condition of eligibility for the Idaho Medicaid Program; and requesting a report to the Legislature. ....	272	369	ADOPTED
54	Education	171	BIOSCIENCE TAX INCENTIVES TASK FORCE Stating findings of the Legislature and requesting that a task force be convened by the Office of Science and Technology in the Idaho Department of Commerce and Labor to study specific tax and investment incentive proposals for the biosciences and report findings to the Legislature. ....	211	338	ADOPTED

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55	State Affairs	186	DIVISION OF BUILDING SAFETY - Stating findings of the Legislature and rejecting pending rules of the Division of Building Safety governing electrical specialty licensing. ....	244	338	ADOPTED
56	Transportation and Defense	186	TRANSPORTATION DEPARTMENT - Stating findings of the Legislature and rejecting pending administrative rules of the Idaho Transportation Department governing overlegal permittee responsibility and travel restrictions and governing the sale of no longer useful or usable real property. ....	216	318	ADOPTED
57	Education	187	COMMUNITY COLLEGES - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a thorough assessment of the role and mission of community colleges in Idaho. ....	231	231	Failed House
58	Education	187	ELEMENTARY SCHOOL TEACHERS - Stating findings of the Legislature and urging the establishment and promotion of programs to improve the training of elementary school teachers in the disciplines of mathematics and science. ....	231	338	ADOPTED
59	Resources and Conservation	196	FISH AND GAME - RULES - Stating findings of the Legislature and rejecting pending administrative rules of the Department of Fish and Game governing the importation, possession, release, sale or salvage of wildlife. ....	231	361	ADOPTED
60	State Affairs	196	HUNGER AND FOOD INSECURITY AWARENESS MONTH - Stating findings of the Legislature concerning hunger and food insecurity in Idaho and designating the month of October 2006 as "Hunger and Food Insecurity Awareness Month. ....	231	307	ADOPTED
61	Ways and Means	219	STATE BOARD OF EDUCATION - Stating findings of the Legislature and requesting the State Board of Education, in collaboration with the State Department of Education, to gather input from all 115 Idaho school districts and to research and provide reports and recommendations to the Legislature; and requesting a change, if necessary, to a new rule regarding High School Redesign. ....	253	253	Senate Education
62	Ways and Means	234	INTEGRATED STATE ENERGY PLAN - Stating findings of the Legislature and requesting the Legislative Council Interim Committee on Energy, Environment and Technology to develop an integrated energy plan that provides for the state's power generation needs and protects the health and safety of the citizens of Idaho, and to report to the legislature. ....	314	391	ADOPTED

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<u>House Concurrent Resolu- tion No.</u>	<u>Introduced By</u>	<u>Intro- duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
63	State Affairs	260	STATE AFFAIRS MENTAL HEALTH/SUBSTANCE ABUSE - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the current mental health and substance abuse treatment delivery systems in Idaho and to review alternative ways to provide these services. ....	333	434	ADOPTED
64	State Affairs	308	WATER QUALITY STANDARDS - Stating findings of the Legislature and encouraging the Department of Environmental Quality to evaluate, adopt and implement certain standards and rules relating to water quality. ....	351	406	ADOPTED
65	Ways and Means	318	COLLEGES AND UNIVERSITIES - Stating findings of the Legislature and requesting the Idaho State Board of Education to conduct a study of personnel issues and challenges facing Idaho's institutions of higher education, including the areas of recruitment and retention. ....	352	406	ADOPTED
66	Education	318	NO CHILD LEFT BEHIND - Stating findings of the Legislature and urging the Idaho State Board of Education to propose changes to the Idaho No Child Left Behind compliance agreement plan that would place a temporary suspension on the imposition of sanctions for non-Title I schools until state funding for remediation is available. ....	353	422	ADOPTED
67	Ways and Means	362	CARL F. BIANCHI - Stating findings of the Legislature and recognizing, honoring and commending Carl F. Bianchi, upon his retirement, for his years of service to the Legislature and the State of Idaho and to the Idaho courts. ....	371	406	ADOPTED



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<u>House Joint Memorial No.</u>	<u>Introduced By</u>	<u>Introduction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
10	Resources and Conservation	53	WOLVES - DELISTING - Stating findings of the Legislature and urging the Secretary of the Interior, Gale Norton, to meet with representatives from Idaho and Montana to consider and agree upon alternative strategies to immediately delist the gray wolf within Idaho and Montana as requested in the October 7, 2005, letter from Montana Governor Schweitzer and Idaho Governor Kempthorne to Secretary Norton. ....	72	181	ADOPTED
11	Resources and Conservation	54	WOLVES - Stating findings of the Legislature and urging that the U.S. Forest Service enter a decision as soon as possible granting a special use permit allowing the Idaho Department of Fish and Game to land helicopters in the wilderness areas for the purpose of monitoring gray wolves in those areas, which is essential for the state of Idaho to fulfill its obligations under the Idaho Wolf Recovery Plan of 2002, the U.S. Fish and Wildlife Service 10j rule of 2005, as well as requirements imposed by the Endangered Species Act. ....	72	181	ADOPTED
12	Agricultural Affairs	63	AMERICAN FARMERS AND RANCHERS - FREE TRADE - Stating findings of the Legislature and urging that American farmers, ranchers and food producers be enabled to compete freely and trade fairly in foreign markets on a strictly level playing field; urging that foreign countries wishing to participate in markets that lie within the boundaries of the United States be held to the same standards as American producers and food processors; recognizing that such public education is critical in the preservation and strengthening of the family farm unit and the overall preservation and strengthening of the agricultural industry itself. ....	169	248	ADOPTED
13	Education	68	NO CHILD LEFT BEHIND - Stating findings of the Legislature and urging Congress to support federal legislation that will enhance specified aspects of the "No Child Left Behind Act." ....	176	293	ADOPTED
14	Resources and Conservation	85	FEDERAL LANDS RECREATION ENHANCEMENT ACT - Stating findings of the Legislature and demanding that the Federal Lands Recreation Enhancement Act be repealed and that no recreational fees authorized under the Federal Lands Recreation Enhancement Act be imposed to use federal public lands in the state. ....	224	307	ADOPTED
15	Health and Welfare	93	FREE MEDICATION PROGRAM - Stating findings of the Legislature and urging Congress to mandate a standardized application for use by pharmaceutical companies in determining eligibility for free medications from the companies. ....	-	101	House Health and Welfare

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<u>House Joint Memorial No.</u>	<u>Introduced By</u>	<u>Introduction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
16	State Affairs	114	ENDANGERED SPECIES ACT - Stating findings of the Legislature and supporting the efforts of Senator Mike Crapo to reform and improve the Endangered Species Act through the enactment of the Collaboration for the Recovery of Endangered Species Act (CRESA) .....	140	218	ADOPTED
17	State Affairs	143	JUDICIAL ACCOUNTABILITY - Stating findings of the Legislature and urging Idaho's congressional delegation to end the era of judicial activism and to reestablish judicial accountability by supporting the passage of, and becoming cosponsors on, Senate Bill 520. ....	-	152	Judiciary, Rules, and Administration
18 AA	Education	163	NO CHILD LEFT BEHIND - Stating findings of the Legislature and urging Congress to support proposed amendments to the No Child Left Behind Act. .... (House Amendments - p. 227)	254	369	ADOPTED
19	Revenue and Taxation	188	PROGRAM - Stating findings of the Legislature and urging the United States Department of Agriculture to forgo implementation of the National Animal Identification Program (NAIS), or alternatively, to delay the issuance of the proposed rule which will set forth NAIS requirements now targeted for July 2006, to afford the public additional information relating to the proposed mandatory program and additional time for public comment. ....	-	194	House Agricultural Affairs
20	Resources and Conservation	196	FEDERAL LANDS RECREATION ENHANCEMENT ACT - Stating findings of the Legislature and declaring that should the Federal Lands Recreation Enhancement Act be repealed, then the authority for permitting outfitters and guides on public lands should be replaced immediately to allow for outfitter and guide operations to continue uninterrupted and declaring that the outfitter special use fee that is currently assessed should be reauthorized under a new authority and returned to the managing agency for outfitter permit administration rather than being designated for other uses. ....	224	307	ADOPTED
21	Ways and Means	219	NATIONAL FOREST LAND - STATE MANAGEMENT - Stating findings of the Legislature and urging Congress to support federal legislation transferring management of National Forest System lands within Idaho to the state of Idaho to be managed for the benefit of the rural counties and schools, with the state of Idaho being held harmless from the costs of administration; and urging Congress to seek a long-term solution to the significant issues that will face rural counties in the event the Secure Rural Schools payments are not reauthorized or are allowed to expire following the 2006 reauthorization. ....	283	361	ADOPTED

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<u>House Joint Memorial No.</u>	<u>Introduced By</u>	<u>Introduction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
22	Ways and Means	235	WORLD HEALTH ORGANIZATION - Stating findings of the Legislature and supporting the participation of Taiwan in a meaningful and appropriate way in the World Health Organization. ....	283	391	ADOPTED
23	State Affairs	265	WORLD BANK OPPOSITION - Stating findings of the Legislature and requesting that Congress and the United States Secretary of the Treasury oppose the World Bank, the International Monetary Fund and other international financial institutions until certain economic programs are formulated. ....	-	280	House State Affairs
24	State Affairs	293	FEDERAL COURTS - Stating findings of the Legislature and requesting Congress to pass legislation similar to S. 520 and H.R. 1070 relating to jurisdiction of the federal courts over governmental entity's acknowledgment of God as the sovereign source of law, liberty or government. ....	-	301	House State Affairs
25	Ways and Means	319	OFFSHORE ENERGY DEVELOPMENT - Stating findings of the Legislature and encouraging the President of the United States of America to revoke administrative withdrawals on offshore energy development on the nation's Outer Continental Shelf and direct the Minerals Management Service to contract for test wells to be drilled in order to provide needed energy resources to the United States in an environmentally responsible manner; and encouraging the Congress of the United States of America to make the nation's Outer Continental Shelf available for energy development in an environmentally responsible manner. ....	349	406	ADOPTED
26	Ways and Means	406	BASQUE HOMELAND - Stating findings of the Legislature, recognizing the Basque ETA terrorist organization's decision to lay down its arms and commending and congratulating the governments of the Basque Autonomous Region and of Spain and all other parties in Spain and France for their actions to promote the cessation of violence and to achieve a lasting peace in the Basque Homeland and all of Europe. ....	424	444	ADOPTED

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<u>House Joint Resolution No.</u>	<u>Introduced By</u>	<u>Intro-duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
2	State Affairs	30	MARRIAGE - Proposing an amendment to the Constitution of the State of Idaho to provide that a marriage between a man and a woman is the only domestic legal union that shall be valid or recognized in this state. ....	62	140	PASSED
3	Local Government	34	EMINENT DOMAIN - Proposing an amendment to the Constitution of the State of Idaho to provide that no department, agency or instrumentality of the state, or any county, or any municipality, or other political subdivision, or any other public entity with power of eminent domain shall be allowed to use economic development as a reason for exercising its power of eminent domain; and to define "economic development" as any activity including increasing tax revenues, or any project which promotes, stimulates, develops or advances the economic prosperity of a jurisdiction. ....	-	35	Held at Desk
4	State Affairs	71	SCHOOL DISTRICTS - BOND ELECTIONS Proposing an amendment to the Constitution of the State of Idaho to allow school districts to incur indebtedness with the assent of two-thirds of the qualified electors or the assent of no less than sixty percent, rather than two-thirds, of the qualified electors of the school district voting at an election held for that purpose if the election is conducted under the administration of the county, and is held on the first Tuesday in February, the fourth Tuesday in May, the first Tuesday in August or the Tuesday following the first Monday in November .....	-	74	House State Affairs
5	Local Government	99	EMINENT DOMAIN - Proposing an amendment to the Constitution of the State of Idaho relating to eminent domain to clarify that the material resources of the state are the natural material resources of the state; and to provide that the taking of private property for the use, transfer to, or benefit of other private parties is hereby expressly declared not to be a public use for which eminent domain is authorized, except for such uses necessary to the complete development of the natural material resources of the state as specified in the first paragraph of Section 14, Article I, of the Constitution of the State of Idaho, or to provide public utilities. ....	-	101	Held at Desk
6	State Affairs	223	ELECTED OFFICIALS - START OF TERM Proposing an amendment to the Constitution of the State of Idaho to provide that the term of office for Governor, Lieutenant Governor, Secretary of State, State Controller, State Treasurer, Attorney General and Superintendent of Public Instruction shall begin at noon on the first Monday in January following the state executive officer's election. ....	305		Senate State Affairs

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<u>House Joint Resolu- tion No.</u>	<u>Introduced By</u>	<u>Intro- duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
7	State Affairs	223	LEGISLATORS - START OF TERM - Proposing an amendment to the Constitution of the State of Idaho to provide that State Senators and Representatives shall be elected for a term of two years commencing at noon on the first day of December next following the general election. ....	306	306	Senate State Affairs

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<u>House Resolution No.</u>	<u>Introduced By</u>	<u>Introduction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
2	Denney and Jaquet	2	HOUSE ATTACHES - COMPENSATION Provides for compensation for attaches of the House of Representatives. ....	14	15	ADOPTED
3	Ways and Means	434	OPEN MEETING - HOUSE RULE - Amends House Rule 57 to provide that all regular meetings of any standing, special or select committee of the House of Representatives shall be open to the public at all times and to provide for executive sessions. ....	440	440	ADOPTED
4	Ways and Means	434	RULE 76 - Amends House Rule 76 to delete a reference to the Idaho Code regarding ethics committees .....	440	440	ADOPTED

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<u>House Proclamation No.</u>	<u>Introduced By</u>	<u>Introduction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
6	State Affairs	143	LONGFELLOW ELEMENTARY SCHOOL DAY Stating findings of the Legislature and proclaiming February 27, 2006, to be Longfellow Elementary School Day .....	173	174	ADOPTED

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<u>Senate Bill No.</u>	<u>Introduced By</u>	<u>Intro-duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
1243 AA	Brandt	310	EMINENT DOMAIN - Amends existing law relating to eminent domain to require that a complaint shall contain an order of condemnation, or resolution, or other official and binding document entered by the plaintiff which sets forth and clearly identifies all property rights to be acquired, including rights to and from public way, and permanent and temporary easements known or reasonably identifiable to the condemning authority. .... (Senate Amendments - See Senate Journal)	433	434	LAW
1247	Brandt	109	EMINENT DOMAIN - Amends existing law relating to eminent domain to delete language referencing state and political subdivisions of the state; and to delete language referencing purposes of acquisition of real property. ....	433	434	LAW
1250	Judiciary and Rules	41	JUVENILE CORRECTIONS - Amends existing law relating to the Juvenile Corrections Act to provide that courts may make preliminary inquiries to determine whether the interests of the public or the juvenile require further action. ....	290	306	LAW
1251	Judiciary and Rules	41	COURTS - Repeals existing law relating to courts requiring persons to appear at appointed places. ....	290	306	LAW
1252	Judiciary and Rules	41	MENTAL HEALTH COURTS - Amends existing law relating to the State Board of Correction to provide references to mental health courts. ....	290	306	LAW
1255	Judiciary and Rules	48	UNIFORM ENVIRONMENTAL COVENANTS ACT - Adds to existing law to provide for the Uniform Environmental Covenants Act; to provide that qualifying environmental covenants run with the land; to provide for the validity and effect of environmental covenants; to provide for the relationship of environmental covenants to other land use laws; to provide for enforcement; to establish a registry; to require notice; to provide for uniformity of application and construction; to provide for relation to other acts; and to provide for severability .....	147	170	LAW
1256	Judiciary and Rules	48	UNIFORM LIMITED PARTNERSHIP ACT Repeals and adds to existing law to provide for the Uniform Limited Partnership Act; to provide governing law; to provide a rate of interest; to provide for offices and agents for service of process; to provide for service of process; to provide for delivery and filing of records by the Secretary of State; to provide for liability for false information in filed records; to provide for conversions and mergers; to set forth provisions applicable to the Electronic Signatures in Global and National Commerce Act; and to provide for application to existing relationships. ....	257	279	LAW



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1258	Resources and Environment	99	FISH AND GAME - Amends existing law to provide an exception from hunting, trapping and fishing license requirements for residents of certain state long-term care facilities. ....	258	279	LAW
1259	Resources and Environment	109	WATER DISTRICTS - Amends existing law to revise notification provisions relating to water district meetings. ....	278	300	LAW
1260	State Affairs	37	HORSE RACING - Amends existing law relating to horse racing to define "pari-mutuel" and "simulcast"; and to revise the definition of "horsemen's group." ....	277	300	LAW
1263	Finance	23	APPROPRIATIONS - Stating findings of the Legislature and appropriating \$10,690,600 to the state agencies and state institutions for a three percent state employee salary increase. ....	25	28	LAW
1264	Transportation	62	HAZARDOUS WASTE - PERMIT VENDORS Amends existing law to provide that vendors selling hazardous waste permits shall be remunerated as determined by contract between the vendor and the Idaho Transportation Department. ....	166	185	LAW
1266 AA	Transportation	224	AIRSTRIPS - PRIVATE - Amends existing law relating to recreational trespass and limitation of landholder liability to provide that the limitation of liability of a landowner extends to free public use of privately-owned airstrips; and to revise definitions. .... (Senate Amendments - See Senate Journal)	342	360	LAW
1267	Transportation	-	RENEWABLE FUEL STANDARDS - ETHANOL Adds to existing law to provide an ethanol blended fuel standard; to provide an exemption; and to provide application to federally regulated storage tanks in certain counties for a certain period. ....	-	-	Transportation
1268	Commerce and Human Resources	145	PUBLIC EMPLOYEE RETIREMENT SYSTEM Amends existing law relating to the Public Employee Retirement System to revise eligibility provisions for disability retirement. ....	245	263	LAW
1269	Commerce and Human Resources	145	PUBLIC EMPLOYEE RETIREMENT SYSTEM Repeals existing law to delete the accumulated voluntary contributions under the Public Employee Retirement System; and to provide for the distribution of existing funds. ....	246	263	LAW
1270	Commerce and Human Resources	156	PUBLIC EMPLOYEE RETIREMENT SYSTEM Amends existing law relating to unused sick leave funds administered by the Public Employee Retirement System to revise provisions applicable to the severance allowance at retirement; to clarify that amounts shall be determined by the Public Employee Retirement Board ....	246	263	LAW

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1271	Commerce and Human Resources	145	PUBLIC EMPLOYEE RETIREMENT SYSTEM Amends existing law relating to the Public Employee Retirement System to clarify that suspended benefits are considered retiree benefits in the event a death benefit becomes payable. ....	246	263	LAW
1272	Commerce and Human Resources	146	PUBLIC EMPLOYEE RETIREMENT SYSTEM Amends existing law relating to the Public Employee Retirement System to further limit automatic separation benefits for an inactive member who is not a vested member. ....	246	263	LAW
1275	Judiciary and Rules	59	PEACE OFFICERS STANDARDS AND TRAINING COUNCIL - Amends existing law to provide that the Peace Officers Standards and Training Council may implement training and standards for employees of the Idaho Department of Juvenile Corrections who are engaged in the direct care and management of juveniles. ....	334	355	LAW
1276	Stennett, Marley, Malepeai, Werk, Kelly, Langhorst, and Burkett	81	THERMAL GENERATION POWER PLANTS Amends existing law to provide that in the case of an ordinance amendment or special use permit involving the location of a thermal generation power plant with a nameplate capacity of 50 megawatts or greater, the residents of counties immediately adjoining the county where the thermal generation power plant is proposed to be located shall be given notice of the proposed ordinance change or proposed special use permit. ....	-	81	Local Government
1277	Finance	35	APPROPRIATIONS - Appropriating an additional \$150,000 to the State Controller's Office for fiscal year 2006. ....	45	49	LAW
1278	Finance	35	APPROPRIATIONS - Appropriating an additional \$45,700 to the Office of the Governor for the Commission on the Arts for fiscal year 2006 .....	45	49	LAW
1283	Schroeder	281	FISH AND GAME - Amends existing law relating to fish and game licenses to reduce the senior combination license fee. ....	-	292	Ways and Means
1295	State Affairs	156	INDUSTRIAL INDEMNITY FUND - Amends existing law relating to the Industrial Special Indemnity Fund to revise the calculation of assessments; and to provide for the reporting of benefits paid during a one year period. ....	336	355	LAW
1296	Judiciary and Rules	59	TENANT AT SUFFERANCE - Amends existing law to clarify that actions for forcible entry and unlawful detainer may be filed against a defendant who is a tenant at sufferance pursuant to Section 45-1506(11), Idaho Code. ....	326	347	LAW

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1297	Judiciary and Rules	59	CRIMINAL JUDGMENTS - Amends existing law relating to criminal judgments to remove language requiring a notice of intent to seek enhanced penalties in certain cases. ....	327	347	LAW
1299	Resources and Environment	99	NONPROFIT TIMBER PROTECTIVE ASSOCIATIONS - Adds to existing law relating to nonprofit timber protective associations to provide specified restrictions relating to liability of nonprofit timber protective associations while performing contracts with the state of Idaho or any agency of the state of Idaho. ....	284	306	LAW
1300 AA AAH	Judiciary and Rules	173	SEXUAL OFFENDER CLASSIFICATION BOARD Amends existing law relating to sex offenders to revise the powers and duties of the Sexual Offender Classification Board to provide for board review of certain crimes and violations. .... (Senate Amendments - See Senate Journal) (House Amendments - p. 251)	325	385	LAW
1301	Judiciary and Rules	106	SEX OFFENDERS - Amends existing law to increase the mandatory minimum term of confinement for certain sex offenders to fifteen years; and to provide for a mandatory minimum of life imprisonment for certain repeat sex offenders designated as violent sexual predators. ....	245	263	LAW
1302	Judiciary and Rules	66	DEATH SENTENCE - Amends existing law to revise provisions applicable to the imposition of judicial review of the death penalty. ....	257	279	LAW
1303	Judiciary and Rules	66	PUBLIC FINANCIAL INSTRUMENTS - Amends existing law to prohibit the misuse of certain public financial instruments and devices; and to define terms. ....	257	279	LAW
1304	Judiciary and Rules	106	SEX OFFENDERS - Amends existing law to set forth provisions applicable to judgments for offenses requiring sex offender registration; and to clarify the term "conviction." ....	257	279	LAW
1305	Finance	45	APPROPRIATIONS - Appropriating an additional \$484,700 to the Division of Building Safety in the Department of Self-Governing Agencies for fiscal year 2006; and authorizing eight additional full-time equivalent positions. ....	51	59	LAW
1306	Finance	45	APPROPRIATIONS - Appropriating an additional \$5,000 to the State Board for Professional-Technical Education for personnel costs for fiscal year 2006; and reducing the appropriation by \$5,000 to the State Board for Professional-Technical Education for operating expenditures for fiscal year 2006. ....	52	59	LAW

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1307	Finance	45	APPROPRIATIONS - Appropriating an additional \$101,800 to the State Board of Education for Special Programs for fiscal year 2006. ....	52	59	LAW
1308	Education	59	EDUCATION - TEXTBOOKS - Amends existing law to require a publisher of a textbook or other printed instructional material which has been adopted for instructional use at a postsecondary Idaho institution to furnish an electronic version for use by a student who is blind, visually impaired, or has a diagnosed reading disability for a price which does not exceed the price for the equivalent printed version; to provide copyright protection of publishers; and to provide procedures. ....	-	59	House Education
1311	Judiciary and Rules	66	REAL PROPERTY - Amends existing law relating to limitations of actions to revise conditions under which actions to recover real property or possession of real property can be maintained; to revise conditions under which actions or defense to actions arising out of claims to title or rents or profits can be effectual; to revise conditions relating to adverse possession of property under written claims of title; to revise conditions relating to adverse possession of property under oral claims to title; and to revise conditions relating to the tolling of statutes of limitations involving persons under certain disabilities. ....	285	306	LAW
1312	Judiciary and Rules	156	SEX OFFENDERS - Amends existing law relating to crimes and punishments to increase penalties for specified crimes; to revise sexual offender registration requirements; to revise provisions applicable to verification of sex offender addresses; to revise provisions applicable to name and address changes of sexual offenders; and to increase penalties for sexual offenders who fail to meet registration, address verification and notice requirements. ....	285	306	LAW
1314 AA	Commerce and Human Resources	173	HEALTH CARE TASK FORCE - Amends existing law relating to the Health Care Task Force to revise terminology; and to clarify membership. .... (Senate Amendments - See Senate Journal)	344	360	LAW
1315	Commerce and Human Resources	99	INSURANCE - COUNTY PROPERTY - Amends existing law to remove a cap on fund balances for insurance on county property. ....	191	209	LAW
1316	Education	145	PUBLIC SCHOOLS - Adds to existing law relating to educational interpreters and public schools to provide a short title; to provide legislative findings; to define terms; to provide for qualifications for educational interpreters; to provide exceptions; to provide for continuing training requirements; and to provide the State Board of Education with rulemaking authority. ....	278	300	LAW

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1317	State Affairs	99	HORSE RACING - Amends existing law relating to horse racing to revise license application requirements for race meets; to revise license specification provisions; to provide for the Simulcast Purse Moneys Fund; to revise application provisions for licenses authorizing simulcast and/or televised races; and to revise provisions relating to advance deposit wagering. ....	278	300	LAW
1318	Judiciary and Rules	109	ESTATES - MEDICAL ASSISTANCE COSTS Amends existing law relating to estate property to set forth provisions applicable to the recovery of medical assistance costs by the Department of Health and Welfare; and to revise provisions applicable to the recovery of certain medical assistance. ....	286	306	LAW
1319	Judiciary and Rules	124	ESTATE VALUES - Amends existing law relating to the Uniform Probate Code to increase the cap for estate values. ....	286	306	LAW
1320	Judiciary and Rules	124	MINORS - GUARDIANS - Amends existing law relating to the Uniform Probate Code to revise notice provisions applicable to proceedings for the appointment of a guardian of a minor. ....	287	306	LAW
1321	Judiciary and Rules	145	TRUSTS - Amends and adds to existing law relating to trusts to revise applicability; and to provide that the doctrine of worthier title shall not be applied. ....	325	347	LAW
1322	Judiciary and Rules	124	CONSERVATORS - GUARDIANS - Amends existing law to authorize guardians or conservators to dispose of a deceased person's remains in certain circumstances; to provide for a continuance of a guardianship in certain circumstances; and to provide for conservator distributive duties and powers in certain circumstances. ....	287	306	LAW
1323	Judiciary and Rules	124	DRY TRUSTS - Amends and adds to existing law to reference trusts executed concurrently with a will; and to set forth provisions applicable to dry trusts. ....	287	306	LAW
1324	Judiciary and Rules	124	TRUST ASSETS - Amends existing law relating to trustee powers to increase the collective value of trust assets allowable for purposes of termination. ....	287	306	LAW
1326	Judiciary and Rules	124	GUARDIANSHIPS AND CONSERVATORSHIPS Amends, repeals and adds to existing law relating to guardianships and conservatorships to revise venue provisions; to repeal language relating to powers of foreign conservators; to set forth provisions applicable to transfers of guardianships and conservatorships to a foreign jurisdiction; and to set forth provisions applicable to the temporary recognition of foreign guardianships. ....	288	306	LAW

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1327	Judiciary and Rules	109	VULNERABLE ADULTS/CHILDREN - Amends existing law to provide for criminal background checks for individuals who have unsupervised contact with vulnerable adults and children; to require a notarized application authorizing the Department of Health and Welfare to obtain and release information; to remove provisional status provisions; to permit employers to allow an individual to provide care or services pending completion of the criminal history and background check if the individual has not disclosed a designated crime; to provide immunity from liability; to remove criminal penalties for a knowing failure to disclose; to require applicants to be responsible for the costs of background checks; and to authorize the Department of Health and Welfare to participate in a federal pilot project. ....	343	360	LAW
1328	Judiciary and Rules	124	GUARDIANSHIP - Amends existing law to revise provisions applicable to the testamentary appointment of a guardian for a minor. ....	288	306	LAW
1329	Finance	59	APPROPRIATIONS - Appropriating an additional \$418,800 to the Office of the Governor for the Commission for the Blind and Visually Impaired for fiscal year 2006. ....	72	91	LAW
1330	Finance	59	APPROPRIATIONS - Appropriating an additional \$3,026,700 to the Division of Veterans Services within the Department of Self-Governing Agencies for fiscal year 2006; and reducing the General Fund appropriation by \$545,900 for the Division of Veterans Services for fiscal year 2006. ....	72	91	LAW
1331	Judiciary and Rules	109	PAROLE - Amends existing law relating to parole to reference mental health professionals designated by the Department of Correction for purposes of examination and evaluation; and to provide that no person making an evaluation shall be held financially liable for denial of parole or for future acts of a parolee. ....	327	347	LAW
1332 AA	Judiciary and Rules	230	UNIFORM INTERSTATE FAMILY SUPPORT ACT - Amends and adds to existing law to revise provisions of the Uniform Interstate Family Support Act. .... (Senate Amendments - See Senate Journal)	326	347	LAW
1334	Commerce and Human Resources	156	FIREMEN - RETIREMENT - Amends existing law relating to paid firemen to set forth application of specified provisions. ....	333	355	LAW
1335	Judiciary and Rules	145	PROBATE CODE - Amends existing law relating to the Uniform Probate Code to revise the definition for "interested person." ....	290	306	LAW

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1336	Judiciary and Rules	156	CRIMINAL GANG ENFORCEMENT - Adds to existing law to provide for the Idaho Criminal Gang Enforcement Act; to provide a short title; to define terms; to provide for extended sentences; to prohibit the recruitment of gang members; to prohibit supplying firearms to a criminal gang; and to permit the adoption of local ordinances. ....	285	306	LAW
1337	Judiciary and Rules	189	CONTROLLED SUBSTANCES - Adds to existing law relating to the use of controlled substances endangering children to prohibit specified acts; to permit an inference of consumption of controlled substances; to provide for the consideration of drug treatment or drug court options; to limit application; to define terms; to provide punishment; and to limit the duty to report in certain areas. ....	-	189	Judiciary, Rules, and Administration
1338	Health and Welfare	109	CERTIFIED FAMILY HOMES - Amends and adds to existing law to provide a public records exemption for records and information identifying a complainant; and to provide for filing a complaint, investigation and inspection .....	345	360	LAW
1339	Health and Welfare	109	PERSONAL CARE SERVICES - Amends existing law to remove the standard which requires that personal care services be ordered by a physician or authorized provider. ....	345	360	LAW
1340 AA	Health and Welfare	173	DEVELOPMENTALLY DISABLED - Amends existing law relating to the developmentally disabled to permit an individual with a master's degree in psychology to serve on an evaluation committee; and to require each committee member to be specially qualified. .... (Senate Amendments - See Senate Journal)	351	367	LAW
1341	Health and Welfare	109	EARLY CHILDHOOD AND EARLY INTERVENTION SERVICES - Amends existing law relating to early childhood and early intervention services to expand legislative findings; to expand legislative policy; to revise definitions; to provide for an early childhood and early intervention system; to provide for an Early Childhood Coordinating Council; to provide for administration and oversight of the council; to provide that the council shall be designated by the governor; to provide council membership and duties; to provide responsibilities of the Department of Health and Welfare as the early intervention lead agency; to provide for regional early childhood coordinating committees; to provide for membership and responsibilities of the committees; to provide requirements of the individualized family service plan; to provide for early intervention procedural safeguards; to specify funding sources; and to create the Early Childhood Coordinating Council Fund. ....	-	109	House Health and Welfare

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1342	Health and Welfare	109	EMERGENCY MEDICAL SERVICES - Amends existing law to provide definitions; to revise rulemaking authority; to create an Idaho Emergency Medical Services Physician Commission; to provide for the governance of the commission; to eliminate grandfather rights for ambulances; and to provide for supervision of the medical services provided by personnel affiliated with licensed ambulance or non-transport services. ....	344	344	Failed House
1343	Health and Welfare	109	DENTISTRY - Amends, adds to and repeals existing law to revise definitions; to provide for license fees and procedures for the renewal of licenses; to provide fees and procedures for the return of unpaid checks or other payments; to provide license classes; to provide conditions for the issuance of licenses; to provide procedures for the conversion of licenses; to provide notification to the Board of Dentistry of certain changes; to provide for the reinstatement of persons whose licenses have expired for failure to comply with license renewal requirements; and to require display or immediate production of a license for the time period of practice. ....	345	360	LAW
1345	Commerce and Human Resources	156	PERSI RETIREES - REEMPLOYMENT - Amends existing law to provide that Public Employee Retirement System retirees who retire without early retirement reductions and who are reemployed after being retired for at least six months, may elect to continue receiving retirement benefits and not accrue additional service if they are subsequently elected to a public office other than an office held prior to retirement. ....	284	306	LAW
1347	Transportation	156	DRIVER'S LICENSES - COMMERCIAL - Amends existing law relating to commercial drivers to redefine "hazardous material"; to redefine "serious traffic violation"; to provide that any bond forfeiture for a traffic offense shall be treated as a conviction for persons holding a commercial driver's license; to provide correct references to federal regulations; to expand the duties and authority of the Idaho Transportation Department in filing accident reports and abstracts of court records of conviction; to require the Idaho Transportation Department to forward records of Idaho convictions, suspensions, disqualifications and revocations of nonresidents to nonresidents' state of residency; to provide that a commercial motor vehicle driver shall be disqualified for not less than one year for using any motor vehicle in the commission of a felony; to provide a civil penalty for violation of an out-of-service order; and to provide that courts shall not act to prevent a conviction from appearing on the driving record of any person who holds a commercial driver's license. ....	289	306	LAW



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1348	Transportation	156	HIGHWAY DISTRICTS - Amends existing law relating to highway districts to provide for determination and declaration of a vacancy in the office of highway district commissions; and to provide qualifications for the office of highway district commissioner. ....	277	300	LAW
1350 AA	State Affairs	223	COUNTY RECORDER FEES - Amends existing law relating to county recorder fees to provide for negotiation and approval of the fee for duplication of recorded documents in excess of 100 pages or continuous copy requests using electronic means; to provide that the fee shall not exceed costs; to ratify and approve existing agreements; to provide for review of the fee; and to clarify page specifications. .... (Senate Amendments - See Senate Journal)	343	360	LAW
1351	State Affairs	109	ALCOHOL - Adds to existing law to define terms; to prohibit alcohol without liquid devices, with exceptions; to provide for rules; to provide penalties; and to provide that an alcohol without liquid device that is not authorized is declared to be a public nuisance and shall be referred to as a liquor nuisance. ....	325	347	LAW
1352	Resources and Environment	173	IRRIGATION DISTRICTS - HANDLING CHARGES - Amends existing law to increase the maximum handling charges irrigation districts are authorized to charge relating to drafts or checks that are refused by banks or other entities on which the drafts or checks are drawn. ....	326	347	LAW
1353	Resources and Environment	173	WATER - Amends existing law relating to water to provide for the exclusive authority of the Department of Water Resources relating to the appropriation of public surface and ground waters of the state; to prohibit other instrumentalities or political subdivisions of the state from taking any action to prohibit, restrict or regulate the appropriation of public surface or ground waters of the state; and to provide that any such prohibition, restriction or regulation shall be null and void. ....	326	347	LAW
1354 AA AA	Judiciary and Rules	223	SEARCH WARRANTS - Amends existing law relating to warrants to remove language requiring search warrants to be served with the officer present; and to allow for service of warrants by specified means. .... (Senate Amendments - See Senate Journal)	-	223	Judiciary, Rules, and Administration

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1355	State Affairs	156	HISTORIC STRUCTURES - PRESERVATION Adds to existing law to provide certain requirements for state agencies and other entities of state government preparing to perform work on structures owned by the state; to provide for optional project review by the State Historic Preservation Office; to provide certain requirements for state agencies and other entities of state government proposing a project that involves state-owned structures; to provide for response to project proposals by the State Historic Preservation Office; to provide that the state agency or other entity of state government proposing the project shall have the discretion to act upon the recommendations of the State Historic Preservation Office; and to provide for the use of recommendations of the State Historic Preservation Office. ....	-	156	House State Affairs
1356 AA	Judiciary and Rules	262	DOMESTIC VIOLENCE - Amends existing law relating to domestic violence crime prevention to increase the maximum effective period for protection orders in certain cases; and to revise the limitations a court may impose in a protection order; and to provide that immediate and present danger exists where there is reasonable cause to believe bodily harm may result. .... (Senate Amendments - See Senate Journal)	344	360	LAW
1357 AA	Judiciary and Rules	262	CIVIL ACTIONS - Amends existing law relating to attorney's fees in civil actions to increase the maximum dollar amount pleaded or claimed for purposes of allowed costs; to clarify exceptions; and to provide correct terminology. .... (Senate Amendments - See Senate Journal)	-	262	Judiciary, Rules, and Administration
1360	Commerce and Human Resources	156	REAL ESTATE LICENSE - Amends existing law relating to Idaho real estate license law to revise definitions; to revise license exam requirements; to revise language applicable to license expiration and requests for licensure changes; to revise continuing education requirements; to require license numbers for licensed students completing courses of instruction; to revise provisions applicable to instructor qualifications; to revise exam retake policy provisions; and to reference waivers or modifications of prelicense requirements. ....	278	300	LAW
1362	Commerce and Human Resources	156	HEALTH INSURANCE - MILITARY DEPLOYMENT - Amends existing law to clarify that persons deployed in the military who shall also be officers or employees of the state shall be entitled to their existing medical benefits from the state for the first thirty days of a deployment and this shall not decrease any existing leave balances. ....	288	306	LAW

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1363 AAH	Commerce and Human Resources	156	STATE EMPLOYEE COMPENSATION PLAN Repeals, amends and adds to existing law to increase the maximum award that may be granted to certain nonclassified officers and employees for meritorious service and for suggestions resulting in taxpayer savings; to require reporting of all awards granted in the preceding fiscal year and reporting of changes made pursuant to an employee's suggestion and resulting savings; to provide for recruitment and retention awards and to require reporting of such awards; to provide criteria for reimbursement of moving expenses and to require reporting; to provide that the State Controller's Office is responsible for the establishment and maintenance of specific pay codes; to clarify compensatory time for classified and nonclassified employees who are designated as executive; to provide an exception to the limitation on use of appropriations made for expenses other than personnel costs; to provide for limitations on the amount of legislative appropriations for personnel costs which can be transferred to other object codes; to expand the definition of "holiday" to distinguish nonexecutive employees from employees classified as executive exempt; to clarify the rulemaking authority of the Division of Human Resources regarding rules for disciplinary dismissal, demotion, suspension or other discipline for cause and for shift differential pay; to provide a state employee compensation philosophy; to establish the Idaho compensation plan; to provide for specified annual surveys, reports and recommendations; to provide other pay delivery options; to provide state overtime policy; to clarify provisions relating to cash compensation and compensatory time; to clarify computation of vacation time for classified officers and employees; and to redefine "severance pay." ..... (House Amendments - p. 251)	322	385	LAW
1364	Transportation	166	RENEWABLE FUEL STANDARDS - ETHANOL Adds to existing law to provide an ethanol blended fuel standard; to provide an exemption; and to provide application to federally regulated storage tanks in certain counties for a certain period. ....	-	181	Environment, Energy, and Technology
1365	State Affairs	156	LOBBYISTS - Amends existing law to further define "lobbying," "lobby" and "public office"; and to revise information that must be submitted by lobbyists in reports. ....	-	156	House State Affairs
1367	Transportation	224	MOTORCYCLES - TRAFFIC SIGNALS - Amends existing law relating to motor vehicle traffic-control signals legend to provide a condition under which the driver of a motorcycle may proceed through a steady red traffic-control signal after coming to a full and complete stop at the intersection; and to specify when such action is not a defense to a violation of the law. ....	366	389	LAW

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1370	Health and Welfare	156	MEDICAID REIMBURSEMENT - DENTISTS Amends existing law relating to Medicaid reimbursement to add dentists to the rate of reimbursement for Medicaid covered services; to provide that actual payments to a dentist shall not exceed usual and customary charges; and to define the term "dentist." .....	372	393	LAW
1371	Commerce and Human Resources	166	WORKER'S COMPENSATION - Amends existing law relating to worker's compensation to revise provisions relating to those persons deemed as dependents and entitled to certain income benefits; and to provide that income benefits for death shall be payable to certain children enrolled as students in accredited educational institutions or accredited vocational training programs. ....	284	306	LAW
1373	Commerce and Human Resources	199	RESOURCES STATE EMPLOYEE - ORGAN DONOR - Adds to existing law to provide a leave of absence for organ donation by full-time classified and nonclassified state employees or officers; to provide limitations; and to provide procedures. ....	336	355	LAW
1374	Commerce and Human Resources	173	PERSONAL INFORMATION - SECURITY - Adds to existing law to provide for disclosure of breach of security of computerized personal information by an agency, individual or a commercial entity; to provide procedures deemed in compliance with security breach requirements; and to provide penalties for violations. ....	328	347	LAW
1375	Commerce and Human Resources	156	MILITARY DEPLOYMENT - STATE BENEFITS Amends existing law to provide that all officers and employees of the state of Idaho who shall be members of the National Guard or who shall be reservists in the Armed Forces of the United States, shall be entitled each calendar year to fifteen days of military leave of absence from their respective duties without loss of pay, time or efficiency rating during which they shall be engaged in military duty ordered or authorized under the provisions of law. ....	288	306	LAW
1379	Education	189	SCHOOL LUNCH PERSONNEL - Amends existing law relating to the school lunch program to remove the requirement that employer paid contributions to the Idaho Public Employee Retirement System for school lunch personnel be paid from funds received by school districts from General Fund appropriations. ....	325	347	LAW
1383	Local Government and Taxation	166	WATER AND SEWER DISTRICTS - Amends existing law to delete certain provisions requiring filings with the district court by water and sewer districts. ....	277	300	LAW

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1385	Resources and Environment	184	FISH AND GAME - Amends existing law to revise provisions relating to fish and game licenses for disabled persons; to provide for persons certified as permanently disabled by physicians; and to require the Department of Fish and Game to maintain certain disability determinations on file. ....	291	306	LAW
1386 AA	Resources and Environment	310	FISH AND GAME - Amends existing law to provide that a prosecution for misdemeanors under the provisions of the Fish and Game Code must be commenced by the issuance of a citation or filing of a complaint within five years after its commission for unlawfully taking or possessing any big game animal, caribou or grizzly bear or for unlawfully purchasing, possessing or using any license, tag or permit by any person who does not reside in the state of Idaho at the time of purchase. .... (Senate Amendments - See Senate Journal)	353	367	LAW
1388	State Affairs	166	LIQUOR ACCOUNT - Amends existing law to reallocate the transfer and appropriation of moneys in the Liquor Account. ....	350	367	LAW
1389 AAH	Health and Welfare	166	REGIONAL MENTAL HEALTH SERVICES Amends and adds to existing law to provide for state mental health authority responsibilities; to establish a state planning council; to provide for council responsibilities; to provide for appointment authority and membership; to provide for membership terms; to permit the establishment of subcommittees; to provide for regional comprehensive mental health center services; to provide that petitions to the state mental health authority be made through the regional mental health board; to permit additional funding by the state to regional mental health boards for specified services; and to permit funding from private and other public services. .... (House Amendments - p. 229)	315	367	LAW
1390 AA	Health and Welfare	224	MEDICAID BENEFITS - CAREGIVERS - Adds to existing law relating to Medicaid to state legislative findings; and to require the director of the Department of Health and Welfare to establish a Medicaid benefit for caregivers and a caregiver benefit scale. .... (Senate Amendments - See Senate Journal)	366	367	Failed House
1391	Resources and Environment	184	FISH AND GAME - HUNTING LICENSES Amends existing law relating to fish and game to provide that certain children with life threatening medical conditions participating in a specified hunt are not required to be licensed; and to provide for the issuance of free permits or tags for use by minor children who have life threatening medical conditions; to authorize rulemaking relating to the issuance of free permits and tags; and to define a term. ....	291	306	LAW

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1395 AA	Education	224	TEACHERS - Amends existing law to provide that, beginning in the 2005-06 school year and thereafter, actual years teaching in an accredited college or university shall count in determining the experience factor for public school teachers for salary purposes. .... (Senate Amendments - See Senate Journal)	334	355	LAW
1396	Judiciary and Rules	184	ANIMAL CRUELTY - Adds to and amends existing law relating to animal cruelty to provide for enforcement by law enforcement agencies and animal care and control agencies; to provide enforcement restrictions; to provide for possession and care of cruelly treated animals; to revise duties for officers relating to animals carried in a cruel manner; to provide that law enforcement officers and animal care and control officers shall have specified duties relating to abandoned and neglected animals and the humane destruction of abandoned animals; to provide that law enforcement officers and animal care and control officers are authorized to take certain action relating to other cruelly treated animals; to provide for the termination of violators' rights to animals; to provide for the award of such animals to certain organizations or agencies; to provide for the seizure of certain animals; to provide a forfeiture process; to provide for security deposits and bonds; to provide for the disposition of seized animals; to provide for liability of certain unpaid costs; and to provide that certain animals be euthanized. ....	289	306	LAW
1397	Judiciary and Rules	184	DRIVING UNDER THE INFLUENCE - Amends existing law relating to driving under the influence of intoxicating substances to increase penalties; to increase the period of time applicable to repeat refusals to evidentiary testing; to revise information to be given to persons subject to evidentiary testing; and to increase the period of time applicable to repeat violations. ....	327	347	LAW
1399	Judiciary and Rules	173	HOMESTEAD EXEMPTION - Amends existing law relating to homesteads to increase the maximum permitted homestead exemption amount. ....	334	355	LAW
1400 AA	Judiciary and Rules	223	SMALL CLAIMS - Amends existing law relating to the small claims department of the magistrate division of the district court to increase the allowable claim to \$5,000 for specified civil proceedings assigned to magistrates; to increase the allowable claims to \$5,000 for certain civil actions assigned to nonattorney magistrates; to increase the allowable claim to \$5,000 in cases under jurisdiction of the small claims department; and to provide for collection of attorney's fees and costs by a prevailing plaintiff. .... (Senate Amendments - See Senate Journal)	335	355	LAW

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1401	Judiciary and Rules	230	FIREARMS - Amends existing law relating to emergency powers to provide that no restrictions shall be imposed on lawful uses of firearms or ammunition during a disaster emergency. ....	337	355	LAW
1403	Judiciary and Rules	184	ANATOMICAL GIFTS - Amends existing law to allow persons sixteen years of age or older but less than eighteen years of age to make anatomical gifts with parental or adult guardian consent. ....	327	347	LAW
1404 AAH	State Affairs	223	SCHOOL BONDS - Amends existing law relating to school bonds to provide that all property exempt from taxation pursuant to Section 63-602G, Idaho Code, be included within the definition of "market value for assessment purposes." ..... (House Amendments - p. 427)	432	432	Senate failed to concur in House Amendments
1407	Judiciary and Rules	211	JUDICIAL DISTRICTS - Amends existing law to increase the number of district judges and resident chambers in the First and Third Judicial Districts. ....	335	355	LAW
1408	Judiciary and Rules	223	CIVIL ACTIONS - Amends existing law relating to judges' retirement and compensation to increase fees in civil actions and appeals; and to increase the percentage of salary deductions and fund contributions. ....	335	335	Failed House
1409 AA	Judiciary and Rules	230	SENIOR MAGISTRATE JUDGES FUND - Adds to and amends existing law relating to the courts to establish the Senior Magistrate Judges Fund to enable the Idaho Supreme Court to purchase membership service in the Public Employee Retirement System of Idaho for certain retiring magistrate judges; to authorize the Idaho Supreme Court to adopt rules; to provide for the accumulation and investment of moneys in the fund; to increase court fees; to provide for the deposit of fees into the senior magistrate judges fund; and to provide application. .... (Senate Amendments - See Senate Journal)	335	355	LAW
1411	Judiciary and Rules	224	PERSI BOARD MEMBERS - Amends existing law relating to the Public Employee Retirement System to revise provisions applicable to the defense and indemnification of retirement board members, system staff and retirement system mortgage and investment committee members. ....	336	355	LAW
1412 AA	Judiciary and Rules	224	PHARMACISTS - Amends existing law relating to pharmacists to revise definitions; to permit electronic signatures and transmission of prescription drug orders; to permit prescription drug orders to be sent by facsimile transmission from a health care facility to the prescription department of a pharmacy; and to permit prescription drug orders to be received by a pharmacist verbally or by facsimile transmission. .... (Senate Amendments - See Senate Journal)	342	360	LAW

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1413	Judiciary and Rules	184	HONORARIUMS - Amends existing law to provide for a specified per diem honorarium and for actual and necessary expenses to members of part-time boards, commissions or councils. ....	336	355	LAW
1414	Judiciary and Rules	230	CRIME VICTIMS - Amends existing law relating to crime victim compensation to define "extenuating circumstances"; to provide that a victim found to have extenuating circumstances is eligible for a maximum mental health benefit of \$25,000; and to provide for reevaluation of qualifications. ....	343	360	LAW
1415	Judiciary and Rules	230	STATEWIDE COMMUNICATIONS INTEROPERABILITY - Adds to existing law relating to statewide communications interoperability to define terms; to create the Idaho Statewide Interoperability Executive Council in the Idaho Bureau of Homeland Security; to provide for council purpose; to provide for council responsibilities and rules; to establish the Idaho Statewide Interoperability Executive Council Fund; to provide for administration of the fund; to provide for council meetings; to provide for appointment of the council chair and vice-chair; to provide for the appointment of subcommittees; to provide for appointment of council members; to provide for member terms; and to provide for compensation for council members. ....	350	367	LAW
1416	Finance	203	MILLENNIUM PERMANENT ENDOWMENT FUND - Adds to and amends existing law to create the Idaho Millennium Permanent Endowment Fund; to provide for an annual distribution from the Idaho Millennium Permanent Endowment Fund to the Idaho Millennium Income Fund; to provide for distribution of moneys from the Idaho Millennium Fund to the Idaho Millennium Income Fund; to provide a fund balance limit in the Idaho Millennium Fund; to provide for the transfer to the Idaho Millennium Permanent Endowment Fund of any amount exceeding the statutory limit; to provide that the Idaho Millennium Income Fund shall consist of distributions from the Idaho Millennium Permanent Endowment Fund; to revise the uses of the fund; and to direct the State Treasurer to transfer ten million dollars of the Idaho Millennium Fund balance to the Idaho Millennium Permanent Endowment Fund upon adoption of Senate Joint Resolution No. 107 by the electorate of the state of Idaho. ....	286	306	LAW
1417	Finance	224	MEDICAL ASSISTANCE - CHILDREN - Amends existing law relating to medical assistance to revise the definition of "eligible child"; to reference eligible children for purposes of the children's access card program; and to revise provisions applicable to the participation of small employers in the small business health insurance pilot program. ....	312	329	LAW



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1418 AA	Finance	320	PROFESSIONAL-TECHNICAL CHARTER SCHOOL - Amends existing law to define "professional-technical regional public charter school"; to provide for professional-technical regional charter schools; and to provide for application of public charter school law to professional-technical regional public charter schools, with exceptions. .... (Senate Amendments - See Senate Journal)	-	320	Ways and Means
1422	Finance	224	APPROPRIATIONS - Appropriating an additional \$550,000 to the Department of Health and Welfare for Medical Assistance Services for administration and medical management for fiscal year 2006; reducing the appropriation by \$32,749,300 to the Department of Health and Welfare for Medical Assistance Services for provider payments for fiscal year 2006; and providing for a funds transfer. ....	289	306	LAW
1423 AA	State Affairs	311	GENETIC TESTING - PRIVACY - Adds to and amends existing law relating to genetic testing privacy to provide a short title; to define terms; to set forth restrictions regarding genetic testing information applicable to employers; to provide for enforcement; and to prohibit insurers from discriminating on the basis of genetic information for certain purposes. .... (Senate Amendments - See Senate Journal)	353	367	LAW
1425 AAH	Judiciary and Rules	262	SEX OFFENDER REGISTRATION - Amends existing law relating to the Sexual Offender Registration Notification and Community Right-to-Know Act to exempt from registration requirements certain defendants convicted of statutory rape. .... (House Amendments - p. 358)	372	403	LAW
1427	Judiciary and Rules	296	DEAF - BLIND - EDUCATION SERVICES Amends existing law relating to the School for the Deaf and the Blind to authorize special education services for students who qualify, pursuant to state or federal law, as a result of a hearing or visual impairment to be conducted statewide rather than just on the Gooding campus. ....	378	393	LAW
1428	Judiciary and Rules	249	CONCEALED WEAPONS - LICENSE - Amends existing law to revise provisions applicable to the issuance of a license to carry concealed weapons. ....	343	360	LAW
1429	State Affairs	281	EMINENT DOMAIN - Amends existing law relating to eminent domain to provide an alternate method for establishing the minimum amount for damages when ascertaining the value of the property. ....	433	434	LAW

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1430	Finance	240	APPROPRIATIONS - LEGISLATIVE COUNCIL Appropriates \$6,587,800 to the Legislative Council for fiscal year 2007; directs the allocation of salary savings; reappropriates unexpended and unencumbered fund balances; and expresses legislative intent regarding the Health Care Expenditure study. ....	299	316	LAW
1431	Finance	240	APPROPRIATIONS - Amends existing law to revise the fiscal year 2006 appropriation to the Department of Health and Welfare for the Division of Welfare; and to authorize an additional thirteen full-time equivalent positions. ....	299	316	LAW
1432	Finance	240	APPROPRIATIONS - COMMISSION ON AGING Appropriates \$13,022,900 to the Office of the Governor for the Commission on Aging for fiscal year 2007; limits the number of full-time equivalent positions to 15.35; directs the allocation of salary savings; and expresses legislative intent regarding the quality of service provided to seniors. ....	299	316	LAW
1434	Finance	262	APPROPRIATIONS - BUILDING SAFETY DIVISION - Appropriates \$12,639,700 to the Division of Building Safety for fiscal year 2007; limits the number of full-time equivalent positions to 152.1; directs the allocation of salary savings; and directs the preparation of a report regarding the contracting of inspection-related services. ....	299	316	LAW
1435	Finance	262	APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Appropriates \$9,587,800 to the Public Health Trust Fund for fiscal year 2007. ....	300	316	LAW
1436	Finance	262	APPROPRIATIONS - VETERANS SERVICES Appropriates \$21,207,800 to the Division of Veterans Services within the Department of Self-Governing Agencies for fiscal year 2007; limits the number of full-time equivalent positions to 306.30; and directs the allocation of salary savings. ....	300	316	LAW
1437 AAH	State Affairs	269	ELECTED OFFICIALS - SALARY INCREASE Amends existing law relating to state elected officials to increase salaries by five percent during each of the four years of the term of office of the state elected officials. .... (House Amendments - p. 358)	-	368	House State Affairs
1438	Judiciary and Rules	356	SCHOOL DISTRICT EMPLOYEES NONCERTIFICATED - Amends existing law relating to noncertificated personnel employed by a school district to authorize and direct local boards of trustees to provide for an evaluation of each noncertificated employee before March 1 of each school year; to revise the grievance procedure to include an informal review before the board upon request of an employee. ....	-	356	House Education

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1441 AA AAH	Judiciary and Rules	367	CIVIL IMMUNITY - SELF-DEFENSE - Adds to existing law relating to civil actions to provide immunity from civil liability for persons who use force in justifiable or otherwise permissible self-defense; to provide for the award of attorney's fees and other costs; and to define "law enforcement officer." ..... (Senate Amendments - See Senate Journal) (House Amendments - p. 394)	398	415	LAW
1442	Finance	281	APPROPRIATIONS - COMMUNITY COLLEGES Appropriates \$22,085,700 to the State Board of Education for Community College Support for fiscal year 2007; and expresses legislative intent regarding the allocation of General Funds. ....	303	329	LAW
1443	Finance	296	APPROPRIATIONS - STATE CONTROLLER Appropriates \$12,934,700 to the State Controller for fiscal year 2007; provides for the recovery of State Controller services costs to the General Fund; provides legislative intent regarding purchases or obligations involving information technology items; reappropriates certain unexpended and unencumbered balances of moneys; limits the number of authorized full-time equivalent positions to 99.85; and directs the allocation of salary savings. ....	312	329	LAW
1444	Finance	296	APPROPRIATIONS - COLLEGES AND UNIVERSITIES - Appropriates \$371,660,500 to the State Board of Education and the Board of Regents of the University of Idaho for Boise State University, Idaho State University, the University of Idaho, Lewis-Clark State College, and the Office of the State Board of Education for fiscal year 2007; provides legislative intent that certain amounts appropriated be used by the Office of the State Board of Education for statewide programs; provides for a funding equity settlement payment to Boise State University and Idaho State University; expresses intent regarding a tracking and reporting system for faculty and staff turnover; and reappropriates unexpended and unencumbered fund balances. ....	313	329	LAW
1445	Finance	296	APPROPRIATIONS - MILITARY DIVISION Appropriates \$53,252,400 to the Office of the Governor for the Military Division for fiscal year 2007; and limits the number of authorized full-time equivalent positions to 211.80. ....	313	329	LAW
1446	Finance	296	APPROPRIATIONS - LIEUTENANT GOVERNOR Appropriates \$117,300 to the Office of the Lieutenant Governor for fiscal year 2007; limits the number of authorized full-time equivalent positions to 2; and directs the allocation of salary savings. ....	313	329	LAW

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1447	Finance	296	APPROPRIATIONS - SECRETARY OF STATE Appropriates \$2,450,600 to the Secretary of State for fiscal year 2007; limits the number of full-time equivalent positions to 31; and directs the allocation of salary savings. ....	313	329	LAW
1449	Finance	311	APPROPRIATIONS - ATTORNEY GENERAL Appropriates \$15,824,400 to the Attorney General for fiscal year 2007; limits the number of full-time equivalent positions to 185.15; directs the allocation of salary savings; provides for transfers of funds for additional legal services to the Department of Finance and Idaho Transportation Department; reappropriates unexpended and unencumbered balances of the General Fund; and directs certain funds to the Treasure Valley Special U.S. Attorney Demonstration Project to deal with gang related violence. ....	332	355	LAW
1450	Finance	311	APPROPRIATIONS - Appropriating an additional \$9,579,500 to the Department of Correction for fiscal year 2006; and authorizing an additional 7 full-time equivalent positions. ....	332	355	LAW
1451	Finance	311	APPROPRIATIONS - ADMINISTRATION DEPARTMENT - Appropriates \$44,537,800 to the Department of Administration for fiscal year 2007; limits the number of full-time equivalent positions to 172.6; provides legislative intent regarding bond payments; directs the State Controller to transfer funds to the Administrative and Accounting Services Fund/Facilities Services; and directs the allocation of salary savings. ....	332	355	LAW
1452	Finance	311	APPROPRIATIONS - SUPREME COURT Appropriates \$34,753,200 to the Supreme Court for fiscal year 2007; and appropriates \$439,100 to the Guardian Ad Litem Fund. ....	332	355	LAW
1453	State Affairs	356	FAMILIES AND CHILDREN - Adds to existing law to establish in the Office of the Governor an Office for Families and Children; to provide for the purpose of the office; to provide for the appointment of an administrator; to provide for duties, powers and authorities for the office; to require the preparation of an annual report; and to create in the state treasury the Office for Families and Children Fund. ....	-	356	House State Affairs
1454	Finance	320	APPROPRIATIONS - IDAHO STATE POLICE Appropriates \$55,211,200 to the Idaho State Police for fiscal year 2007; limits the number of full-time equivalent positions to 543.07; and directs the allocation of salary savings. ....	340	360	LAW

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1455	Finance	320	APPROPRIATIONS - JUVENILE CORRECTIONS DEPARTMENT - Appropriates \$45,548,800 to the Department of Juvenile Corrections for fiscal year 2007; limits the number of full-time equivalent positions to 354.75; and expresses legislative intent regarding the use of moneys for juvenile mental health services. ....	341	360	LAW
1456	Finance	351	APPROPRIATIONS - PARKS AND RECREATION DEPARTMENT - Appropriates \$36,713,000 to the Department of Parks and Recreation for fiscal year 2007; limits the authorized full-time equivalent positions to 160.25; reappropriates unexpended and unencumbered fund balances for capital outlay; appropriates \$1,604,800 to the Lava Hot Springs Foundation for fiscal year 2007; limits the number of full-time equivalent positions for the Lava Hot Springs Foundation to 11; and provides conditions relating to the Bayhorse Mine property purchase. ....	364	389	LAW
1457	Finance	339	APPROPRIATIONS - CORRECTION DEPARTMENT - Appropriates \$159,267,700 to the Department of Correction for fiscal year 2007; limits the full-time equivalent positions to 1,554.4; states findings and intent of the Legislature regarding employee compensation, a bid process prior to contracting, moving or relocating inmates to out-of-state prison facilities, and video teleconferencing; and reappropriates certain unexpended and unencumbered fund balances. ....	354	367	LAW
1458	Finance	351	APPROPRIATIONS - VOCATIONAL REHABILITATION - Appropriates \$24,478,400 to the State Board of Education for the Division of Vocational Rehabilitation for fiscal year 2007; limits the number of full-time equivalent positions to 150; and directs the allocation of salary savings. ....	365	389	LAW
1459	Finance	351	APPROPRIATIONS - Appropriates \$116,500 to the State Independent Living Council for fiscal year 2007. ....	365	389	LAW
1460	Finance	351	APPROPRIATIONS - MILLENNIUM FUND Appropriates \$1,271,900 from the Millennium Fund to the State Treasurer for specified purposes for fiscal year 2007; and provides that unexpended and unencumbered moneys shall revert to the Idaho Millennium Income Fund. ....	365	389	LAW
1461	Finance	351	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED Appropriates \$3,814,900 to the Office of the Governor for the Commission for the Blind and Visually Impaired for fiscal year 2007; limits the number of full-time equivalent positions to 40.5; and directs the allocation of salary savings. ....	365	389	LAW

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1462	Judiciary and Rules	393	CAPITOL BUILDING PROJECTS - Adds to existing law relating to Capitol Building projects to provide legislative intent; and to provide for the use of construction manager at-risk services on Capitol Building projects. ....	417	422	LAW
1463	Finance	351	APPROPRIATIONS - PROFESSIONAL-TECHNICAL EDUCATION - Appropriates \$58,373,800 to the State Board for Professional-Technical Education for the Division of Professional-Technical Education for fiscal year 2007; reappropriates unexpended and unencumbered fund balances; provides legislative intent regarding resource sharing and Career Information System. ....	366	389	LAW
1464	Finance	367	APPROPRIATIONS - DEPARTMENT OF FINANCE - Appropriates \$4,734,300 to the Department of Finance for fiscal year 2007; limits the number of full-time equivalent positions to 51; and provides legislative intent regarding spending authority relating to lease increases. ....	373	393	LAW
1465	Finance	367	APPROPRIATIONS - WOMEN'S COMMISSION- Appropriates \$46,600 to the Idaho Women's Commission for fiscal year 2007; limits the number of full-time equivalent positions to .16; and provides legislative intent regarding use of a certain funding category. ....	373	393	LAW
1466	Finance	367	APPROPRIATIONS - LIQUOR DISPENSARY Appropriates \$15,099,100 to the Office of the Governor for the State Liquor Dispensary for fiscal year 2007; limits the number of authorized full-time equivalent positions to 180; creates the "Liquor Warehouse Remodel Fund" and specifies the purpose of the fund .....	374	393	LAW
1467	Finance	367	APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates \$14,702,800 to the Industrial Commission for fiscal year 2007; limits the number of full-time equivalent positions to 139.5; directs the allocation of salary savings; and provides legislative intent regarding spending authority relating to lease increases. ....	374	393	LAW
1469	Finance	367	APPROPRIATIONS - SELF-GOVERNING AGENCIES - Appropriates \$369,700 to the general boards in the Department of Self-Governing Agencies for fiscal year 2007; appropriates \$3,626,200 to the medical boards in the Department of Self-Governing Agencies for fiscal year 2007; appropriates \$5,390,900 to the regulatory boards in the Department of Self-Governing Agencies for fiscal year 2007; limits the number of full-time equivalent positions in each of the regulatory boards; provides legislative intent with regard to the Athletic Commission .....	375	393	LAW

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1470	Finance	370	APPROPRIATIONS - IDAHO STATE POLICE Appropriates an additional \$41,000 to the Idaho State Police for personnel costs. ....	378	393	LAW
1471	Finance	370	APPROPRIATIONS - Health and Welfare DEPARTMENT - Appropriates an additional \$2,000,000 to the Department of Health and Welfare for the Community Mental Health Program for fiscal years 2007 and 2008; recognizes the recommendations of the Mental Health Task Force and the Mental Health Facilities Development Plan; and provides legislative intent regarding the coordination of planning on the use of funding. ....	379	393	LAW
1472	State Affairs	370	PRECINCT COMMITTEEMEN - Amends existing law to provide that the precinct committeemen within each legislative district shall meet within the legislative district or at a convenient location in a legislative district contiguous to the legislative district, or at a convenient location in a county in which any portion of the legislative district sits, within eleven days after the primary election. ....	386	395	LAW
1473	Finance	370	APPROPRIATIONS - SUPREME COURT Appropriates an additional \$380,600 to the Supreme Court for fiscal year 2007 for district court judges and court reporters. ....	380	393	LAW
1474	Finance	370	APPROPRIATIONS - SUPREME COURT Appropriates an additional \$510,000 to the Supreme Court for fiscal year 2007 for purchasing an additional year of service in the Public Employee Retirement System for certain retiring magistrate judges. ....	380	393	LAW
1475	Finance	370	APPROPRIATIONS - WATER RESOURCES DEPARTMENT - Appropriates an additional \$1,325,000 to the Department of Water Resources for fiscal year 2007 for Northern Idaho Water Rights Adjudication; authorizes an additional 11 full-time equivalent positions; appropriates an additional \$10,000 to the Supreme Court for Northern Idaho Water Rights Adjudication; provides legislative intent regarding use of the moneys; and amends existing law to provide that the State Controller may establish multiple fund details in the Water Resources Adjudication Fund. ....	381	393	LAW
1476	Finance	370	APPROPRIATIONS - STATE TAX COMMISSION Appropriates \$32,102,700 to the State Tax Commission in the Department of Revenue and Taxation for fiscal year 2007; limits the number of full-time equivalent positions to 413.5; and directs the allocation of salary savings. ....	381	393	LAW

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1477	Finance	370	APPROPRIATIONS - TAX APPEALS BOARD Appropriates \$349,000 to the State Board of Tax Appeals in the Department of Revenue and Taxation for fiscal year 2007; limits the number of full-time equivalent positions to 4; and directs the allocation of salary savings. ....	382	393	LAW
1478	Finance	370	APPROPRIATIONS - IDAHO SCHOOL FOR THE DEAF AND THE BLIND - Appropriates \$8,043,500 to the State Board of Education for the Idaho School for the Deaf and the Blind for fiscal year 2007; limits the number of full-time equivalent positions to 121.52; directs that only necessary residential cottages be operated; and grants authority to transfer funds from campus operations to outreach services. ..	382	393	LAW
1479	Finance	370	APPROPRIATIONS - HISTORICAL SOCIETY Appropriates \$4,471,600 to the State Board of Education for the Idaho State Historical Society for fiscal year 2007; limits the number of full-time equivalent positions to 46.36; and directs the allocation of salary savings. ....	383	393	LAW
1480	Finance	370	APPROPRIATIONS - STATE BOARD OF EDUCATION - Appropriates \$11,939,100 to the State Board of Education for the Office of the State Board of Education for fiscal year 2007; limits the number of full-time equivalent positions to 23; provides legislative intent regarding resource sharing; and directs the allocation of salary savings. ....	383	393	LAW
1481	Finance	370	APPROPRIATIONS - PUBLIC BROADCASTING Appropriates \$4,065,000 to the State Board of Education for the Idaho Educational Public Broadcasting System for fiscal year 2007; limits the number of authorized full-time equivalent positions to 33; and directs the allocation of salary savings. ....	384	393	LAW
1482 AA	State Affairs	407	ABORTION - Amends existing law relating to informed consent for abortion to revise definitions; to revise procedures; to provide for discipline; and to provide for a civil penalty. .... (Senate Amendments - See Senate Journal)	424	426	LAW
1484	Finance	386	APPROPRIATIONS - EDUCATION DEPARTMENT - Appropriates \$25,401,200 to the Superintendent of Public Instruction/State Department of Education for fiscal year 2007; limits the number of full-time equivalent positions to 129; and directs the allocation of salary savings. ....	391	403	LAW
1487	Finance	393	APPROPRIATIONS - STATE LIBRARY BOARD Appropriates \$4,307,100 to the State Board of Education for the State Library Board for fiscal year 2007; limits the number of authorized full-time equivalent positions to 41; and directs the allocation of salary savings. ....	402	403	LAW



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1490	Finance	396	APPROPRIATIONS - STATE CONTROLLER Appropriating an additional \$120,000 to the State Controller for fiscal year 2007. ....	399	403	LAW
1491	Finance	407	APPROPRIATIONS - CAPITOL RESTORATION AND RELOCATION - Providing a short title; stating findings of the Legislature; directing the transfer of funds; appropriating an additional \$3,525,000 to the Department of Administration and to the Legislative Council for fiscal year 2006; appropriating an additional \$503,300 to the Department of Administration for the Idaho State Capitol Commission for fiscal year 2007; appropriating \$1,862,800 to the Department of Administration, to the Legislative Council and to the Idaho State Historical Society for fiscal year 2007; reappropriating certain unexpended and unencumbered balances; and authorizing additional full-time equivalent positions for a maximum term of three years. ....	414	421	LAW
1492 AA	Judiciary and Rules	416	LEGISLATIVE MEETINGS - Provides legislative intent; and amends existing law to provide that all meetings of any standing, special or select committee of either house of the Legislature shall be open to the public at all times, except in extraordinary circumstances as provided specifically in the rules of procedure in either house. .... (Senate Amendments - See Senate Journal)	425	426	LAW
1493	Finance	407	APPROPRIATIONS - Directing the State Controller to transfer moneys; and appropriating an additional \$160,000 to the Soil Conservation Commission for conservation improvement grants for fiscal years 2007 and 2008. ....	414	421	LAW
1494	Finance	409	APPROPRIATIONS - Directing the State Controller to transfer funds; and appropriating an additional \$100,000 to the Department of Environmental Quality for the Air Quality Program for fiscal years 2007 and 2008. ....	418	422	LAW
1495	Finance	409	APPROPRIATIONS - Directing the State Controller to transfer funds; and appropriating \$54,200 to the Department of Environmental Quality for water quality monitoring activities for the Clark Fork River and Lake Pend Oreille for fiscal years 2007 and 2008. ....	419	422	LAW
1496	Finance	409	APPROPRIATIONS - Directing the State Controller to transfer funds; directing the transfer of \$300,000 to the Water Management Fund; and providing legislative intent regarding the use of the moneys. ....	419	422	LAW

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1497	Finance	409	APPROPRIATIONS - Directing the State Controller to transfer funds; and appropriating an additional \$50,000 to the Department of Water Resources for Idaho's match for a feasibility study of flood control on the Bear River above Bear Lake for fiscal years 2007 and 2008. ....	420	422	LAW
1498	Finance	409	APPROPRIATIONS - Directing the transfer of funds; creating the Rural Broadband Development Matching Fund; and appropriating an additional \$5,000,000 to the Department of Commerce and Labor for fiscal years 2007 and 2008 for rural broadband investment plans. ....	420	422	LAW
1499	Finance	409	APPROPRIATIONS - Directing the transfer of funds; creating the Business and Jobs Development Fund; and appropriating an additional \$1,000,000 to the Department of Commerce and Labor for public costs of recruitment of companies to Idaho for fiscal years 2007 and 2008. ....	421	422	LAW
1500	Finance	409	APPROPRIATIONS - Directing the transfer of funds; and appropriating an additional \$300,000 to the Department of Commerce and Labor for the TechConnect Program for fiscal year 2007. ....	421	422	LAW
1501 AAH	State Affairs	423	SCHOOL DISTRICTS - MAINTENANCE AND OPERATION LEVIES - Adds to existing law to submit an advisory vote to the electors at the 2006 general election regarding deleting the property tax and replacing it with an increase in the sales tax; to revise how maximum school maintenance and operation levies are calculated for tax year 2006 and each year thereafter; to revise local districts' contribution calculation; to provide a property tax computation ratio for school districts; and to define a term. .... (House Amendments - p. 436)	441	441	Senate Failed to concur in House Amendments
1502	State Affairs	444	PROPERTY TAX - ADVISORY VOTE - Adds to existing law to submit an advisory vote to the electors at the 2006 general election regarding deleting the property tax for maintenance and operation of public schools and replacing it with an increase in the sales tax. ....	-	444	Revenue and Taxation

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120	Judiciary and Rules	86	STATEMENTS OF PURPOSE - Stating findings of the Legislature and proposing an amendment to the Joint Rules of the Senate and House of Representatives to provide that a statement of purpose and fiscal note applies only to a bill as introduced and is not a statement of legislative intent. ....	-	86	Judiciary, Rules, and Administration
123	Judiciary and Rules	143	OLYMPIC ATHLETES RECOGNIZED - Stating findings of the Legislature and recognizing and honoring the Idaho athletes participating in the Winter Olympic Games in Turin, Italy. ....	164	185	ADOPTED
124	Judiciary and Rules	221	Health and Welfare - Stating findings of the Legislature and requesting the Department of Health and Welfare to develop an informal dispute resolution process which is partially independent from the department for intermediate care facilities. ....	366	389	ADOPTED
125	Judiciary and Rules	221	DENTISTRY BOARD - Stating findings of the Legislature and rejecting certain pending administrative rules of the Idaho State Board of Dentistry. ....	342	360	ADOPTED
126	Judiciary and Rules	221	Health and Welfare DEPARTMENT - Stating findings of the Legislature and rejecting pending administrative rules of the Department of Health and Welfare governing the Medical Assistance Program. ....	342	360	ADOPTED
127	Judiciary and Rules	221	DENTISTRY BOARD - Stating findings of the Legislature and rejecting certain pending administrative rules of the Idaho State Board of Dentistry. ....	-	221	House Health and Welfare
128	State Affairs	235	AGENCY RULES - Stating findings of the Legislature and approving administrative rules that impose a fee or charge, with exceptions; and rejecting certain agency rules that are not approved. ....	350	367	ADOPTED
129	State Affairs	235	AGENCY RULES - Stating findings of the Legislature and approving and extending temporary rules reviewed by the Legislature, with exceptions. ....	343	360	ADOPTED
130	State Affairs	281	REGIONAL WATER AND WASTEWATER SERVICES - Stating findings of the Legislature and requesting that the Department of Environmental Quality study, with the input from cities, counties, water and sewer districts and other relevant entities, methods to encourage and provide incentives for the development and operation of regional water and wastewater services; and to submit a report of its findings to the Legislature by December 31, 2006. ...	345	360	ADOPTED

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<u>Senate Concurrent Resolu- tion No.</u>	<u>Introduced By</u>	<u>Intro- duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
131	Judiciary and Rules	261	MERCURY CONTAMINATION ASSESSMENT REPORT - Stating findings of the Legislature and requesting the Idaho Department of Environmental Quality to prepare a report assessing the nature and extent of mercury contamination in the environment of the state of Idaho and the potential environmental impacts from the addition of any new sources of mercury. ....	-	261	Environment, Energy, and Technology
132	State Affairs	302	POSTSECONDARY EDUCATION - STUDY Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a thorough assessment of the role and mission of postsecondary professional-technical and academic education in Idaho. ....	425	426	ADOPTED
133	State Affairs	330	PROPERTY TAX STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake a study on property taxation. ....	-	330	Ways and Means
134	Judiciary and Rules	391	RULES - EDUCATION - Stating findings of the Legislature and rejecting pending rules of the State Board of Education governing thoroughness. ....	-	391	House Education
135	State Affairs	396	EXCISE TAX - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of excise taxes in the state of Idaho. ....	-	395	Ways and Means
136	State Affairs	396	AQUIFER MANAGEMENT PLAN - Stating findings of the Legislature and requesting the Idaho Water Resource Board to prepare and submit a comprehensive aquifer management plan for the Eastern Snake River Plain for legislative review and approval. ....	409	421	ADOPTED

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<u>Senate Joint Memorial No.</u>	<u>Introduced By</u>	<u>Introduction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
113	Judiciary and Rules	18	JUDGE N. RANDY SMITH - Stating findings of the Legislature and supporting the confirmation of the appointment of Judge N. Randy Smith to serve on the Ninth Circuit U.S. Court of Appeals. ....	46	49	ADOPTED
114	State Affairs	36	IDAHO NATIONAL LABORATORY - Stating findings of the Legislature and encouraging the President of the United States, the United States Secretary of Energy and the Congress to commit and sustain funding for demonstration at the Idaho National Laboratory (INL) of safe, state of the art, advanced nuclear energy systems for commercial replication, and to express Idaho's support of an enhanced portfolio of bioenergy, hydropower and related alternative and renewable energy research at INL. ....	58	63	ADOPTED
118	Resources and Environment	123	DRINKING WATER - ARSENIC - Stating findings of the Legislature and urging that the enforcement of the reduced maximum contaminant level in drinking water be suspended until such time as definitive scientific evidence within the United States validates that consumption of water between 10 to 50 PPB of arsenic increases cancer mortality, or produces some other health problem and that the health benefit of removing trace amounts of arsenic from drinking water is commensurate with the associated costs of compliance with the new standard. ....	289	306	ADOPTED
119	Judiciary and Rules	235	TEN COMMANDMENTS DISPLAY - Stating findings of the Legislature and requesting that Congress adopt S 520 and HR 1070 relating to limiting the jurisdiction of the federal courts relating to matters involving the acknowledgment of God as the sovereign source of law, liberty or government. ....	344	360	ADOPTED
120	State Affairs	293	FEDERAL LAND SALE - Stating findings of the Legislature and expressing opposition to any federal proposals which lead to a significant sale of federal land located in the state of Idaho. ....	350	367	ADOPTED

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<u>Senate Joint Resolu- tion No.</u>	<u>Introduced By</u>	<u>Intro- duction Page</u>	<u>Subject Matter</u>	<u>Final Vote Page</u>	<u>Final Action Page</u>	<u>Final Disposition</u>
107	Judiciary and Rules	199	MILLENNIUM PERMANENT ENDOWMENT FUND - Proposing an amendment to the Constitution of the State of Idaho by the addition of a new section to create an Idaho Millennium Permanent Endowment Fund; to provide that the Idaho Millennium Permanent Endowment Fund shall consist of eighty percent of the moneys received each year by the state of Idaho pursuant to the Master Settlement Agreement and any other moneys that may be appropriated or otherwise directed to the fund by the Legislature; to provide that such moneys shall remain inviolable and intact except that each year the State Treasurer shall distribute five percent of the Idaho Millennium Permanent Endowment Fund's average monthly fair market value for the first twelve months of the preceding twenty-four months to the Idaho Millennium Income Fund; to create an Idaho Millennium Income Fund subject to appropriation as provided by law; to provide that the Idaho Millennium Income Fund shall consist of the distribution from the Idaho Millennium Permanent Endowment Fund and other moneys that may be appropriated or otherwise directed to the fund as provided by law; to provide that the remaining twenty percent of the moneys received pursuant to the Master Settlement Agreement and the earnings thereon, shall be deposited to the Idaho Millennium Fund; to provide that the Idaho Millennium Fund may consist of any moneys that may be appropriated or otherwise directed to the fund by the Legislature; to provide that moneys in the Idaho Millennium Fund shall be allowed to accumulate; to provide that any amounts so accumulating in the Idaho Millennium Fund which exceed a maximum limit, shall be transferred to the Idaho Millennium Permanent Endowment Fund; and to provide that such moneys and earnings transferred to the Idaho Millennium Permanent Endowment Fund shall also remain inviolable and intact. ....	285	306	PASSED

**HOUSE BILLS WHICH BECAME LAW  
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FIFTY-EIGHTH LEGISLATURE**

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404	Appropriations	2/7/06	2/7/06	3
405	Commerce and Human Resources	2/17/06	7/1/06 1/1/12 Sunset Clause	13
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411	Agricultural Affairs	3/15/06	7/1/06	93
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413	State Affairs	3/8/06	7/1/06	16
414	State Affairs	3/11/06	3/11/06	22
415	State Affairs	3/11/06	3/11/06	23
421 AAS	Revenue and Taxation	4/12/06	1/1/06	429
422 AAS	Revenue and Taxation	4/7/06	1/1/06	350
430	Judiciary, Rules, and Administration	3/15/06	7/1/06	92
431	Judiciary, Rules, and Administration	3/15/06	7/1/06	91
432	Judiciary, Rules, and Administration	3/22/06	3/22/06	141
433	Business	3/22/06	1/1/03	140
434	State Affairs	3/8/06	7/1/06	17
435	State Affairs	3/8/06	7/1/06	18
436	State Affairs	3/11/06	7/1/06	24
440	Appropriations	2/8/06	2/8/06	5
443 AAS	Revenue and Taxation	3/24/06	1/1/06	195
444 AA	Revenue and Taxation	3/14/06	1/1/05	63
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447	Business	3/11/06	7/1/06	26
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454	State Affairs	3/11/06	7/1/06	29
457	Revenue and Taxation	3/15/06	1/1/06	90
458	Revenue and Taxation	3/14/06	7/1/06	61
459	Revenue and Taxation	3/14/06	7/1/06	60
461	Revenue and Taxation	3/14/06	1/1/06	59
462	Transportation and Defense	3/11/06	7/1/06	30
463 AA	Transportation and Defense	3/14/06	7/1/06	58
464	Transportation and Defense	3/11/06	7/1/06	31
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466	Agricultural Affairs	3/30/06	7/1/06	217
471	Revenue and Taxation	3/14/06	7/1/06	56
472 AA	Revenue and Taxation	3/24/06	7/1/06	196
473	Revenue and Taxation	3/14/06	7/1/06	55
474 AA	Revenue and Taxation	3/31/06	1/1/06	302
475	Revenue and Taxation	3/15/06	7/1/06	89
476	State Affairs	3/11/06	3/11/06	32
477	State Affairs	3/11/06	3/11/06	33
483	Revenue and Taxation	3/15/06	7/1/06	88
488	State Affairs	3/11/06	7/1/06	34
490	Agricultural Affairs	3/15/06	7/1/06	87
491	Agricultural Affairs	3/22/06	7/1/06	139
492	Agricultural Affairs	3/30/06	7/1/06	218
493	Agricultural Affairs	3/15/06	7/1/06	86
497 AAS	Revenue and Taxation	3/30/06	7/1/06 7/1/11 Sunset Clause	219
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528	Resources and Conservation	3/22/06	7/1/06	131
529	Resources and Conservation	3/22/06	7/1/06	130
530	Judiciary, Rules, and Administration	3/21/06	7/1/06	95
533 AAS	Judiciary, Rules, and Administration	3/22/06	3/22/06	129
534 AA	Judiciary, Rules, and Administration	3/13/06	3/13/06	39
535	Judiciary, Rules, and Administration	3/11/06	7/1/06	35
536	Judiciary, Rules, and Administration	3/15/06	7/1/06	85
538	Business	3/22/06	7/1/06	128
539	Business	3/22/06	7/1/06	127
541	Resources and Conservation	3/30/06	7/1/06	221
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550	Business	3/15/06	7/1/06	81
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560	Transportation and Defense	3/15/06	7/1/06	78
561 AAS AAS	Transportation and Defense	4/7/06	7/1/06	351
562 AA	Transportation and Defense	3/30/06	7/1/06	223
564	Health and Welfare	3/14/06	7/1/06	54
565 AA	Health and Welfare	3/22/06	7/1/06	125
566	Health and Welfare	3/14/06	7/1/06	52
567	Health and Welfare	3/24/06	7/1/06	201
570 AA	State Affairs	4/7/06	7/1/06	352
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574	State Affairs	3/14/06	7/1/06	50
575	Appropriations	3/11/06	7/1/06	37
576	Resources and Conservation	3/22/06	7/1/06	124
577	Commerce and Human Resources	3/11/06	3/11/06	38
578	Commerce and Human Resources	3/14/06	1/1/06	48
579	Judiciary, Rules, and Administration	3/14/06	7/1/06	47
580	Judiciary, Rules, and Administration	3/14/06	7/1/06	46
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601 AAS	Transportation and Defense	3/22/06	1/1/06	120
602 AA	Transportation and Defense	3/30/06	1/1/07	227
603	Transportation and Defense	3/14/06	7/1/06	42
605	Transportation and Defense	3/22/06	1/1/07	119
606	Transportation and Defense	3/22/06	1/1/07	118
607	Transportation and Defense	3/23/06	1/1/07	176
608	Transportation and Defense	3/14/06	1/1/07	41
611 AA	Health and Welfare	3/22/06	7/1/06	117
613 AA	Health and Welfare	3/24/06	7/1/06	203
614	Health and Welfare	3/23/06	7/1/06	175
615	Health and Welfare	3/21/06	7/1/06	97
619	Health and Welfare	3/22/06	7/1/06	116
621	State Affairs	3/15/06	7/1/06	74
624 AAS	Education	3/30/06	7/1/06	228
627	Judiciary, Rules, and Administration	3/15/06	7/1/06	73
628	Judiciary, Rules, and Administration	3/15/06	7/1/06	72
629	Judiciary, Rules, and Administration	3/15/06	7/1/06	71
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639	Resources and Conservation	3/22/06	7/1/06	111
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645	Business	3/22/06	7/1/06	110
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648 AAS	Commerce and Human Resources	3/30/06	7/1/06	231
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652	Business	3/24/06	7/1/06	207
653	Business	3/24/06	7/1/06	208
655 AAS	Business	4/7/06	7/1/06	353
659	Transportation and Defense	3/22/06	7/1/06	108
663 AA	Health and Welfare	3/31/06	7/1/06	305
664	Health and Welfare	3/23/06	1/1/07	174
671 AAS	State Affairs	3/30/06	3/30/06	232
672	State Affairs	3/15/06	3/15/06	70
673 AAS	State Affairs	4/13/06	7/1/06	449
676 AAS	Revenue and Taxation	3/30/06	1/1/06	233
680	Revenue and Taxation	3/30/06	1/1/06	234
684	Education	3/30/06	7/1/06	235
685	Revenue and Taxation	3/15/06	1/1/06	69
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706	Revenue and Taxation	3/24/06	7/1/05	211
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709 AA	State Affairs	3/30/06	7/1/06	239
711	State Affairs	3/22/06	7/1/06	105
712	Education	3/30/06	7/1/06	240
713 AA	Education	4/7/06	4/7/06	354
714 AA	State Affairs	4/10/06	7/1/06	410
716	State Affairs	3/22/06	7/1/06	104
718	State Affairs	3/22/06	3/22/06	103
719 AA	State Affairs	3/30/06	7/1/06	241
722	State Affairs	3/24/06	7/1/06	212
723 AAS	State Affairs	4/10/06	7/1/06	411
724	State Affairs	3/24/06	7/1/06	213
726	Revenue and Taxation	3/31/06	1/1/06	307
727	Transportation and Defense	3/22/06	7/1/06	102
728	State Affairs	3/31/06	7/1/06 Sunset Clause contingent upon certification from DEQ to Secretary of State that all provisions have been satisfied	308
729	Revenue and Taxation	3/30/06	1/1/06	242
731	Revenue and Taxation	3/31/06	7/1/06	309
734	State Affairs	3/24/06	7/1/06	214
735 AA	State Affairs	3/31/06	7/1/06	310
736 AA	State Affairs	4/7/06	4/7/06	355
737 AA	State Affairs	4/7/06	4/7/06	356
738 AA	State Affairs	3/30/06	7/1/06	243

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742 AA	Education	4/7/06	4/7/06	358
743	Ways and Means	3/31/06	7/1/06	311
745	Revenue and Taxation	3/31/06	7/1/06	312
746	Appropriations	3/15/06	3/15/06	66
747	Appropriations	3/15/06	3/15/06	65
748	Appropriations	3/15/06	3/15/06	64
750 AA	Education	3/31/06	7/1/06	313
752	Education	3/30/06	7/1/06	244
753 AA	State Affairs	4/7/06	7/1/06	359
754	Revenue and Taxation	3/31/06	1/1/06	314
756	Revenue and Taxation	3/31/06	7/1/06	315
757	Revenue and Taxation	3/31/06	7/1/06	316
758	State Affairs	3/31/06	7/1/06	317
760 AA	Revenue and Taxation	4/7/06	7/1/06	360
762	State Affairs	3/30/06	7/1/06	245
763	State Affairs	3/31/06	7/1/06	318
764	Revenue and Taxation	3/31/06	1/1/06	319
765	Revenue and Taxation	3/31/06	1/1/06	320
766	Appropriations	3/22/06	7/1/06	101
767	Appropriations	3/22/06	7/1/06	100
770 AAS AAS	Education	4/10/06	7/1/06	412
771	State Affairs	4/7/06	7/1/06	361
772	State Affairs	4/7/06	7/1/06	362
773	State Affairs	4/7/06	7/1/06	363
774	State Affairs	4/7/06	7/1/06	364
775	State Affairs	4/7/06	7/1/06	365
776	State Affairs	3/31/06	7/1/06	278
778 AA	Revenue and Taxation	4/7/06	1/1/06	366

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781	Revenue and Taxation	3/31/06	7/1/06	322
782	Appropriations	3/22/06	7/1/06	99
783	Appropriations	3/22/06	7/1/06	98
784	State Affairs	3/31/06	7/1/06	323
788	Appropriations	3/24/06	3/24/06	215
791	Ways and Means	4/7/06	4/7/06 4/7/08 Sunset Clause	367
793	Appropriations	3/31/06	7/1/06	324
794	Appropriations	3/31/06	7/1/06	325
795	Ways and Means	4/7/06	7/1/06	368
796	Revenue and Taxation	3/31/06	7/1/05	326
797	Appropriations	3/31/06	7/1/06	327
798	Appropriations	3/31/06	7/1/06	328
799	Appropriations	3/31/06	7/1/06	329
801	Appropriations	3/31/06	7/1/06	330
802	Appropriations	3/31/06	7/1/06	331
803	Appropriations	3/31/06	7/1/06	332
804	Appropriations	3/31/06	7/1/06	333
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808	Appropriations	3/31/06	7/1/06	335
809	Appropriations	3/31/06	7/1/06	336
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811	Appropriations	3/31/06	7/1/06	338
812	Appropriations	3/31/06	7/1/06	339
813	Appropriations	3/31/06	7/1/06	340
814 AA	Ways and Means	4/7/06	7/1/06	369
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818	Appropriations	3/31/06	7/1/06	342
819	Appropriations	3/31/06	7/1/06	343

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827	Appropriations	3/31/06	7/1/06	345
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857	Ways and Means	4/11/06	7/1/06	425
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861	Appropriations	4/12/06	7/1/06	430
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868	Appropriations	4/14/06	7/1/06	458
869	Appropriations	4/12/06	7/1/06	428
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**HOUSE ATTACHES  
FIFTY-EIGHTH LEGISLATURE  
SECOND REGULAR SESSION - 2006**

The following attaches were elected and sworn in January 10, 2006.

ALLUMBAUGH, BARBARA LEE . . . . . Secretary to Local Government Committee  
 ANDRUS, KEVIN . . . . . \*Page  
 BAKER, BETTY A. . . . . Secretary to Judiciary, Rules, and Administration Committee  
 BARRY, NATHAN . . . . . \*Page  
 BETOURNAY, MARY . . . . . Assistant Secretary to Education Committee  
 BORTON, JIM . . . . . Assistant Sergeant at Arms  
 BRYANT, JANET . . . . . Secretary to Education Committee  
 BUXTON, MARILYN . . . . . Information Center Specialist  
 CAMERON, LACI . . . . . \*Page  
 CHRISTENSEN, JUDITH K. . . . . Sergeant at Arms  
 COMBS, DEANNA . . . . . Tour Guide  
 COOPER, JESSI . . . . . \*Page  
 CSUTORAS, JERRY . . . . . Copy Machine Operator  
 CUNHA-STERN, MARIA . . . . . Lounge Hostess  
 DANIELS, KAREN . . . . . Secretary to State Affairs Committee  
 DANIELSON, JOHN . . . . . \*Journal Clerk  
 DAYTON, CARL . . . . . \*Page  
 DOWNS, CATHY . . . . . Secretary to Minority Leadership  
 FRANKS-SMITH, TERRI . . . . . \*\*Chief Fiscal Officer  
 FRECKER, EMILY . . . . . \*Page  
 FRIEDERS, SUSAN . . . . . Administrative Assistant to Majority Leadership  
 GARDETTO, JESSICA . . . . . Secretary to Minority Leadership  
 GOEDDERTZ, VERNA M. . . . . Assistant Chief Clerk  
 HARDENBROOK, JIM . . . . . Chaplain  
 HARRIMAN, LAURYN . . . . . Page  
 HEADY, PEGGY . . . . . Secretary to Environment, Energy, and Technology Committee  
 HEIMER, DAWN . . . . . Assistant Lounge Hostess  
 HENDRICKSON, CATHERINE . . . . . Page  
 HOLZER, KATELYN . . . . . Page  
 JOHNSON, CLAUDIA . . . . . Secretary to Commerce and Human Resources Committee  
 JOHNSON, CAROLYN . . . . . Assistant Secretary to Education Committee  
 JUKER, PAMM . . . . . \*\*Chief Clerk

\*Attaches sworn in at a later date

\*\*Permanent employees

KELSEY, MICHAEL . . . . .	*Page
KEMPTON, SUSAN . . . . .	Tour Guide
KROGSTAD, JEAN . . . . .	Secretary to Appropriations Committee
LAKE, MEGAN . . . . .	Page
LARSEN, BROCK . . . . .	*Page
LUDWIG, FORREST . . . . .	Journal Clerk
LUDWIG, JEANNE . . . . .	**Administrative Assistant to the Speaker
MAGILL, LOUISE J. . . . .	Information Center Telephone Operator
MARSHALL, GEORGIA . . . . .	Information Center Director
MCMAHAN, IAN . . . . .	Page
MOLITOR, MARY LOU . . . . .	Secretary to Business Committee
MORGAN, DONNA . . . . .	Copy Machine Operator
MURRAY, SHANI . . . . .	Secretary to Transportation and Defense Committee
NOYES, AL . . . . .	Assistant Sergeant at Arms
O'KIEF, JENNIFER . . . . .	Secretary to Health and Welfare Committee
PENCE FINK, AMBER . . . . .	Administrative Assistance to Minority Leadership
PIERCE, MARYELLEN . . . . .	Information Center Telephone Operator
PYLE, CARLA . . . . .	Tour Guide
ROBERTS, JOHANNA . . . . .	Page
RYAN, CAROL . . . . .	Docket Clerk
SCOTT, SHIRLEY . . . . .	Secretary/Receptionist (J. R. Williams Bldg)
SESSIONS, TIFFANI . . . . .	Page
SMITH, KATRINA . . . . .	Page
SPAULDING, MONA . . . . .	Secretary to Resources and Conservation Committee
TAYLOR, CHRIS . . . . .	Assistant Secretary to Revenue and Taxation Committee
THIEN, HEATHER . . . . .	Information Center Telephone Operator
THOMAS, LUKE . . . . .	Page
TOLLEFSON, KATY . . . . .	Information Center Telephone Operator
VINCENT, LYNDSEY . . . . .	*Page
WINKEL, VICKIE . . . . .	Secretary to Agricultural Affairs Committee
WLADYKA, AMELIA . . . . .	*Page
YOST, KATHRYN L. . . . .	Secretary to Revenue and Taxation Committee

\*Attaches sworn in at a later date

\*\*Permanent employees